

**TOWN OF LEGAL  
BYLAW #06-2015  
FIREWORKS PROHIBITION BYLAW**

**A BYLAW OF THE TOWN OF LEGAL TO ESTABLISH FOR THE PURPOSE OF PROHIBITING THE POSSESSION, SALE, STORAGE, PURCHASE AND DISCHARGE OF FIREWORKS BY ANY PERSON, NOT IN POSSESSION OF A VALID FIREWORKS DISPLAY SUPERVISOR CARD ISSUED PURSUANT TO THE EXPLOSIVES ACT OF CANADA, AND ITS REGULATIONS, BY THE GOVERNMENT OF CANADA, IN THE TOWN OF LEGAL.**

**WHEREAS** Section 7(a) of the Municipal Government Act, RSA 2000, c. M-26, as amended, provides for municipalities to enact Bylaws for the safety, health and welfare of people and the protection of people and property;

**WHEREAS** Section 8(a) of the Municipal Government Act, RSA 2000, c. M-26, as amended, provides for municipalities to enact Bylaws to regulate or prohibit;

**WHEREAS** Section 8(c) of the Municipal Government Act, RSA 2000, c. M-26, as amended, provides for municipalities to enact Bylaws to provide for a system of licenses, permits or approvals;

**WHEREAS** the Council of the Town of Legal recognizes that fireworks are explosive devices which are classified as Dangerous Goods under the Alberta Fire Code and which, when used improperly by untrained persons, can cause injury, damage, fire and death;

**WHEREAS** the Council of the Town of Legal has determined that the sale, storage, purchase and discharge of fireworks by persons not in possession of a fireworks display supervisors card as noted above creates an unacceptable level of risk to life, health, safety and property.

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

The definitions in the following enactments, as amended, in order of precedence, shall be used for the purposes of interpreting this Bylaw and its application:

- 1.1 Municipal Government Act (RSA 2000, c. M-26)
- 1.2 Safety Codes Act (RSA 2000, c. S-1)
- 1.3 Alberta Fire Code
- 1.4 Explosives Act (RSC 1985, c. E-17)

For words not defined in the above noted enactments reference should be made to the Canadian Oxford Dictionary (Second Edition), published by Oxford University Press.

**2. PROHIBITIONS**

- 2.1 No person (other than a Display Supervisor or Wholesaler as authorized under the Explosives Act by the Explosives Regulatory Division of Natural Resources Canada) shall display for sale, offer for sale, sell, possess or store any fireworks within the Town of Legal.
- 2.2 No person, other than a Fireworks Display Supervisor, may obtain, purchase, handle, set off, discharge or otherwise, fireworks within the Town of Legal.
- 2.3 No person, other than an individual who has a valid pyro-technician's card issued pursuant to the Explosives Act of Canada, shall set up, set off, operate or discharge a pyrotechnic display within the Town of Legal.

**3. PERMISSIONS**

- 3.1 A Display Supervisor or a Pyro-Technician, holding a valid authorization under the Explosives Act of Canada, may conduct a show after receiving permission to do so in writing from the Fire Chief or, in the absence of the Fire Chief, his or her designate.
- 3.2 A Display Supervisor or Pyro-Technician will apply in writing, a minimum of twenty-eight (28) Calendar days prior to an event, to the Fire Department for a written letter of permission to conduct a display or show. The application in writing will cover all the

information required by the Explosives Act and the Alberta Fire Code. It will include, but not be limited to:

- 3.2.1 Date, time and location of the proposed event;
  - 3.2.2 Names, addresses and certification numbers of all Display Supervisors or Pyro-Technicians and assistants participating in the show;
  - 3.2.3 The name of the sponsor or purchaser of the event;
  - 3.2.4 A full description of the planned event and a list of all materials to be fired, detonated, burnt or energized during the event;
  - 3.2.5 The emergency plan for the event;
  - 3.2.6 Verification of liability insurance, in an amount acceptable to the Town of Legal;
  - 3.2.7 Any other information deemed necessary by the Town of Legal or the Fire Chief.
- 3.3 The Fire Chief or his or her designate may choose to issue to a Display Supervisor or Pyro-Technician, in the form of a signed letter on official letterhead, written permission for a show or display to take place.
- 3.4 The Fire Chief or his or her designate may choose not to issue written permission to anyone for a display or show if, in their opinion, such a display or show may create a risk to life, safety or property.
- 3.5 The Fire Chief or his or her designate may attach any terms and conditions in a written letter of permission that he or she deems appropriate for the individual event.
- 3.6 The Fire Chief or his or her designate may choose to revoke any previously issued written letter of permission for reasons of non-compliance with:
- 3.6.1 The Alberta Fire Code;
  - 3.6.2 The Explosives Act;
  - 3.6.3 The letter of permission, including any terms and conditions;
  - 3.6.4 Changes in environmental conditions; and/or
  - 3.6.5 For any reasons of safety to life, limb or property.

#### 4. PENALTIES

- 4.1 Breach of this Bylaw is an offence and upon conviction shall be subject to a penalty and fine as set out in Fee Schedule Policy 2.10, Schedule 5.
- 4.2 Where an Enforcement Officer (Community Peace Officer, Bylaw Enforcement Officer or Police Officer with authority to enforce the Bylaws of the Town of Legal) has reasonable grounds to believe that a person has violated any provision of this Bylaw, the Enforcement Officer may commence Court proceedings against such person by issuing the person a violation ticket pursuant to the provisions of the Provincial Offences Procedure Act.
- 4.3 The issuance of a violation ticket as noted in subsection 4.2 shall require a Court appearance by the person pursuant to Part 2 of the Provincial Offences Procedure Act.
- 4.4 Where a Safety Codes Officer in the Fire Discipline, holding a Designation of Powers to the Town of Legal, or an Enforcement Officer noted in subsection 4.2 above, has reasonable grounds to believe that a person has violated any provision of the Alberta Fire Code, they may commence Court proceedings under the Safety Codes Act against such person by filing an Information pursuant to the provisions of the Provincial Offences Procedure Act.

This Bylaw will come into force and effect on the date of successful third reading and signing in accordance with Section 213 of the Municipal Government Act (RSA 2000, c. M-26) as amended.

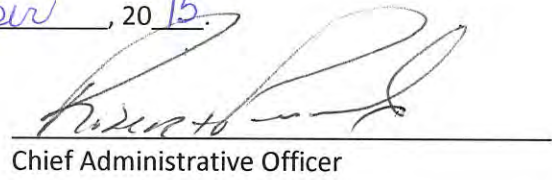
READ A FIRST TIME THIS 19 DAY OF October, 2015.

  
Chief Elected Official

  
Chief Administrative Officer

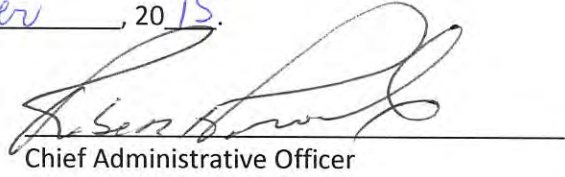
READ A SECOND TIME THIS 16<sup>th</sup> DAY OF November, 20 15.

  
Chief Elected Official

  
Chief Administrative Officer

READ A THIRD TIME THIS 16<sup>th</sup> DAY OF November, 20 15.

  
Chief Elected Official

  
Chief Administrative Officer