

THE RURAL MUNICIPALITY OF PINEY

“Fireworks Display Policy”

Subject: **Fireworks Display**

Effective Date: **August 12, 2015**

Replaces Policy: **Fireworks Display Policy of June 23, 2015**

Resolution No.: **596** **Resolution Date:** **August 11, 2015**

PURPOSE

The purpose of this policy is to establish standards for the prevention of fire and life safety which may originate as the result of fireworks displays.

POLICY STATEMENT

The RM of Piney is supportive of community events hosting fireworks displays in a safe manner that prevents risk to life, property and the environment. However, the RM of Piney needs to govern such events to reduce the chance of injury, fires or damage and insure that the event proceeds within the parameters outlined.

POLICY

Definitions

“District Fire Chief” means the District Fire Chief having jurisdiction over the area in which the fireworks display will be held. In the absence of the District Fire Chief, the Municipal Fire Chief has signing authority.

“Fireworks” means any article defined as fireworks such as fireworks pursuant to the Explosives Act (Canada) or regulations thereto and without limiting the generality of the foregoing, shall also include High Hazard Fireworks and Low Hazard Fireworks as defined hereafter.

“Low Hazard Fireworks” is referred to as Consumer Fireworks; this means any fireworks such as fireworks showers, fountains, golden rain, lawn light, pinwheel, Roman candles, volcanoes, sparklers, Christmas crackers and caps for toy guns as defined in Class 7.2.1 of the Explosives Act (Canada) as Low Hazard Fireworks for Recreation.

“High Hazard Fireworks” is referred to as Display Fireworks; this means any article defined as fireworks such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombards, waterfalls, fountains, mines and fire crackers as defined in Class 7.2.2 of the Explosives Act (Canada) as High Hazard Fireworks for Recreation.

Storage and Disposal

The storage of fireworks and the disposal of unused fireworks shall be in compliance with The Explosives Regulations, 2013.

Permit Required

No person shall fire, set off, or otherwise ignite any fireworks in or above the municipality except under a permit issued by the municipality. Other provincial and federal permits may be required for the setting off of fireworks. It is the responsibility of the applicant to determine which permits are required.

Permit Requirements

The District Fire Chief, at his absolute discretion, may authorize permits allowing for the firing or setting off of fireworks in conjunction with a proposed fireworks display.

Any person desiring to fire, set off, or otherwise ignite any high hazard fireworks, or conduct a fireworks display which includes any high hazard fireworks shall make application to the District Fire Chief for a Fireworks Permit, and such permit application shall state the following:

- (a) the name of the display supervisor in charge and the number and expiry date of their fireworks operator certificate;
- (b) the location of any storage units in which the fireworks to be displayed will be stored before or after the display;
- (c) a description of the display site, including the distance in metres from the firing site to the nearest spectators, buildings, structures and vulnerable sites;
- (d) the type and trade name of each firework to be used and the name of the person who obtained its authorization;
- (e) the quantity of fireworks to be used under each trade name;
- (f) a description of how the fireworks will be positioned within the firing site and how they will be fired;
- (g) a description of the crowd-control measures that will be taken; and
- (h) an assessment of the likelihood of harm to people and property resulting from the use of the fireworks.

Any applicant for a permit as referred to above may prove his identity and his age by presenting driver's license, birth certificate, or other identification satisfactory to the District Fire Chief.

No person shall utilize the property of any other person for a fireworks display without the written permission of the owner.

The District Fire Chief may, at his discretion, require any applicant to comply with the High Hazard Fireworks standards.

Conditions Under Permit

The display of High Hazard Fireworks shall be carried out under the direct conduct and supervision of a person approved by the Chief Inspector of Explosives.

A display shall be conducted in a manner consistent with all safety procedures specified in regulations issued pursuant to The Explosives Act (Canada), and continue only while:

- All proper precautions are being observed in order to keep spectators at a safe distance from the location where the fireworks are being set off; and
- All proper precautions are being observed in order to protect public and private property; and
- Proper fire extinguishing equipment is available.

No display shall be held without compliance with the distance restrictions as set out in The Display Fireworks Manual.

All unused fireworks and all debris shall be removed and disposed of in accordance with provisions of The Display Fireworks Manual.

Where the display is to be held on or above municipal owned property, or on or above property over which the municipality has possession or control, the person to whom the permit is issued shall, prior to holding the display, deposit the following with the District Fire Chief:

- A written undertaking by the person to indemnify the municipality for any liability that the municipality may incur as a result of damages arising out of the fireworks display;
- An insurance policy containing provisions including the amount of liability coverage acceptable to the Council, which provides for the protection and indemnification of the municipality in respect of any liability that the municipality may incur as a result of damages arising out of the fireworks display.

Right of Appeal

An applicant denied a permit pursuant to this Part by the District Fire Chief may appeal the refusal to Council so long as such appeal is made in writing and directed to the municipal office within seven (7) days of a refusal by District Fire Chief.