

THE CORPORATION OF THE TOWNSHIP OF CHISHOLM

BY-LAW NO. 2012-30

Being a by-law to regulate the setting off of fireworks.

AND WHEREAS Section 121 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a local municipality may pass a by-law to prohibit and regulate the setting off of fireworks;

AND WHEREAS Section 7.1(1) of the Fire Protection and Prevention act, 1997, S.O. 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;

NOW THEREFORE the Council of the Township of Chisholm enacts as follows: -

1. For the purposes of this by-law, the following definitions shall apply:

“*Burn Ban*” means a time frame declared by the Ministry of Natural Resources or by the Fire Chief when no open air burning is permitted within the Township of Nipissing.

“*Consumer Fireworks*” means an outdoor, low hazard, recreational firework that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the Explosives Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, and sparklers but does not include Christmas crackers and caps for toy guns containing not in excess of twenty-five one-hundredths of a grain of explosive used per cap. This type of fireworks may also be referred to as “family fireworks”.

“*Fire Chief*” means the Fire Chief employed by the Corporation of the Township of Chisholm.

2. This by-law shall apply to all land within the Township of Chisholm.
3. No person(s) or owner(s) of land shall:
 - a) Discharge consumer fireworks unless a fire permit has been obtained.
 - b) Discharge consumer fireworks except between sunset and 11:00 p.m. except for December 31st where the times shall be between sunset and 1:00 a.m. January 1st.
 - c) Set off or discharge fireworks on any land of which he/she is not the registered owner, without the written permission of the registered owner.
 - d) No person shall discharge consumer fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.
 - e) No person shall discharge consumer fireworks during an imposed burn ban or in a restricted fire zone.
4. Every person to whom a permit is issued for the discharge of fireworks shall immediately after the conclusion of the setting off or discharge of fireworks, carry out a site inspection and remove all unused or partly used fireworks from the site and dispose of or store accordingly.
5. Every person who contravenes any provision of this by-law is guilty of an offence and may be charged in accordance with the terms of the Fire Protection and Prevention Act as amended, Part 2 subsection 2.6.3.4. of the Ontario Fire Code, in addition to the requirement to pay the fees set out above; or may be charged with an offence under the Provincial Offences Act under this by-law.

This by-law shall come into force on the date of passing.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 11TH DAY OF
SEPTEMBER, 2012.**

Mayor, Leo Jobin



Clerk-Treasurer, Linda Ringler

