

# **BYLAW # 216-07**

## **Summer Village of Ross Haven**

### **BANNING THE USE OF EXPLOSIVES**

**Being a Bylaw of the Summer Village of Ross Haven, in the Province of Alberta, to promote the safety, health and welfare of the residents of the Summer Village of Ross Haven by banning the use of Fireworks, Firecrackers and other explosive devices within the boundaries of the Summer Village of Ross Haven.**

**WHEREAS** due to the reckless and illegal use of fireworks, firecrackers by some residents of the Summer Village of Ross Haven, it is deemed necessary and expedient to enact and pass a bylaw which will prohibit, restrict and eliminate the use of said products and other explosives.

**THEREFORE**, the Council of the Summer Village of Ross Haven, in the Province of Alberta, duly assembled and under the powers conferred upon it by the Municipal Government Act, RSA 2000, Chapter M-26 and amendments thereto, enacts as follows:

1. This Bylaw may be cited as the Fireworks Bylaw.
2. Explosive shall mean: "blasting powder, nitro-glycerine, gun-cotton, dynamite, balding gelatine, gelignite, or of other metals, coloured fires, and every other substance made, manufactured or used with a view to produce a violent effect by explosion, or a pyrotechnic effect, and includes fire works, fire crackers, rockets, detonators, railway track torpedoes, fuses and other signals and every other adaptation or preparation of any such substance.
3. NO PERSON SHALL PURCHASE, HANDLE, DISCHARGE, FIRE, SELL, TRANSPORT, STORE OR SET OFF FIREWORKS, FIRECRACKERS OR ANY OTHER EXPLOSIVE WITHIN THE BOUNDARIES OF THE SUMMER VILLAGE OF ROSS HAVEN UNLESS THEY HOLD A PERMIT ISSUED BY THE COUNCIL OF THE SUMMER VILLAGE OF ROSS HAVEN.

4. PERMITS WILL ONLY BE ISSUED FOR:
  - (a) THE DISCHARGE OF PROFESSIONAL FIREWORKS, TO BE DISCHARGED BY A PROFESSIONAL PYROTECHNICIAN AS ACCREDITED BY NATURAL RESOURCES CANADA IN ACCORDANCE AND PURSUANT TO THE ALBERTA FIRE CODE.
  - (b) A PERSON ENGAGED IN CONSTRUCTION OR DEMOLITION WORK WHO REQUIRES THE EXPLOSIVE FOR HIS WORK.
  - (c) A PERSON ENGAGED IN PUBLIC SAFETY WHO REQUIRES THE EXPLOSIVES FOR HIS WORK.
  
5. Except to the extent it is allowed by this Bylaw, no person shall make, continue, cause or allow the use of any fire works, fire crackers or other explosives which annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace and safety of other persons within the boundaries of the Summer Village of Ross Haven.
  
6. Any person may, without obtaining a permit under Section 4:
  - (a) Transport Explosives though the Summer Village in accordance with the *Explosives Act* (Canada) or any provincial regulation respecting Explosives;
  - (b) Be in possession of flares or fuses for use as safety equipment for motor vehicles, trains or boats in accordance with any provincial or federal requirement; and
  - (c) Be in possession of such Explosives as may be required for him to discharge his duties as a Peace Officer.
  
7. Penalty: Any person who contravenes any provision of the Bylaw is guilty of an offence and will be charged as follows:
  - (a) First Offence: Three hundred (\$300) dollars
  - (b) Second Offence Five hundred (\$500) dollars
  - (c) Third Offence: One Thousand (\$1000) dollars


8. This Bylaw shall come into effect on the date of the third and final reading.

READ A FIRST TIME IN COUNCIL this 11<sup>th</sup> day of September, 2007

READ A SECOND TIME IN COUNCIL this 13<sup>th</sup> day of November, 2007

READ A THIRD TIME IN COUNCIL AND DULY PASSED THIS 11<sup>th</sup> DAY  
OF DECEMBER, 2007

  
\_\_\_\_\_  
Mayor Debra Oakley

  
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Municipal Administrator Dennis Evans

358283; November 20, 2007