

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 63-95

A BY-LAW TO PROHIBIT THE SALE AND USE OF FIRECRACKERS
AND TO REGULATE THE SALE AND USE OF FIREWORKS IN THE
TOWNSHIP OF WOOLWICH

WHEREAS the Municipal Act, R.S.O., 1990, c. M.45, Section 210, subsection 37 authorizes Municipal Councils to pass by-laws for regulating the sale of fireworks or any class thereof and for prohibiting the sale of fireworks or any class thereof on any days during the year except as specified in this by-law.

AND WHEREAS the Municipal Act, R.S.O., 1990, c.M.45, Section 210, subsection 38 authorizes Municipal Councils to pass by-law for prohibiting or regulating the setting off of fireworks or any class or classes thereof in the municipality or in any defined area or areas thereof and for requiring a permit for the holding of fireworks displays and prescribing the conditions under which fireworks displays may be held under such permit.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. In this By-law:
 - 1.1 "Firecracker" includes any article containing a combustible or explosive substance, or combination of substances, prepared for, capable of, or discharged for the purposes of producing solely an explosion or audible sound and includes cannon crackers, firecrackers, mines, squibs and torpedoes but does not include a Christmas cracker or similar device.
 - 1.2 "Fireworks" shall mean any article containing a combustible or explosive composition or any substance or combination of substances prepared for, capable of, or discharged for the purpose of producing a visual show or effect which may or may not be preceded by, accompanied with, or followed by an explosion or audible sound and includes fireballs, roman candles, skyrockets, pinwheels and sparklers but does not include pyrotechnical devices for marine, military or railway purposes.
 - 1.3 "Display" means the setting off of fireworks at any time in accordance with the provisions of this by-law.
 - 1.4 "Fire Chief" means the Fire Chief of the Township of Woolwich or his designate.
 - 1.5 "Fireworks Supervisor" means the person who by training or experience has the required skill and ability to safely set up and supervise the discharge of fireworks at a public display and is approved by the Fire Chief.
 - 1.6 "Canada Day" means July 1st.
 - 1.7 "Victoria Day" means the Monday preceding May 25th.

2. FIRECRACKERS

- 2.1 No person, firm, partnership, merchant, storekeeper, corporation or company in the Township of Woolwich shall at any time offer for sale or sell any firecrackers in the said Township.
- 2.2 The setting off of any firecrackers in the Township of Woolwich by any person at any time is hereby prohibited.

3. FIREWORKS

- 3.1 No person, firm, partnership, merchant, storekeeper, corporation or company carrying on business in the Township of Woolwich shall offer for sale or sell any fireworks in the said Township on any day or days except on the six business days immediately preceding Victoria Day, and the six business days immediately preceding Canada Day, providing that nothing in this section shall prevent the sale on any day for the purpose of a fireworks display to a person who is the holder of a permit of such display under the provisions of this By-law.
- 3.2 No person, firm, partnership, merchant, storekeeper, corporation or company in the Township of Woolwich shall sell any fireworks in the Township of Woolwich to anyone under eighteen (18) years of age.
- 3.3 No person, firm, partnership, merchant, storekeeper, corporation or company in the Township of Woolwich shall set off any fireworks on any street, highway or lane under the jurisdiction of the Township of Woolwich, or in any public park, except with the written consent of the Corporation.
- 3.4 No person, firm, partnership, merchant, storekeeper, corporation or company in the Township of Woolwich shall hold a public fireworks display in the municipality except under a permit issued therefore under Section 4, and in compliance with the conditions set forth in the said Section 4 and Section 5 of this by-law.
- 3.5 Fireworks shall not be exhibited in any window of any store, shop, building or place of business in the Township of Woolwich at any time.
- 3.6 Fireworks shall not be sold from any mobile, portable or temporary type structure.

4. PERMITS

The following conditions shall apply to the holding of public fireworks display under a permit issued under Section 3:

- 4.1 Displays of fireworks shall be approved by the Fire Chief or his qualified designate who shall be responsible for the display;
- 4.2 The public fireworks display shall be held at the place and on the date set forth in the permit;

- 4.3 No person shall hold a public fireworks display unless the proper precautions are being observed to keep spectators at a safe distance from the area where fireworks are to be discharges as specified by the Fire Chief;
- 4.4 No person shall hold a public fireworks display without providing suitable fire extinguishers and means of extinguishing fires on the site.

5. PERMIT INFORMATION

Notwithstanding the provisions of this by-law, no person, firm, partnership, merchant, storekeeper, corporation or company in the Township of Woolwich shall be entitled to obtain a permit for the setting off of fireworks, subject to compliance with the following:

- 5.1 Applications for such permits shall be in writing, addressed to the Fire Chief of the Township of Woolwich and shall set out the name and address of the applicant and full particulars or its qualifications for permit;
- 5.2 The applicant shall state the day land hour for which the permit is desired which must be at least fourteen (14) days after the date on which the application is made, and the location where such display is to be given. No fireworks shall be set off at any time in any street, highway or lane under the jurisdiction of the Township of Woolwich or in any public park without the approval of the Fire Chief.
- 5.3 The location referred to in the preceding paragraph must be such that there can be no danger to adjacent properties or highways or persons using the same.
- 5.4 The name, qualification and experience of the person to set off the display shall be given.
6. Notwithstanding the provisions of this by-law, the corporation of the Township of Woolwich may hold special displays of fireworks to celebrate national or civic holidays or national celebrations, provided such fireworks are set off by a qualified person.
7. Every person who contravenes any provisiogn of this by-law:
- (i) is guilty of an offence;
 - (ii) upon conviction of an offence is liable to a fine or penalty of not more than Five Thousand (\$5,000.00) Dollars as prescribed by the Provincial Offences Act.
8. By-law Number 1407 for the Town of Elmira shall be and the same is hereby repealed.
9. This by-law shall come into force and take effect on the date of the final passing thereof.

PASSED this 22nd day of August, 1995.

David Leis
Mayor

Kris Fletcher
Clerk

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 29-96

A BY-LAW TO AMEND BY-LAW NUMBER 63-95 BEING A
BY-LAW TO PROHIBIT THE SALE AND USE OF FIRECRACKERS AND TO
REGULATE THE SALE AND USE OF FIRWORKS IN THE
TOWNSHIP OF WOOLWICH

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS
FOLLOWS:

1. THAT Section 3.6 of By-law Number 63-95 is hereby amended by deleting it and replacing it with the following thereto:

3.6 Fireworks shall not be sold from any mobile, portable or temporary type structure except for those operations run by a service club or charitable organization, with the proceeds going to an organization or activity with the Regional Municipality of Waterloo, but with preference to those organizations or activities within the Township of Woolwich. Such service club or charitable organizations shall obtain a sales' license from the Township of Woolwich prior to selling any fireworks.

PASSED this 9th day of April, 1996.

David Leis
Mayor

Kris Fletcher
Clerk