

# CITY OF CORNER BROOK

## DISCHARGING OF FIREWORKS REGULATION 2022

Pursuant to the powers vested in it under the City of Corner Brook Act, Section 212, 216 (1), 222, 222.1, 223, 278, and 279, RSNL 1990, c C-17, as amended, Sections 6, 10, 11 and 12 of the Fire Protection Services Act, RSNL 2008 ch. F-11.01 and all other powers enabling it, the Corner Brook City Council in a session convened on the 20th day of June, 2022, hereby passes and enacts the following regulations:

### Title

1. These Regulations may be cited as the City of Corner Brook Discharging of Fireworks Regulation 2022.

### Definitions

2. In these Regulations:

- a. "City" means the City of Corner Brook;
- b. "Council" means the Corner Brook City Council;
- c. "Director" means the Director of Protective Services;
- d. "discharge" means firing, igniting, exploding, using, and setting off fireworks;
- e. "fireworks" means family fireworks, aerial fireworks, and pyrotechnics and:
  - i. "aerial fireworks" means high hazard fireworks as described in Class 7, Division 2, Subdivision 2 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended;
  - ii. "family fireworks" means low-hazard fireworks for recreation commonly referred to as consumer fireworks, and as described in Class 7, Division 2, Subdivision 1 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended;
  - iii. pyrotechnics means theatrical explosives as described in Class 7, Division 2, Subdivision 5 of the Explosives Regulations under the Explosives Act, RSC 1985, c E-17, as amended;
- f. "Occupant" of any property means a person who
  - i. owns the property;
  - ii. resides at the property;
  - iii. conducts business at the property;

- iv. is in physical possession of the property; or
- v. has responsibility for, and control over, the condition of the property, the activities conducted on the property and the persons allowed to enter the property.

For the purposes of these Regulations there may be more than one occupant of the same property; and

- g. "Officer" means any person designated by Council to administer and enforce these Regulations and includes the Director, Municipal Enforcement Officers, Fire Department Officers, and members of the Royal Newfoundland Constabulary.

### **Application**

- 3. This regulation is a supplement to the City's Fire Prevention Regulations and Noise Regulations, and where there is a conflict between these regulations and other of the City's Regulations regarding fire prevention, nuisance, and or noise, these regulations shall apply.

### **General**

- 4. No person or Occupant shall discharge fireworks within the boundaries of the City unless authorized under these Regulations.
- 5. With exception of New Years Eve and Canada Day and the day immediately preceding and/or following each of these days, no person or Occupant shall set off or permit or allow to be set off family fireworks on any other day during the year, unless a permit has been issued by the City to do so.
- 6. A person or Occupant to whom a permit is issued shall ensure that the permit is on the site where the fireworks are being discharged.
- 7. No person or Occupant may discharge or permit or allow to be discharged fireworks outside the hours between 6 pm and 9 pm, and 11 pm and 1 am, unless a permit has been issued by the City authorizing the discharge of fireworks at a different time.
- 8. Notwithstanding the City of Corner Brook Noise Regulations, a person or Occupant may make noise by discharging fireworks if they do so in compliant with these Regulations.
- 9. With exception of Canada Day, no person or Occupant shall discharge or permit or allow to be discharged any fireworks when a municipal or provincial fire ban is in effect unless they have been issued a permit from the City that specifically permits discharge of fireworks during a provincial or municipal fire ban.

10. A person or Occupant who causes, sets, lights, or otherwise discharges a firework shall take every reasonable and reasonably foreseeable precaution to prevent a fire and shall not leave fireworks unattended.
11. No person or Occupant shall discharge or cause or allow to be discharged fireworks in such a manner as might create danger to any person or property, or do or cause or allow any unsafe act or omission in the discharging of any fireworks.
12. The possession of a permit from the City does not discharge a person or Occupant from responsibility for damage resulting from fireworks that have been discharged pursuant to the permit.
13. No person or Occupant shall discharge or permit or allow to be discharged any firework(s) in or on or into any highway or public park or on or into any other private property for which permission has not been granted.
14. No person or Occupant shall discharge or permit or allow to be discharged fireworks when the surface wind speed at the time of the display exceeds 40 km/h (kilometers per hour).
15. Save and except for pyrotechnics, no person or Occupant shall discharge or permit or allow to be discharged any fireworks inside of or closer than 8 metres to any building, tent, trailer, camp or shelter or motor vehicle.
16. Save and except for pyrotechnics, no person or Occupant shall discharge or permit or allow to be ignited fireworks within 300 metres of any place where explosives, gasoline or other highly flammable substances are manufactured, stored or displayed in large quantities.
17. No person or Occupant shall discharge or allow to be discharged fireworks within 300 metres of a hospital, nursing home, health lodge, home for the aged, school, or place of worship unless the consent of the City and the owner or agent of the owner has first been obtained in writing.
18. Persons under the age of eighteen (18) years shall not discharge fireworks within the boundaries of the City and no person or Occupant shall allow or permit a person under the age of eighteen (18) years to discharge fireworks within the boundaries of the City.
19. Every person or Occupant who discharges or permits or allows fireworks to be discharged shall ensure that there is immediate access to a fire extinguisher and water ready for use at the site where the fireworks are discharged.
20. Every person or Occupant who discharges or allows or permits fireworks to be discharged shall ensure that the fireworks are discharged in accordance with the manufacturer's instructions.

### **Aerial Fireworks or Pyrotechnics**

21. No person or Occupant shall discharge or permit or allow to be discharged aerial fireworks or pyrotechnics within the boundaries of the City without first obtaining a permit from Council. Such a permit approval may impose conditions for approval as it considers necessary to ensure the safety of the public and governing regulations and procedures including but not limited to:
  - i. keeping spectators at a safe distance;
  - ii. protecting private and public property;
  - iii. ensuring serviceable fire extinguishing equipment is available at all times;
  - iv. strict adherence to Explosives Act and the Explosives Regulations (BL2015-098).
22. The person(s) responsible, including property owners and or occupants, for the setting off of any fireworks or classes thereof must ensure that all unused fireworks and debris be removed and safely disposed of immediately following the event.
23. In addition to holding a permit from the City, no person or Occupant shall discharge or permit or allow to be discharged aerial or pyrotechnics within the boundaries of the City unless they are discharged by a person who holds a valid Fireworks Supervisor certificate or equivalent thereof, issued by the Explosives Regulatory Division of Natural Resources Canada or its similar or successor governing body, and proof of such certification must be provided to the City immediately upon request.
24. No person or Occupant shall handle or discharge or permit or allow the handling and/or discharge of aerial fireworks or pyrotechnics unless it is handled or discharged in conformance with the Natural Resources Canada (NRCAN), "Display Fireworks Manual" and Natural Resources Canada (NRCAN), Pyrotechnic Special Effect Manual" or similar or successor government departments, laws, policies and manuals.

#### **Fire Protection Services Act**

29. Nothing in these Regulations shall or shall be deemed to alter, amend, or abrogate in any way the requirements and responsibilities set out in the Fire Protection Services Act, SNL 2008, c F-11.01, as amended, and its Regulations, or the Explosives Act, RSC 1985, c E-17, as amended, and its Regulations.

#### **Provincial Fire Ban**

30. Notwithstanding the above sections, where a provincial fire ban relating to forest lands within or adjacent to the boundary of the City of Corner Brook is in effect under the Forestry Act, RSNL 1990 c F-23, as amended, no person shall discharge fireworks in such areas within the boundaries of the City, unless a permit has been issued by the City specifically allowing the permit holder to discharge fireworks during such prohibition and where a permit has been issued, a person discharging fireworks during such prohibition must take additional and adequate mitigation measures to prevent a fire.

**Penalty**

31. Any person who contravenes the provisions of these Regulations shall be guilty of an offence and liable upon summary conviction to a penalty as provided for in Section 438 of the City of Corner Brook Act.

**Coming into Force**

32. These regulations shall come into force as of the date enacted by Council as the and the City of Corner Brook Discharging of Fireworks Regulation 2022.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of The Corner Brook City Council and subscribed by and on behalf of Council by Jim Parsons, Mayor and Marina Redmond, City Clerk, at the City of Corner Brook, this 20th day of June, 2022.

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

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First Reading – \_\_\_\_\_

Second Reading – \_\_\_\_\_



# CITY OF CORNER BROOK FIREWORKS PERMIT

## APPLICANT DETAILS

Name	Date
Address	Telephone No.
	Email Address

## PROPOSED FIREWORKS DISCHARGE DETAILS

Date	Time <input type="checkbox"/> 6 PM to 9 PM <input type="checkbox"/> 11 PM to 1 AM <input type="checkbox"/> Other (fill in Other Proposed Time)	Other Proposed Time
Location / Address		
Person Discharging the Fireworks		Telephone No.
ONSITE FIRE HAZARD SAFETY MEASURES <input type="checkbox"/> Fire extinguisher <input type="checkbox"/> Bucket of Water <input type="checkbox"/> Flowing Garden Hose	<input type="checkbox"/> Other Measures	

## APPROVAL DETAILS (office use only)

FURTHER FIRE MITIGATION MEASURES or SAFETY MEASURES	<input type="checkbox"/> Not Required / Initials of Assessor
Fire Officer Signature	Date