

COUNTY OF MINBURN NO. 27

BYLAW NO. 1249-16

BEING A BYLAW OF THE COUNTY OF MINBURN NO. 27 IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 1171-04 TO PROVIDE FOR THE REGULATION AND CONTROL OF THE DISTRIBUTION, SALE AND USE OF FIREWORKS WITHIN THE COUNTY OF MINBURN NO. 27.

WHEREAS pursuant to the terms and conditions contained in Bylaw No. 1171-04 the Council of the County of Minburn No. 27 established a fire/rescue department to provide for the suppression and control of fires within the County; and

WHEREAS the Council of the County of Minburn No. 27 wishes to amend Bylaw No. 1171-04 to provide for the regulation and control of the distribution, sale and use of fireworks within the boundaries of the County of Minburn No. 27 on the terms and subject to the conditions hereinafter set forth;

NOW THEREFORE, the Council for the County of Minburn No. 27, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. Bylaw No. 1171-04 shall be amended as follows:
 - a. Paragraph 2.1 of Section 2 of Bylaw No. 1171-04 shall be amended by the addition of the following paragraph:
 - m.1. "Fireworks" means the Fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivisions 1 and 2 in Section 14 of the *Explosives Act* (Canada) and regulations thereto.
2. Sections 7A and 7B shall be added to Bylaw 1171-04 as follows:

SECTION 7A- FIREWORKS PROHIBITIONS

- 7A.1 No person shall wholesale, display for sale, offer for sale, sell, possess, or store any Fireworks within the County without the written permission of the County Fire Chief.
- 7A.2 No person shall obtain, purchase, set off, discharge or otherwise handle Fireworks within the County without the written permission of the County Chief.
- 7A.3 No person shall sell Fireworks to any person without seeing that person's driver's license or other photo identification issued by the Government of Alberta or Canada.
- 7A.4 No person shall sell Fireworks to anyone under the age of 18 years.
- 7A.5 No person shall bring Fireworks into the County without the written permission of the County Chief.

7A.6 No person shall set up, set off, fire, discharge or energize a pyrotechnics display in the County without the written permission of the County Fire Chief.

SECTION 7B - FIREWORKS PERMISSIONS

7B.1 A display supervisor or a pyro-technician, holding a valid authorization under the *Explosives Act* (Canada), may conduct a Fireworks display after receiving permission to do so in writing from the County Fire Chief.

7B.2 A display supervisor or pyro-technician, shall apply in writing, a minimum of 3 calendar days prior to the proposed Fireworks display, to the County Fire Chief for a letter of permission to conduct the Fireworks display. The application must address all information required by the *Explosives Act* (Canada) and the Alberta Fire Code, including, but not limited to:

- i. Date, time and location of the proposed display;
- ii. Names, addresses and certification numbers of all display supervisors or pyro-technicians and assistants participating in the display;
- iii. The name of the sponsor or purchaser of the display;
- iv. A full description of the planned display and a list of all materials to be fired, detonated, burnt or energized during the display;
- v. The emergency plan for the display;
- vi. Verification of liability insurance, in an amount acceptable to the County; and
- vii. Any other information deemed necessary by the County or the County Fire Chief.

7B.3 The County Fire Chief may choose not to issue written permission to anyone for a Fireworks display if, in his opinion, such a display may create a risk to life, safety or property.

7B.4 Fireworks may only be sold and purchased between the hours of 8:00 am and 8:00 pm.

7B.5 A wholesaler or distributor of Fireworks wishing to provide Fireworks to a retail vendor in the County must first apply and obtain the written permission of the County Fire Chief.

7B.6 A retail vendor wishing to sell Fireworks to persons in the County must first apply and obtain the written permission of the County Fire Chief. This permission must include approval and acceptance of the storage area and the required Fire Safety Plan as outlined in the Alberta Fire Code.

7B.7 A retail vendor wishing to sell Fireworks to persons in the County must retain all the information required from every purchaser by the Alberta Fire Code for a period of not less than two years as outlined in the Alberta Fire Code. This information will include:

- i. The date of the sale;
- ii. The name, address and phone number of the purchaser;
- iii. A description of the Fireworks sold;
- iv. The date and time the Fireworks will be discharged; and
- v. The location and description of the site where the Fireworks will be discharged.

7B.8 A person wishing to purchase Fireworks in the County must first obtain written permission to discharge, issued by the Department or from a Forest Officer where the discharge is to take place within in a forest protection area.

7B.9 A person in possession of written permission to discharge Fireworks as noted in Section 7B.8 above may apply to the County Fire Chief for written permission to purchase Fireworks from a vendor within the County.

7B.10 The County Fire Chief or his designate may attach any terms and conditions in a written permission that he or she deems appropriate for the specific event and location.

7B.11 The County Fire Chief or his designate may choose to revoke any previously issued written permission for reasons of:


- i. Non-compliance with:
 - a) The Alberta Fire Code;
 - b) The Explosives Act (Canada); or
 - c) The written permission;
- ii. Changes in environmental conditions; or
- iii. Safety to life, limb or property.

This Bylaw comes into effect on the date of final passing.

PASSED IN FIRST READING.....February 16, 2016

PASSED IN SECOND READING.....February 16, 2016

PASSED IN THIRD READINGFebruary 16, 2016



REEVE

COUNTY MANAGER