

Protection

Chapter 0802 Fireworks

Chapter Index

Article 1 - Short Title

802.1.1 Citation

Article 2 - Interpretation

802.2.1 Chief Inspector of Explosives - defined

802.2.2 Sales display - defined

802.2.3 Dwelling - defined

802.2.4 Fire rated material - defined

802.2.5 Fireworks - defined

802.2.6 Fireworks display - defined

802.2.7 Fireworks Supervisor - defined

802.2.8 Lot - defined

802.2.9 Magazine - defined

802.2.10 Person - defined

802.2.11 Resale use - defined

802.2.12 Sealed packaging - defined

802.2.13 Storage Unit - defined

802.2.14 Weight - defined

Article 3 - Application

802.3.1 Application

Article 4 - Authority

802.4.1 Enforcement - duties

Article 5 - Possession - Restrictions

802.5.1 Person - under eighteen years old - possession

802.5.2 Person - give fireworks - under eighteen years old

Article 6 - Licence - Required - Application

802.6.1 Sale of fireworks - display - storage permit - required

802.6.2 Licence - procedure - requirements

802.6.3 Licence - fire chief procedure - requirements

802.6.4 Licence - granted - signed - by Fire Chief

802.6.5 Contravention - other laws - prohibited

802.6.6 Issuance - rejected - conditions

- 802.6.7 Issuance - declined or rejected - dispute
- 802.6.8 Issue - current year - expiry - December 31
- 802.6.9 Renewal - by new application
- 802.6.10 Transfer - prohibited
- 802.6.11 Licence - address - notification of change

Article 7 - Sales - General Provisions

- 802.7.1 Sale of fireworks - under eighteen years old
- 802.7.2 Sale of fireworks - appears under twenty-five
- 802.7.3 Identification - unlawful
- 802.7.4 Sale - days - other than specified - prohibited
- 802.7.5 Safety instructions - provided - requirements
- 802.7.6 Sale of fireworks - quantity able to sell
- 802.7.7 Sale - locations
- 802.7.8 Sales - tent - trailer - shelter - safety
- 802.7.9 Sales - restricted access when outlet closed

Article 8 - Sales Display And Storage - Regulation

- 802.8.1 Heat - sun - open flame - prohibited
- 802.8.2 Open flame - prohibited
- 802.8.3 Sign - posted - no smoking - requirements
- 802.8.4 Sign - posted - age prohibited - content - requirements
- 802.8.5 Display / storage - locations - permanent and temporary
- 802.8.6 Storage - other explosives - prohibited
- 802.8.7 Display/storage - total weight - calculation
- 802.8.8 Display/storage - locations - permanent - temporary
- 802.8.9 Structural requirements - building includes dwelling
- 802.8.10 Fireworks - not being displayed
- 802.8.11 Display area - required exits
- 802.8.12 Display - how to - requirements

Article 9 - Storage Units - Regulations

- 802.9.1 Structural requirements - attached storage unit
- 802.9.2 Construction of storage units - requirements
- 802.9.3 Maintenance - requirements
- 802.9.4 Maintenance - over 250 kg

Article 10 - Personal Use - Storage - Regulation

- 802.10.1 Storage - up to 25 kg - requirements

Article 11 - Discharge - Restrictions

- 802.11.1 Discharge - days - other than specified - prohibited
- 802.11.2 Discharge - into building - doorway - prohibited
- 802.11.3 Discharge - in public place - prohibited - exception

Article 12 - Fireworks Discharge - Regulation

- 802.12.1 Permit - required - groups - public - private property
- 802.12.2 Fireworks Supervisor - supervision - required
- 802.12.3 Licence - application - fourteen days prior
- 802.12.4 Location - public park - permission - required
- 802.12.5 Location - safe - spectators - adjacent property
- 802.12.6 Questionable character - licence - refused
- 802.12.7 Proposed site - applicant - inspection - Fire Chief
- 802.12.8 Inspection - concluded - application - approved
- 802.12.9 Permit - issued - by Fire Chief - contents - required
- 802.12.10 Permit - issued - in applicant's name
- 802.12.11 Permit - copies - distribution
- 802.12.12 Time - place - supervision - as per permit
- 802.12.13 Safety precautions - fireworks - discharge placement
- 802.12.14 Safety precautions - spectators - safe distance
- 802.12.15 Fire extinguisher - available - all times
- 802.12.16 Fireworks - unused - debris - removed - disposed of
- 802.12.17 Non-compliance - permit - revoked - Fire Chief

Article 13 - Inspections

- 835.13.1 Inspection
- 835.13.2 Time of entry
- 835.13.3 Dwellings
- 835.13.4 Use of force
- 835.13.5 Identification
- 835.13.6 Obstruction

Article 14 - Enforcement

- 802.14.1 Penalty - contravention
- 802.14.2 Conflict with other legislation

Article 15 - Repeal - Enactment

- 802.15.1 By-law - previous
- 802.14.2 Effective date

Schedules

Schedule 'A' - Consumer Fireworks Safety

Schedule 'B' - Table of Quantity Distance for Fireworks

WHEREAS section 9 of the *Municipal Act*, S.O. 2001, c. 25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 121 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks, and further that a by-law may prohibit those activities unless a permit is obtained for those activities and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS section 151 of the *Municipal Act, 2001*, c. 25, as amended provides that a local municipality may establish a system of licences with respect to a business;

AND WHEREAS subsection 7.1 (1) of the *Fire Protection and Prevention Act, 1997*, c. 4, as amended provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading fires;

AND WHEREAS section 426 of the *Municipal Act, 2001*, c. 25 provides that no person shall hinder, obstruct or attempt to hinder or obstruct any person who is exercising a power or performing a duty under a by-law passed under the *Municipal Act, 2001*.

NOW THEREFORE the Council of The Corporation of the City of Woodstock enacts as follows:

Article 1 - Short Title

802.1.1 Citation

This Chapter may be cited as the "Consumer Fireworks By-law."

Article 2 - Interpretation

802.2.1 Chief Inspector of Explosives - defined

"Chief Inspector of Explosives" means the Chief Inspector of Explosives for the Natural Resources Canada: Explosives Regulatory Division.

802.2.2 Sales display - defined

"sales display" means to display consumer fireworks in a way that leads to a reasonable belief that it is intended for sale, even if the fireworks is in an area that the public does not have access to, such as behind a sales

counter.

802.2.3 Dwelling - defined

“dwelling” means a unit operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

802.2.4 Fire rated material - defined

“fire rated material” means a fire rated barrier of non-combustible material or 6mm plywood.

802.2.5 Fireworks - defined

“fireworks” means consumer fireworks (Class 7.2.1) that are authorized and classified as low-hazard under the Authorization of Explosives Regulations and are designed to be used by consumers for recreational purposes, they are suitable for use by people who have not completed a fireworks training course, and are unlikely to explode violently or all at once.

802.2.6 Fireworks display - defined

“fireworks display” means a discharge of consumer fireworks in a public park, on private property or in some other area specifically approved by the Chief of the Woodstock Fire Department for view by a public or private group of more than 20 persons, under the supervision of a Fireworks Supervisor.

802.2.7 Fireworks Supervisor - defined

“Fireworks Supervisor” means the individual named on the fireworks display permit as overseeing the event.

802.2.8 Lot - defined

“lot” means a quantity of fireworks that is grouped together, such as in a box or basket or on a shelf, for the purpose of sale.

802.2.9 Magazine - defined

“magazine” means a magazine for which a magazine licence has been issued under section 7 of the *Explosives Act*, R.S. 1985, C. E-17.

802.2.10 Person - defined

“person” means and includes persons, firms or corporations.

802.2.11 Resale use - defined

“resale use” shall not include the use of fireworks for the purpose of personal use.

802.2.12 Sealed packaging - defined

“sealed packaging” means blister packs or other packaging that is completely sealed so as to prevent direct and easy access to the contents.

802.2.13 Storage Unit - defined

“storage unit” means any building, structure, place or container, other than a magazine, in which explosives are stored.

802.2.14 Weight - defined

“weight” means the gross weight of the fireworks, including packaging.

Article 3 - Application

802.3.1 Application

This Chapter shall apply to everyone who sells, purchases, possesses, stores, handles or uses consumer fireworks (Class 7.2.1 as outlined by Natural Resources Canada) and to everyone who is in a place where such fireworks are displayed or stored.

Article 4 - Authority

802.4.1 Enforcement - duties

It shall be the duty of the Woodstock Police Service, Woodstock Fire Department Assistant’s to the Fire Marshall, and City of Woodstock Municipal Law Enforcement Officers, or any of the above mentioned designates, to enforce the provisions of this Chapter.

Article 5 - Possession - Restrictions

802.5.1 Person - under eighteen years old - possession

No person under the age of eighteen years old shall possess or use fireworks unless they are under the direct supervision of someone who is at least eighteen years of age.

802.5.2 Person - give fireworks - under eighteen years old

No person who possesses or uses fireworks shall give fireworks to anyone who is not yet eighteen years old unless the person who gives the fireworks directly supervises their use and is at least eighteen years old.
(See Set Fine)

Article 6 - Licence - Required - Application

802.6.1 Sale of fireworks - display - storage permit – required

No person shall sell, offer for sale, display for sale or store for sale any fireworks without first obtaining a licence. (See Set Fine)

802.6.2 Licence - procedure - requirements

Every person who sells fireworks must file a licence to sell fireworks application in writing on the prescribed form to the Woodstock Fire

Department located at 1203 Parkinson Road in the City of Woodstock no later than forty five days prior to the holiday(s) they wish to sell which are known as Victoria Day and Canada Day. The applicant must complete the application in its entirety prior to submissions.

802.6.3 Licence - Fire Chief procedure - requirements

The Fire Chief will provide a copy of every application for the issuance or renewal of a licence to sell fireworks to the Woodstock Municipal Law Enforcement Office, the City of Woodstock Police Service and the Woodstock Fire Department; who may submit comments or make recommendations to the Fire Chief in respect of the application within such time as the Fire Chief may specify.

802.6.4 Licence - granted - signed - by Fire Chief

Each licence issued will be in the name of the Corporation or person and will be granted and signed by the Fire Chief of the Woodstock Fire Department or his/her designate.

802.6.5 Contravention - other laws - prohibited

The issuance or renewal of a licence is not intended and shall not be construed as permission or consent by the City for the holder of the licence to contravene or to fail to observe or comply with any law of Canada or Ontario or any other by-law of the City.

802.6.6 Issuance - rejected - conditions

The Fire Chief may issue a licence to sell fireworks to an applicant except where:

- a) the past conduct of the applicant or an individual who is a member of a partnership that is the applicant affords reasonable grounds for belief that the business will not be carried on in accordance with the law;
- b) the applicant is a corporation or a partnership of which a member is a corporation and the past conduct of an officer or director or of a shareholder who owns or controls 10% or more of its issued and outstanding voting and non-voting shares affords reasonable grounds for belief that the business will not be carried on in accordance with the law;
- c) the applicant is carrying on activities that are or will be in contravention of this Chapter or any other applicable law if the applicant becomes licenced;
- d) the applicant is in default with respect to any other municipal, provincial or federal law; or
- e) a temporary or mobile unit from which the fireworks will be sold, displayed or stored will contravene the minimum distance

requirements set out in Schedule 'B'.

802.6.7 Issuance - declined or rejected - dispute

Every applicant, whose permit application has been declined or rejected, is eligible to appeal the decision in writing within fifteen days after the issue of the decision of the Fire Chief. Such appeal shall be heard by the Property Standards Committee. The applicant shall be responsible for providing the name of their representative within ten days of submission of the appeal. If no representative is appointed within the time frame, the hearing shall proceed without the applicant or their representative.

802.6.8 Issue - current year - expiry - December 31

Each permit granted under this Chapter shall be for only the holidays known as Victoria Day and Canada Day for the year current at the time of the issue thereof and shall expire on the 31st day of December in the year of issue or sooner if the licence so indicates or if the person named in the licence is no longer the person in control of the location for which the licence was issued.

802.6.9 Renewal - by new application

Any person requiring a new licence for a year following the date of expiry of any previous licence shall apply for the new licence in the same manner as for any new applicant.

802.6.10 Transfer - prohibited

No person holding a licence to sell fireworks shall cause or permit the sale, transfer, lease, or bequest of the licence. Every licence, at all times, is owned by and is the property of the City and is valid only in respect of the person, location and premises named therein.

802.6.11 Licence - address - notification of change

Every licence holder shall notify the Fire Chief within seven days of any change in his/her business or home address.

Article 7 - Sales - General Provisions

802.7.1 Sale of fireworks - under eighteen years old

No person shall sell or supply fireworks to a person who is less than eighteen years old. (See Set Fine)

802.7.2 Sale of fireworks - appears under twenty-five

No person shall sell or supply fireworks to a person who appears to be less than twenty-five years old unless he/she has required the person to provide identification and is satisfied that the person is at least eighteen years old.

802.7.3 Identification - unlawful

No person shall present as evidence of his/her age identification that was not lawfully issued to him/her.

802.7.4 Sale - days - other than specified - prohibited

No person shall display, offer for sale or sell by retail at any time any consumer fireworks except during the seven days immediately prior to the holiday known as Victoria Day and on the Victoria Day holiday in each year and during the seven days immediately prior to the holiday known as Canada Day and on the Canada Day holiday in each year. (See Set Fine)

802.7.5 Safety instructions - provided - requirements

No person shall sell fireworks without providing the consumer with a copy of the instructions in Schedule 'A' of this Chapter on how to safely use the fireworks, or other written instructions that include at least the same information. (See Set Fine)

802.7.6 Sale of fireworks - quantity able to sell

A retailer may sell the following quantities of consumer fireworks:

- a) up to 25 kg of consumer fireworks may be sold to any person at least 18 years old;
- b) more than 25 kg up to 250 kg may be sold to a person at least 18 years old who provides to the seller a copy of a Chief Inspector of Explosives permission to acquire the fireworks;
- c) more than 250 kg may be sold to a person who has a magazine licence that authorizes them to acquire the fireworks.

802.7.7 Sale - locations

No person shall sell consumer fireworks unless they are sold from inside a permanent retail outlet (a retail outlet located in a permanent structure) or a temporary retail outlet (a retail outlet located in a tent, a trailer or other temporary shelter).

802.7.8 Sales - tent - trailer - shelter - safety

Every retailer selling from a tent, trailer or other temporary shelter must ensure that it is made of flame-retardant material.

802.7.9 Sales - restricted access when outlet closed

Every retailer must ensure the retail outlet must be secure from unauthorized access when it is not open for business.

Article 8 - Sales Display And Storage - Regulation

802.8.1 Heat - sun - open flame - prohibited

No person shall display for sale any type of fireworks in any manner other than in such a place that the fireworks are not exposed to the rays of the sun or to excess heat from any other source that may cause ignition. (See

Set Fine)

802.8.2 Open flame - prohibited

No person shall smoke or use an open flame, such as a lighter, match or welding equipment where fireworks are displayed or stored. (See Set Fine)

802.8.3 Sign - posted - no smoking - requirements

No person shall display or store fireworks unless signs are posted in the immediate area of the fireworks stating smoking is prohibited in letters or symbols at least 10 cm high, and on each door to the storage unit, or on the container, if a container serves as a storage unit, unless a similar sign has already been posted in accordance with provincial or municipal law.

802.8.4 Sign - posted - age prohibited - content – requirements

No person shall display or store any fireworks unless they display a sign reading, "Sale of Fireworks to persons under eighteen years of age is prohibited," and the dimensions of such sign shall be not less than 21.59 cm by 35.56 cm (11" x 14") and the letters on such sign shall be not less than 4.064 cm (1 ½") high. The required sign must be located in the immediate area of the display. (See Set Fine)

802.8.5 Display/storage - locations - permanent – temporary

No person shall display or store fireworks from a permanent or temporary retail outlet, including all detached storage units, tents, trailers or any other shelter unless it is located in accordance to the minimum distances prescribed in Schedule 'B'. (See Set Fine)

802.8.6 Storage - other explosives - prohibited

No person shall store any other explosives in a storage unit where fireworks are stored.

802.8.7 Display/storage - total weight - calculation

If a storage unit is in, attached to, or in a place that is attached to a display area then all fireworks in storage and on display shall be calculated as the total weight.

802.8.8 Display/storage - limited quantities

No person shall display or store consumer fireworks for sale without first ensuring the following limitations are met.

- a) no more than 75 kg of fireworks can be on display at one time; (See Set Fine)
- b) up to 100 kg of consumer fireworks may be stored in a retail outlet that is located in a multi-tenant building or a building that includes a dwelling; (See Set Fine)
- c) up to 250 kg of consumer fireworks may be stored in a stand-

alone retail outlet, including all detached storage units; (See Set Fine) and

- d) any quantity of consumer fireworks greater than 250 kg must be stored in a magazine.

802.8.9 Structural requirements - building includes dwelling

No person shall display or store fireworks in a permanent retail outlet or storage unit that is located in a building that includes a dwelling unless it is separated from the dwelling by a fire separation that has a fire resistance rating of at least two hours and no openings.

802.8.10 Fireworks - not being displayed

No person shall store fireworks not being displayed unless they are in an approved storage unit or in an approved area that only employees have access to. (See Set Fine)

802.8.11 Display area - required exits

No person shall display fireworks in a sales display area unless there are at least two unobstructed exits that permit quick exit in an emergency. (See Set Fine)

802.8.12 Display - how to - requirements

No person shall display fireworks unless the following requirements are met:

- a) only consumer fireworks that are packaged in family or blister packs may be displayed for sale in those areas of a retail outlet to which the public has access; (See Set Fine)
- b) they must be displayed at least 1 m from the floor; (See Set Fine)
- c) those that are not in sealed family or blister packs must be kept behind the sales counter or locked up (for example, in a display case) and may be handled only by an employee up to the point of sale;
- d) the fireworks are in lots of not more than 25 kg (55 lbs); (See Set Fine)
- e) each lot must be separated from another lot by a fire rated barrier (if 6 mm plywood used then there shall be a spacing of not less than 15 cm between the top of the fireworks to the underside of the plywood) as to prevent a fire in one lot from spreading immediately to another lot; (See Set Fine)
- f) the fireworks are not displayed with any other explosives;
- g) the fireworks are separated from flammable goods, such as fuels, paints and solvents, by not less than 3 metres (9.84 feet) to prevent a fire from spreading immediately from the flammable

- goods to the fireworks; (See Set Fine)
- h) the fireworks are positioned so that the end of the firework that discharges is pointed away from the public; (See Set Fine)
 - i) the fireworks are not exposed to dampness that could cause them to deteriorate;
 - j) the fireworks are not located within 3 metres (9.84 feet) of either of the two required exits; (See Set Fine)
 - k) that all aisles that contain fireworks must be at least 1.2 m (3.94 feet) wide and must not be blocked at either end; and
 - l) the fireworks separated by a fire rated barrier shall not extend beyond the limit of the barrier. (See Set Fine)

Article 9 - Storage Units - Regulations

802.9.1 Structural requirements - attached storage unit

No person shall use a storage unit unless it is:

- a) equipped with an automatic sprinkler system that meets the requirements of the latest version of the Ontario Building Code, Ontario Fire Code and NFPA 13; or
- b) separated from the display area by a fire separation that has a fire resistance rating of at least one hour.

802.9.2 Construction of storage units - requirements

No person shall use a storage unit unless it has been constructed to prevent unauthorized access and to protect the contents from weather.

802.9.3 Maintenance - requirements

No person shall store up to 250 kg of fireworks in a storage unit unless the following are met.

- a) the unit must be kept locked except when access is required for handling the fireworks or for any other necessary purpose, such as cleaning or handling other inventory;
- b) a placard marked "1.4G" and that meets the requirements of the Transportation of Dangerous Goods Regulations must be posted on the outside of each door to the unit, or on the container if a container serves as a storage unit;
- c) the unit must be adequately ventilated to protect the fireworks from deterioration and all reasonable precautions must be taken to prevent fire in the unit;
- d) the unit must be kept clean and organized; and
- e) the unit must be kept free of grit, combustible or abrasive material, matches, any spark-producing or flame-producing device, and substances liable to ignite spontaneously.

802.9.4 Maintenance - over 250 kg

No person shall store any quantity of consumer fireworks over 250 kg unless they are stored in a magazine in accordance with the requirements of Natural Resources Canada, the *Explosives Act* and all applicable regulations.

Article 10 – Personal Use - Storage - Regulation

802.10.1 Storage - up to 25 kg - requirements

No person shall store consumer fireworks not for resale unless they are stored in accordance with the following:

- a) up to 25 kg (55 lbs) of fireworks may be stored in a storage unit in a dwelling or place attached to a dwelling;
- b) up to 250 kg (550 lbs) of fireworks may be stored in a storage unit that is not in or attached to a dwelling;
- c) the fireworks must be stored in a dry storage unit to which access is restricted to anyone under eighteen years old (unless accompanied by a person eighteen years old or more), away from any source of heat or substance that could cause ignition. A storage unit containing more than 25 kg of consumer fireworks must be attended when it is unlocked; and
- d) any quantity of consumer fireworks over 250 kg must be stored in a magazine in accordance with the requirements of the Explosives Regulatory Division of Natural Resources Canada, the *Explosives Act* and all applicable regulations.

Article 11 - Discharge - Restrictions

802.11.1 Discharge - days - other than specified – prohibited

No person shall discharge fireworks at any time within the corporate limits of the City of Woodstock except on the holidays known as Victoria Day and Canada Day in each year or on such other day or days as Council may from time-to-time approve by resolution. (See Set Fine)

802.11.2 Discharge - into building - doorway - prohibited

No person shall discharge any fireworks in or at any location where such discharge might create danger to persons or property, including but not limited to a building, doorway or automobile. (See Set Fine)

802.11.3 Discharge - in public place - prohibited – exception

No person shall at anytime discharge fireworks in or on any highway, street, land, square or any other public space. This shall not be deemed to prohibit a fireworks display in a public park or other public place or private location in accordance with a licence issued under the provisions of this Chapter. This shall also not be deemed to prohibit the discharge of fireworks

by those persons conducting a display upon private property upon which the legal owner of the property has granted consent and it is before a private group of 20 or less persons. (See Set Fine)

Article 12 - Fireworks Discharge - Regulation

802.12.1 Permit - required - groups - public - private property

No person shall conduct a fireworks discharge on public or private property where there are more than 20 people without having first obtained a permit prescribed in this Chapter which has been issued by the Fire Chief of The Corporation of the City of Woodstock. (See Set Fine)

802.12.2 Fireworks Supervisor - supervision - required

No private or public group of persons in excess of 20 persons shall conduct a fireworks discharge on public or private property unless such display is attended and supervised by a Fireworks Supervisor.

802.12.3 Licence - application - fourteen days prior

Application for such licence shall be made using the prescribed form and submitted to the Fire Chief at least fourteen days prior to the date of such discharge.

802.12.4 Location - public park - permission - required

If the proposed location of the discharge is a public park or other such area, permission for such use by the owners or agents thereof must accompany such application.

802.12.5 Location - safe - spectators - adjacent property

The location referred to in the permit application must be such that there will be no danger to spectators or to adjacent properties or highways or persons using the same.

802.12.6 Questionable character - licence - refused

No permit shall be issued to any person, or persons representing a group of persons of known criminal convictions or to any person of unsound or immature mind or to any person under the age of twenty-one years representing any public or private group.

802.12.7 Proposed site - applicant - inspection - Fire Chief

Forthwith after receipt of an application for a fireworks display, the Fire Chief shall make or cause to be made an inspection of the site of the proposed fireworks discharge.

802.12.8 Inspection - concluded - application - approved

Upon the conclusion of his/her inspection and after having ascertained that the application is in good order, the Fire Chief may approve the application.

802.12.9 Permit - issued - by Fire Chief - contents – required

Upon the approval of an application for a fireworks discharge, the Fire Chief may issue a permit for said purpose which shall set forth the name and address of the applicant in charge of the discharge as well as the organization so applying, if applicable, and the date, time and location of the fireworks discharge.

802.12.10 Permit - issued - in applicant's name

The fireworks discharge permit to be issued by the Fire Chief shall be issued in the name of the applicant.

802.12.11 Permit - copies - distribution

The original copy of the permit will be issued to the applicant. Subsequent copies shall be issued to the municipal police department, the City of Woodstock Municipal Law Enforcement Office and a copy shall be retained by the Woodstock Fire Department.

802.12.12 Time - place - supervision - as per permit

No person or group of persons for which a fireworks discharge permit has been issued shall allow fireworks to be discharged at any time or place not set out in the permit or not under direct supervision of the Fireworks Supervisor named in the permit.

802.12.13 Safety precautions - fireworks - discharge placement

No person shall conduct a fireworks display unless the fireworks that have a standing base being placed in sandboxes or large drums with ½ of their length in sand or earth (no rocks or projectiles) and the discharge end at a 10 degree angle away from spectators, unless otherwise indicated on the firework.

802.12.14 Safety precautions - spectators - safe distance

Spectators of such discharge shall be kept at a distance of 15 m (50 feet) from the discharge site while the discharge is in progress.

802.12.15 Fire extinguisher - available - all times

A fire extinguisher with a minimum 3A rating or other means of extinguishing fires will be kept available at all times.

802.12.16 Fireworks - unused - debris - removed - disposed of

Upon the conclusion of the discharge all unused fireworks remaining after holding the discharge and all debris left shall be removed by the holder of the fireworks discharge permit immediately and shall be safely disposed of.

802.12.17 Non-compliance - permit - revoked - Fire Chief

A permit issued under the provisions of this Chapter may be revoked at any

time by the Fire Chief, or his/her designates, in the event of non-compliance with the provisions of this Chapter.

Article 13 - Inspections

835.13.1 Inspection

An officer may, at any reasonable time, enter any public place or workplace for the purpose of determining compliance with this Chapter.

835.13.2 Time of entry

The power to enter and inspect a place without a warrant may be exercised only during the place's regular business hours or, if it does not have regular business hours, during daylight hours.

835.13.3 Dwellings

The power to enter and inspect a place without a warrant shall not be exercised to enter and inspect a part of the place that is used as a dwelling unless reasonable notice has been given by the officer and consent to enter has been given by the occupier of the dwelling.

835.13.4 Use of force

An officer is not entitled to use force to enter and inspect a place.

835.13.5 Identification

An officer conducting an inspection shall produce, on request, proper identification.

835.13.6 Obstruction

No person shall hinder, obstruct or interfere with an officer conducting an inspection, refuse to answer questions on matters relevant to the inspection or provide the officer with information, on matters relevant to the inspection that the person knows to be false or misleading.

Article 14 - Enforcement

802.14.1 Penalty - contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the *Provincial Offences Act*.

802.14.2 Conflict with other legislation

If there is conflict between this Chapter, an Act or any other legislation regulating fireworks, the provision that is more restrictive of fireworks prevails.

Article 15 - Repeal - Enactment

802.15.1 By-law - previous

By-law 8013-04 and all other existing by-laws, parts thereof or any amendments thereto inconsistent with this Chapter are hereby repealed.

802.14.2 Effective date

The by-law upon which this Chapter is founded comes into force and takes effect on the January 1, 2011. By-law 8634-10, September 2, 2010.

Schedules

Schedule 'A' - Consumer Fireworks Safety

Consumer Fireworks Safety Instructions:

- 1) People under eighteen years of age who use fireworks must be supervised by an adult.
- 2) Choose a wide, clear site away from overhead obstacles (for example, 30 m x 30 m [98' x 98'] for firing roman candles).
- 3) Do not fire in windy conditions.
- 4) Read all instructions on the fireworks. Plan the order of firing before you begin.
- 5) Use a good firing base, such as pails, boxes or wheelbarrows filled with earth or sand.
- 6) Bury halfway fireworks that do not have a standing base unless the labelling on the firework indicates otherwise. Set them at a 10-degree angle, pointing away from people.
- 7) Never light a firework in your hand or hold a lighted firework in your hand, other than a sparkler.
- 8) Light carefully; always light the fuse at its tip.
- 9) Keep water nearby; dispose of used fireworks (including debris) in a pail of water.
- 10) Never try to re-light a firework that did not go off. Never try to fix a firework that is defective. Wait at least thirty minutes before approaching such a firework.
- 11) Keep fireworks in a cool, dry, ventilated place, away from children.
- 12) Fireworks discharge is only permitted on the holiday known as Victoria Day and the holiday known as Canada Day.
- 13) For discharge displays for groups over 20 people in attendance a permit must be obtained from the Woodstock Fire Department.

By-law 8634-10, September 2, 2010; Schedule 'A'.

Schedule 'B' - Table of Quantity Distance for Fireworks

(Referred to from the Ministry of Natural Resources - Explosive Regulatory Division)

Quantity (in Kilograms)	Distance From the Following (in Metres)	
	Dwelling, store, school, hospital, factory, gas station, garage, flammable storage.	Highway, road, street, railway, park, open public area, work area within a site.
0 - 50	17	9
51 - 100	20	10
101 - 200	24	12
201 - 300	27	14
301 - 400	30	15
401 - 500	34	17
501 - 1,000	39	20
1,001 - 1,500	42	21
1,501 - 2,000	44	22
2,001 - 2,500	45	23
2,501 - 3,000	47	24
3,001 - 4,000	49	25
4,001 - 5,000	50	26
5,001 - 7,500	53	27
7,501 - 10,000	55	28
10,001 - 15,000	59	30
15,001 - 20,000	61	31
20,001 - 25,000	62	32
25,001 - 30,000	64	32
30,001 - 40,000	66	33

Quantity (in Kilograms)	Distance From the Following (in Metres)	
40,001 – 50,000	68	34
50,001 – 100,000	72	36

By-law 8634-10, September 2, 2010, Schedule 'B'.