

Township of Southgate

Administration Office

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Staff Report CAO2020-053

Title of Report: Draft Southgate Fireworks By-law

Department: Administration

Council Date: September 2, 2020

Council Recommendation:

Be it resolved that Council receive Staff Report CAO2020-053 as information; and

That Council approve the Draft Southgate Fireworks By-law as presented and provide feedback to staff; and

That Council consider approval of the Southgate Fireworks By-law at the September 16, 2020 meeting.

Background:

The purpose of this by-law is to establish restrictions on the sale, purchase and use of fireworks. The intent is to promote the health and safety of our citizens, protection of property and the control of nuisance events, which can result from the use of fireworks. We also want to inform the public from a public education perspective and provide definitions about consumer fireworks and the other types of fireworks that are designed for larger scale use for public and private events. The consumer fireworks are different from display and pyrotechnical fireworks, which are used for larger events, public celebrations or community fireworks displays. The Southgate Fireworks By-law strictly prohibits fireworks on school property, in parks and on any Township lands, including streets and sidewalks.

This Fireworks By-Law being proposed is to better facilitate the safe use of consumer/residential fireworks in the Township of Southgate and to ban the sale and use of all fireworks for consumer/residential use that would reasonably be expected to travel or pose a hazard of more than three (3) metres (10 feet) from the point of ignition. This ban will discourage the use of fireworks that would project over onto another person's property, structure, or vehicle. The banned fireworks would include, but are not limited to:

- Roman candles
- Flying lanterns
- Barrages
- Bombshells
- Cakes
- Comets
- Mines
- Missiles
- Skyrockets

Fireworks that are allowed for use and sale as consumer/residential fireworks are short-range fireworks, which will not travel more than three (3) metres (10 feet) from the point of ignition. These fireworks could include, but are not limited to:

- Fountains
- Wheels
- Ground Spinners
- Burning School Houses
- Flying Ghosts
- Sparklers

Display and Pyrotechnical Fireworks for community groups, organizations and the public that have sufficient property acreage to release these types of fireworks are required to acquire a permit for the event.

Staff Comments:

The Township of Southgate has seen an increase in the use of fireworks by property owners in the urban areas of the municipality. We have received increased complaints of fireworks being set off late at night (after 11 pm), being too noisy, concerns of airborne materials moving off property and physical debris landing on adjacent properties. The goal of this by-law is to educate and control the public discharge of all fireworks in a safe and respectful manner for neighbouring properties and the community.

This Fireworks By-law permits the use of consumer/residential fireworks on specific holidays only around the Victoria Day and Canada Day celebration. However, the main concerns are about consumer/residential fireworks for personal family use. This by-law will not permit a property that is less than 18 metres (60 feet) wide at the front and rear of the property to discharge consumer fireworks.

A fireworks permit must first be obtained for all fireworks being discharged in the Township of Southgate. This by-law is meant to ensure the safety of the public and the community as a whole. The Fire Chief will be the staff person in charge to review and deal with all fireworks issues, to approve all letter applications to sell and permit requests to discharge consumer, display and pyrotechnical fireworks in Southgate.

The Draft Southgate Fireworks By-law 2020-099 is included in this staff report as Attachment #1. The Schedule A document is the form used by the Fire Chief to approve the online applications received for consumer, display and pyrotechnical fireworks events if the applicant meets the requirement of the By-law. Retailers wanting to sell fireworks must apply with a letter request to the Fire Chief and will be considered on an individual basis based on their individual plans to display

securely, store safely on the property and education materials provided to the consumer.

We have also created online application for consumer, display and pyrotechnical fireworks as examples, that will be accessed through our website. We have included these forms with this report as Attachments #2, #3 and #4.

In the By-law we have also established a Part 1 Provincial Offences Act Short Form Wording list of fines and once approved by Southgate Council will be sent to the Ministry with the by-law document for their final approval.

Financial Impact or Long-Term Implications

There is no financial impact to the municipality as a result of this report other than the staff time to respond to by-law complaints related to Fireworks. There will be no application fee for a fireworks permit

Communications & Community Action Plan Impact:

This report has been written and presented to Council to communicate accurate information to the public.

Concluding Comments

1. That Council receive staff report CAO2020-053 as information.
2. That Council consider the Draft Southgate Fireworks By-law for approval.

Respectfully Submitted,

CAO approval: Original Signed By

Dave Milliner – CAO

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- Attachment 1 – Draft Southgate Fireworks By-law
- Attachment 2 – Consumer/Residential Fireworks Permit Online Application
- Attachment 3 - Display Fireworks Permit Online Application
- Attachment 3 – Pyrotechnical Fireworks Permit Online Application