

# SUMMER VILLAGE OF ROSS HAVEN

## Province of Alberta

### BYLAW 237-11

A bylaw enacted for the purpose of providing for the safe possession, sale, giving away, storage, purchase and discharge of high and low hazard fireworks, and penalties in compliance with municipal policy, the Alberta Fire Code as amended, the Safety Codes Act and amendments thereto (R.S.A. 2000, c. S-1), and the Explosives Act (R.S.C. 1985, c. E-17).

WHEREAS Section 7(a) of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws for the safety, health and welfare of people and protection of people and property, imposition of penalties for offences, as well as services provided by or on behalf of the municipality as may be considered proper by Council;

AND WHEREAS Section 8(a) of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws to regulate or prohibit;

AND WHEREAS Section 8(c) of the *Municipal Government Act*, being Chapter M-26 of the Statutes of Alberta 2000, and amendments thereto, provides that a Council may pass bylaws to establish a system of licenses, permits or approvals;

AND WHEREAS the *Forest and Prairie Protection Act*, R.S.A. 2000, with amendments thereto, grants certain additional powers and responsibilities to Lac Ste. Anne County, Council may pass bylaws for the prevention of prairie or running fires and the enforcement of the provisions of the *Forest and Prairie Protection Act* in that behalf;

NOW THEREFORE, the Council of The Summer Village of Ross Haven, in Council duly assembled, enacts as follows:

#### PART I – NAME OF BYLAW

1.1 This Bylaw may be cited as the “Fireworks Bylaw”.

#### PART II – DEFINITIONS

2.1 In this Bylaw:

- (a) “Alberta Fire Code” means the most current version of fire safety regulations adopted by the Province of Alberta and legislated under the *Safety Codes Act*;
- (b) “Chief Administrative Officer” means the Municipal Administrator of The Summer Village of Ross Haven, or his/her designate;
- (c) “Consumer Fireworks” are commonly referred to as Low Hazard Fireworks;
- (d) “County” means Lac Ste. Anne County;

- (e) “Council” means the Council of The Summer Village of Ross Haven;
- (f) “Display Fireworks” are commonly referred as High Hazard Fireworks;
- (g) “Explosives Act” means the *Explosives Act (Canada)* and all regulations passed pursuant to that Act;
- (h) “Fire Ban” means a provincial ministerial order, an order by Lac Ste. Anne County CAO, an order by the Summer Village of Ross Haven’s CAO, or an order by a member of Lac Ste. Anne County’s Fire Services that may, at their discretion, cancel any or all fire permits, prohibit the lighting or require the extinguishment of a fire;
- (i) “Fire Guardian” means a person named or appointed as Fire Guardian pursuant to the *Forest and Prairie Protection Act* or the County Fire Bylaw or both;
- (j) “Fire Services Manager” means the person appointed as head of Lac Ste. Anne County’s Fire Services or designate;
- (k) “Fire Permit” means a permit issued by a Fire Guardian pursuant to the *Forest and Prairie Protection Act* or the County Fire Bylaw or both allowing for the setting of an outdoor fire, a structure fire, an incinerator fire, or discharging fireworks within Lac Ste. Anne County and the Summer Village of Ross Haven;
- (l) “FireSmart Manual” means the FireSmart Home Owners manual produced by Alberta Sustainable Resource Development;
- (m) “Fireworks” means the Fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subdivision 1 and 2 in Section 14 of the *Explosives Act (Canada)* and regulations under the Act;
- (n) “High Hazard Fireworks” means those types of Fireworks that only persons certified under the *Explosives Act (Canada)*, may store, transport and discharge. These Fireworks are also referred to as Display Fireworks typically used a large events at fairs, exhibitions, Canada Day displays, etc.;
- (o) “Incinerator Fire” means a fire that is confined within a non-combustible structure, container or barrel with openings covered with a heavy gauge metal screen having a mesh size not larger that 8 to 16mm (as per FireSmart Manual) and which is used for the purpose of burning burnable debris, protecting stock from insects or for protecting garden plots from frost;
- (p) “Low Hazard Fireworks” means those types of Fireworks which are regulated for storage, sale and discharge under the *Alberta Fire Code*, but do not require certification for handling, transporting or discharge. These Fireworks are also referred to as “Consumer Fireworks” or “Family Fireworks”.
- (q) “Owner” means:
  - i. The person as registered on title at the Land Titles Offices;
  - ii. A person who is recorded as the owner of the property on the assessment roll of The Summer Village of Ross Haven;
  - iii. A person who has purchased or otherwise acquired the property, whether purchased or otherwise acquired from the owner or from another purchase, and has not become the registered owner thereof;
  - iv. A person controlling the property under construction; or
  - v. A person who is the occupant of the property under a lease, license, or permit.
- (r) “Peace Officer” means a person appointed as a Peace Officer under the *Peace Officer Act*;
- (s) “Person” means an individual and includes a firm, partnership, joint venture, proprietorship, corporate, association, society and any other legal entity;

- (t) “Property” means any lands, buildings, structures or premises, or any personal property located thereupon, within the municipal boundaries of The Summer Village of Ross Haven;
- (u) “Specified Penalty” means a penalty specified in Schedule “A” which may be paid in response to a Violations Ticket, for an alleged offence of a section of this Bylaw;
- (v) “Violation Ticket” means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34 for a breach of any of the provisions of this Bylaw.

### PART III – PURPOSES AND PREAMBLE

- 3.1 The Council of The Summer Village of Ross Haven recognizes that Fireworks are explosive devices which are classified as Dangerous Goods under the *Alberta Fire Code* and which, when not managed, handled and used properly, can cause injury, damage, fire and death.
- 3.2 The Council of The Summer Village of Ross Haven has determined that the controlled and managed sale, storage, purchase and discharge of Fireworks by persons under 18 years of age creates a manageable level of risk to life, health, safety and property.
- 3.3 The Council of The Summer Village of Ross Haven wishes to limit the hours of sale of Fireworks in order to effectively manage the risk.
- 3.4 All persons purchasing, possessing, handling, distributing, offering for sale, storing, selling, giving away, discharging, firing or setting off Fireworks shall conform to all requirements of the *Alberta Fire Code* and this Bylaw.

### PART IV – FIRE PERMITS (HIGH HAZARD or DISPLAY FIREWORKS)

- 4.1 In addition to any fire permit required under the *Forest and Prairie Protection Act*, Fire Permits shall be required under this Bylaw at all times.
- 4.2 Council from time to time by resolution may establish a fee for issuing a Fire Permit.
- 4.3 Where an emergency or a potential emergency exists, the Fire Services Manager or designate shall be empowered to suspend all structural fires, incinerator fires, outdoor fires, any outdoor camping fire lit for cooking or warming purpose, or the discharging of Fireworks within all or portions of the Summer Village for such a period of time and on such conditions as may be determined by the Fire Services Manager or designate.
- 4.4 A High Hazard Fireworks or Display Fireworks pyro-technician or display supervisor shall apply for a permit in writing to the Fire Services Manager or designate at least 28 days before the intended date of the Fireworks display, and the Fire Services Manager or designate will receive and consider the application and may refuse issuance of a Permit on reasonable and probable grounds that a public interest risk exists for the proposed Fireworks.
- 4.5 The permit application shall include all of the following information:
  - i. The name, address, and signature of the person(s) sponsoring the Fireworks display;
  - ii. The name, certification number, and signature of the Fireworks pyro-technician or display supervisor, and any assistants participating in the show;
  - iii. The name of the person(s) that is conducting the Fireworks display if different from the person(s) sponsoring the Fireworks display,
  - iv. The date and time of the proposed Fireworks display;
  - v. A detailed description of the proposed Fireworks display;

- vi. The exact location planned for the Fireworks display including a diagram of the grounds on which it will be held, showing the point from where the Fireworks will be discharged, the location of all highways, railroads, overhead wires and obstructions, buildings and other structures, and the lines behind which the audience will be restrained;
  - vii. Written consent from the owner of the property on which the Fireworks display will be held;
  - viii. Written consent from the owners of adjacent properties on which debris might reasonably be expected to fall;
  - ix. The emergency plan for the event;
  - x. The manner and place of storage of all Fireworks prior to, during and after the display;
  - xi. The name and address of the vendor(s) that supplied all the Fireworks used in the Fireworks display;
  - xii. Proof of General Liability Insurance from the pyro-technician or display supervisor with coverage of at least \$5,000,000.00 per occurrence in a form acceptable to the Fire Services Manager;
  - xiii. Payment of the designated application fee, if any;
  - xiv. Any other information requested by the Fire Services Manager's office.
- 4.6 The Fire Services Manager or designate may attach any terms and conditions in a written permission that he or she deems appropriate for the specific event and location.
- 4.7 A Fire Permit for High Hazard or Display Fireworks shall not be transferable.
- 4.8 The Fire Services Manager or designate may choose to revoke any previously issued written letter of permission (Fire Permit) for reasons of non-compliance with:
- (a) *The Alberta Fire Code,*
  - (b) *The Explosives Act (Canada),*
  - (c) The letter of permission (Fire Permit), including any terms and conditions,
  - (d) Changes in environmental conditions, and/or,
  - (e) For any reasons of safety to life, limb, or property.

## PART V – FIRE PERMITS (LOW HAZARD or CONSUMER (FAMILY) FIREWORKS

- 5.1 In addition to any Fire Permit required under the *Forest and Prairie Protection Act*, Fire Permits shall be required under this Bylaw at all times.
- 5.2 Council from time to time by resolution may establish a fee for issuing a Fire Permit.
- 5.3 Where an emergency or a potential emergency exists, the Fire Services Manager or designate shall be empowered to suspend all structural fires, incinerator fires, outdoor fires, any outdoor camping fire lit for cooking or warming purpose, or the discharging of Fireworks within all or portions of the County for such a period of time and on such conditions as may be determined by the Fire Services Manager or designate.
- 5.4 An application for a Fire Permit to discharge Low Hazard or Consumer Fireworks shall be made to a Lac Ste. Anne County Fire Guardian or to the Fire Services Manager's office verbally or in writing. The Fire Guardian or Fire Services Manager shall receive and consider the application and may refuse issuance of permit on reasonable and probable grounds that a public interest risk exists for the proposed Fireworks.
- 5.5 Permitting for Low Hazard or Consumer Fireworks will be allowed year-round.

- 5.6 The permit application shall include all of the following information:
- i. The name, address, and signature of the person(s) sponsoring the Fireworks display;
  - ii. The name, address, and signature of the person(s) conducting the Fireworks display, if different from the person(s) sponsoring the Fireworks display;
  - iii. The name, address, and signature of the person(s) purchasing the Low Hazard or Consumer Fireworks if different from the person sponsoring the Fireworks display;
  - iv. The date and time of the proposed Fireworks display;
  - v. A detailed description of the proposed Fireworks display;
  - vi. The exact location planned for the proposed Fireworks display;
  - vii. Written consent from the owner of the property on which the Fireworks display will be held, if different from the person sponsoring the display;
  - viii. Written consent from the owners of adjacent properties on which debris might reasonably be expected to fall;
  - ix. The emergency plan for the event;
  - x. The manner and place of storage of all Fireworks prior to, during and after the Fireworks display;
  - xi. The name and address of the vendor(s) that supplied all the Fireworks used in the Fireworks display;
  - xii. Payment of the designated application fee, if any;
  - xiii. Any other information requested by the Fire Services Manager's office.
- 5.7 A person wishing to purchase Low Hazard or Consumer Fireworks must first obtain a Fire Permit to discharge Fireworks from a Fire Guardian or the Fire Services Manager's office prior to purchase of same.
- 5.8 A Fire Guardian, the Fire Services Manager or designate may attach any terms and conditions in a written permission that he or she deems appropriate for the specific event and location.
- 5.9 A Fire Permit for Low Hazard or Consumer Fireworks shall not be transferable.
- 5.10 The Fire Services Manager or designate may choose to revoke any previously issued written letter of permission (Fire Permit) for reasons of non-compliance with:
- (a) *The Alberta Fire Code,*
  - (f) *The Explosives Act (Canada),*
  - (g) The letter of permission (Fire Permit), including any terms and conditions,
  - (h) Changes in environmental conditions, and/or,
  - (i) For any reasons of safety to life, limb, or property.

## PART VI – SALE OR PURCHASE OF FIREWORKS

- 6.1 No person shall wholesale, display for sale, offer for sale, sell, give away, possess or store any Fireworks within The Summer Village of Ross Haven without the written permission of a Fire Guardian or the Fire Services Manager's office.
- 6.2 No person may obtain, purchase, set off, discharge or otherwise handle Fireworks within The Summer Village of Ross Haven without the written permission of a Fire Guardian or the Fire Services Manager's office.
- 6.3 No person shall sell Fireworks to any person without seeing that person's Driver's License or other photo identification issued by the Government's of Canada or Alberta.

- 6.4 No person shall sell Fireworks to anyone under the age of 18 years.
- 6.5 No person under the age of 18 years shall purchase Fireworks.
- 6.6 No person shall bring Fireworks into The Summer Village of Ross Haven without the written permission of a Fire Guardian or the Fire Services Manager's office.
- 6.7 No person shall set up, set off, fire, discharge or energize a pyrotechnics display in the Summer Village of Ross Haven without the written permission of a Fire Guardian or the Fire Services Manager's office.
- 6.8 Fireworks may be sold, purchased, and discharged within the Summer Village of Ross Haven year-round.
- 6.9 Fireworks may only be sold and purchased between the hours of 8:00 a.m. and 8:00 p.m. Mountain Standard Time.
- 6.10 A wholesaler or distributor of Fireworks wishing to provide Fireworks to a retail vendor in The Summer Village of Ross Haven must first apply and obtain the written permission of the Fire Services Manager or designate.
- 6.11 A retail vendor wishing to sell Fireworks to persons in The Summer Village of Ross Haven must first apply and obtain the written permission of the Fire Services Manager or designate. This permission must include approval and acceptance of the storage area and the required Fire Safety Plan as outlined in the *Alberta Fire Code*.
- 6.12 A retail vendor wishing to sell Fireworks to persons in The Summer Village of Ross Haven must retain all the information required from every purchaser by the *Alberta Fire Code* for a period of not less than two years as outlined in the *Alberta Fire Code*. This information will include:
  - i. The date of sale;
  - ii. The name, address, and phone number of the purchaser;
  - iii. A description of the Fireworks sold;
  - iv. The date and time the Fireworks will be discharged;
  - v. The location and description of the site where the Fireworks will be discharged;
  - vi. A copy of the written permission to discharge, issued by the Fire Services Manager's office of the municipality where the Fireworks will be discharged, or from a Forest Officer where the discharge is to take place within a forest protection area, and;
  - vii. A copy of the written permission to purchase Fireworks issued by the Fire Services Manager's office of Lac Ste. Anne County.
- 6.13 Low Hazard (Consumer / Family) or High Hazard (Display) Fireworks shall not be sold, given away, or discharged during times of Fire Advisory or Fire Bans.
- 6.14 Possessing, transporting, giving away, storing or discharging of Low Hazard (Consumer / Family) Fireworks purchased outside of the Summer Village of Ross Haven boundaries, must comply with the regulations as stated in the most current version of the *Alberta Fire Code* and the permit requirements under this Bylaw.

## PART VII – OFFENSES

- 7.1 Breach of this Bylaw is an offence and upon conviction shall be subject to the penalties for contravening this Bylaw shall be identified in Schedule "A" and in the absence of a specified penalty, to a fine not less than \$250.00 and not more than \$10,000.00.
- 7.2 No person(s) shall discharge Fireworks without a Fire Permit as is required under this Bylaw.

- 7.3 No person(s) shall sell, offer for sale, store, give away, distribute, discharge, or set off Fireworks without a permit.
- 7.4 No person(s) shall sell Low Hazard (Consumer / Family) Fireworks within The Summer Village of Ross Haven to any person under the age of 18 years.
- 7.5 Any person who discharges Fireworks for the purposes described in this Bylaw is responsible to ensure that it is conducted in a safe manner.
- 7.6 No person(s) shall discharge Low Hazard (Consumer / Family) Fireworks within The Summer Village of Ross Haven, except during the hours of 20:00 hours to 23:59 hours.
- 7.7 Where an Enforcement Officer (Community Peace Officer, Bylaw Enforcement Officer or Police Officer with authority to enforce the bylaws of The Summer Village of Ross Haven) 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*.
- 7.8 The issuance of a Violation Ticket as noted in 7.7 shall require a Court appearance by the person pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 7.9 Where a Safety Codes Officer in the Fire Discipline, holding a Designation of Powers to The Summer Village of Ross Haven, or an Enforcement Officer noted in 7.7 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 information pursuant to the provisions of the *Provincial Offences Procedure Act*.
- 7.10 In respect to any costs or fees levied or charged under this Bylaw:
- (a) The Summer Village of Ross Haven may recover such costs or fees as an amount due and owing to The Summer Village of Ross Haven pursuant to Section 552 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26; and,
  - (b) In default of payment, where permitted by the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, Section 553(1) (c), add the amounts due to the Tax Roll of the property in question.

## PART VIII – SEVERABILITY

- 8.1 Should any part of this Bylaw be found to have been improperly enacted, for any reason, then such Section or Part shall be regarded as severable from the rest of this Bylaw and this Bylaw remaining after such severance shall be effective and enforceable as if the Part found to be improperly enacted had not been enacted as part of this Bylaw.

EFFECTIVE DATE

That this Bylaw shall come into force and take effect upon the date of third reading and signing in accordance with Section 213 of the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, and amendments thereto.

THAT Bylaw No. 216-07 and Schedules thereto are repealed.

READ A FIRST TIME IN COUNCIL THIS 8<sup>TH</sup> DAY OF MARCH, 2011.

READ A SECOND TIME IN COUNCIL THIS 12<sup>TH</sup> DAY OF APRIL, 2011.

READ A THIRD TIME IN COUNCIL AND DULY PASSED THIS 12<sup>TH</sup> DAY OF JULY, 2011.

Signed this 12<sup>th</sup> day of July, 2011

  
\_\_\_\_\_  
Mayor Kelly Demkiw

(SEAL)

  
\_\_\_\_\_  
Municipal Administrator Dennis Evans

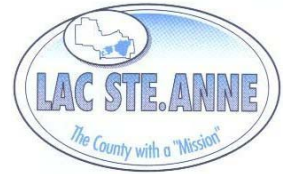


## Schedule “A”

WHEREAS, under the provisions of Section 44 of the *Provincial Offences Procedure Act*, and under the provisions of Section 7 of the *Municipal Government Act*, Council may by Bylaw provide for the payment of Violation Tickets or summons out of Court.

A notice of form (commonly called a Violation Ticket) may be issued by an Enforcement officer to any person charged with a breach of any of the provisions of this Bylaw and the hereto-mentioned Acts shall apply in regards to the payment.

		<u>First Offence</u>	<u>Second Offence</u>	<u>Subsequent Offence</u>
		(NO TIME LIMITS BETWEEN OFFENCES)		
Section 6.13	Sell, give away, or discharge Fireworks during times of a Fire Advisory or Fire Ban.	\$1,000.00	\$5,000.00	\$10,000.00
Section 7.2	Discharge Fireworks without a subsisting Fireworks Permit if required under this Bylaw or the <i>Forest Protection Act</i> or both.	\$250.00	\$750.00	\$2,000.00
Section 7.3	Sell, offer for sale, store, give away, distribute, discharge, or set off Fireworks without a Fireworks Permit.	\$500.00	\$2,000.00	\$10,000.00
Section 7.5	Sell Low Hazard Fireworks within Lac Ste. Anne County to any person under the age of 18 years.	\$500.00	\$2,000.00	\$10,000.00
Section 7.6	Fail to burn or discharge Fireworks in a safe manner.	\$500.00	\$2,000.00	\$10,000.00



# **HIGH HAZARD (DISPLAY) FIREWORKS PERMIT**

**PERMIT TO PURCHASE AND DISCHARGE  
HIGH HAZARD FIREWORKS (CLASS 7.2)**

**Permit Number: \_\_\_\_\_  
Permit Fee: \$25.00**

**ISSUED TO:**

Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone: (Bus.) \_\_\_\_\_ (Res.) \_\_\_\_\_

**DISPLAY INFORMATION (Required):**

Location of Display: \_\_\_\_\_  
Display Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Legal Land Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_  
OR: STREET ADDRESS: \_\_\_\_\_ in the Summer Village of Ross Haven  
Fireworks Supervisor: \_\_\_\_\_  
Certificate #: \_\_\_\_\_  
Property Owner: \_\_\_\_\_  
Property Owner Contact Phone #: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_  
*(Not valid without property owner signature)*

Name of Permit Holder: \_\_\_\_\_  
*(Please print)*

Permit Holder Signature: \_\_\_\_\_

- |  |   |
|--|---|
| <input type="checkbox"/> Detailed Site Plan Attached                                   | <input type="checkbox"/> Insurance Certificate Attached |
| <input type="checkbox"/> Site Security/Emergency Plan Attached                         | <input type="checkbox"/> Written Permission from:       |
| <input type="checkbox"/> Detailed Description of Fireworks Being<br>Displayed at Event | Landowner<br>Adjacent Landowners                        |

**Special Conditions**

***This permit is subject to the conditions on the reverse and to cancellation of breach of any of the requirements of Section 5.7 of the Alberta Fire Code 2006.***

Additional Precautions: \_\_\_\_\_  
\_\_\_\_\_

County Fire Services Representative: \_\_\_\_\_  
*(Please Print)*

Representative Signature: \_\_\_\_\_

# **CONDITIONS:**

## **Excerpts from the Alberta Fire Code 2006**

### Section 5.7. Fireworks

#### 5.7.1 Fireworks

A-5.7.1 Municipalities have the authority to regulate fireworks within their jurisdiction under the Municipal Government Act. Municipalities can use the Municipal Government Act to establish a fireworks permit bylaw allowing the municipality to permit fireworks. A fireworks permit bylaw established by a municipality may have provisions that include or exclude any activity involving fireworks.

##### 5.7.1.1 Application

- 1) Except as permitted by Sentence (2), this Section shall apply to the sale and discharge of *fireworks* and pyrotechnic devices.
- 2) This Section shall not apply to a person who possesses or discharges *fireworks* commonly used as distress flares.

##### 5.7.1.2. Manufacture, Importation, and Transportation

- 1) The manufacture and importation of *fireworks* shall be in conformance with the “Explosives Act” and its Regulations, published by Natural Resources Canada.
- 2) The transportation of *fireworks* shall be in conformance with the “Transportation of Dangerous Goods Act” and its Regulations.

##### 5.7.1.3. Discharge

- 1) Except as permitted in Clause 5.7.1.7.(1)(b), no person shall discharge, fire or set off *fireworks* from, on or over
  - a) public land as defined in the Public Lands Act, or
  - b) a forest protection area designated under the Forest and Prairie Protection Act.

##### 5.7.1.7. Written Permission

A-5.7.1.7. Due to the fact that fireworks can be purchased in one municipality and discharged in another, individuals must ensure that written permission is obtained from all of the appropriate authorities if this is the case.

- 1) No person shall
  - a) purchase, possess, handle, discharge, fire or set off *fireworks* unless written permission issued by the fire department for that purpose has been obtained, or
  - b) discharge, fire or set off *fireworks* in a forest protection area unless written permission issued by a *forest officer* for that purpose has been obtained.
- 2) Written permission issued under Sentence (1)
  - a) shall specify the date, time and location on which the *fireworks* are to be discharged, and considers necessary to ensure the safe use of the *fireworks*.
- 3) Permission shall not be granted under this Section in respect to *high-hazard fireworks* unless the applicant possesses a *fireworks* supervisor card issued pursuant to the “Explosives Act” and its Regulations, published by Natural Resources Canada.

##### 5.7.1.9. Age Requirement

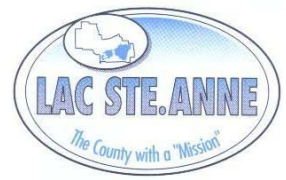
- 1) No person who is under 18 years of age shall purchase, possess, handle, discharge, fire or set off *fireworks*.

##### 5.7.1.10. Discharging

- 1) *Fireworks* from which a projectile is discharged shall be set up in such a manner so that when ignited the projectile will go into the air in a vertical direction not more than 15° off the perpendicular.
- 2) Where ground level *fireworks* are discharged
  - a) they shall be positioned out of the firing range of aerial *fireworks* and in a location where there is no dry grass or combustible material on the ground beneath them, and
  - b) the area shall be thoroughly wet down immediately before the *fireworks* are discharged.
- 3) A portable extinguisher having a rating of not less than 2-A shall be provided and kept in the immediate discharge area.

##### 5.7.1.11. High-Hazard Display

- 1) Where *high-hazard fireworks* are discharged, the person responsible for discharging the *fireworks* shall ensure that
  - a) they have a least 2 assistants who are competent persons over 18 years of age and have been trained in the proper handling of *fireworks*,
  - b) the *fireworks* are set up in conformance with the “Display Fireworks Manual,” published by natural Resources Canada,
  - c) at least 2 portable extinguishers each having a rating not less than 2-A shall be not more than 45 m from the location at which the *fireworks* are discharged,
  - d) the potential landing area is cleared of spectators, vehicles, dry grass and other combustible material immediately prior to the beginning of the display and during the display,
  - e) nothing other than a flashlight or electrical lighting is used for artificial illumination,
  - f) no person, other than persons responsible for discharging the *fireworks*, is closer than 45 m from the location at which the *fireworks* are being discharged,
  - g) the location at which the *fireworks* are discharged is at least
    - i) 60 m from any highway or other similar means of travel used by the public, and
    - ii) 15 m from the nearest overhead obstruction,
  - h) a complete search is conducted of the display area for any duds within 12 hours of the conclusion of the display, and
  - i) any unused *fireworks* or duds remaining are disposed of in a safe manner within 12 hours of the conclusion of the display.



# LOW HAZARD (CONSUMER / FAMILY) FIREWORKS PERMIT

PERMIT TO PURCHASE AND DISCHARGE  
LOW HAZARD FIREWORKS (CLASS 7.1 AND 7.2.1)

## PART 1

Permit Number: \_\_\_\_\_

### ISSUED TO:

Permit Fee: \$25.00

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Landowner: YES \_\_\_\_\_ NO \_\_\_\_\_

### PURCHASER (BUYER) INFORMATION:

Name: \_\_\_\_\_

Rural Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Drivers' License #: \_\_\_\_\_

### DESCRIPTION AND QUANTITY OF FIREWORKS:

\_\_\_\_\_  
\_\_\_\_\_

### DISPLAY INFORMATION (Required):

Location of Display (Rural Address): \_\_\_\_\_

Display Date: \_\_\_\_\_ Time: \_\_\_\_\_

Legal Land Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

OR: STREET ADDRESS: \_\_\_\_\_ in the Summer Village of Ross Haven

Property Owner: \_\_\_\_\_

Property Owner Contact Phone #: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_

*(Not valid without property owner signature)*

Name of Permit Holder: \_\_\_\_\_

*(Please print)*

Permit Holder Signature: \_\_\_\_\_

**\*\*please complete reverse side of this permit\*\***

### Lac Ste. Anne County Information:

Additional Precautions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

County Fire Services Representative: \_\_\_\_\_

*(Please Print)*

Representative Signature: \_\_\_\_\_

## **PART 2**

### **Checklist**

**\*\*must be completed at time of purchase\*\***

- Are you over 18 years of age? Yes \_\_\_\_\_ No \_\_\_\_\_
- Has the vendor / seller provided you with the manufacturer's instructions on safe use of Fireworks? Yes \_\_\_\_\_ No \_\_\_\_\_
- Has written permission been obtained from the landowner at the discharge site? Yes \_\_\_\_\_ No \_\_\_\_\_
- Has written permission been obtained from the landowner(s) or occupant(s) of adjacent lands on which debris might reasonably fall? Yes \_\_\_\_\_ No \_\_\_\_\_
- If leaving Lac Ste. Anne County, has the Fire Department in the jurisdiction of the Fireworks sale been contacted? Yes \_\_\_\_\_ No \_\_\_\_\_
- Has the Lac Ste. Anne County Protective Services been contacted at 780-785-3411 or 1-866-880-5722 and provided with copies of the landowners / adjacent landowners consent forms? Yes \_\_\_\_\_ No \_\_\_\_\_
- Has the discharge site been cleared of dry grass and / or combustible materials and entire discharge area thoroughly wet down? Yes \_\_\_\_\_ No \_\_\_\_\_
- Is there a portable fire extinguisher, having a rating of not less than 2A in the immediate discharge area? Yes \_\_\_\_\_ No \_\_\_\_\_

**If you have answered NO to any of the aforementioned questions, you will be in contravention of the Alberta Fire Code 2006.**

Fireworks are to be discharged on private property ONLY. No Fireworks may be discharged from Public Lands (road allowances, beaches, parks, etc.) without the written consent from the municipality where the Public Lands are located.

A record of each sale must be kept on the premises where the sale occurred for a period of not less than two (2) years following the date of sale. This form must be made available to Lac Ste. Anne County immediately upon inspection.

**\*\* Applicants are advised to confirm Insurance Coverage for planned activities \*\***

### **PART 3**

- I have read and understand **PART 1** and **PART 2** of this permit application. I agree to comply with all conditions of this permit and understand that I will be held responsible for any contravention of Section 5.7 of the *Alberta Fire Code*.

\_\_\_\_\_  
Print name of Fireworks Buyer

\_\_\_\_\_  
Print name of Fireworks Vendor (Seller)

\_\_\_\_\_  
Signature of Fireworks Buyer (**MUST BE SIGNED**)

\_\_\_\_\_  
Signature of Fireworks Vendor (**MUST BE SIGNED**)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fireworks Vendor Authorization Number

**CONDITIONS:**

## **Excerpts from the Alberta Fire Code 2006**

### Section 5.7. Fireworks

#### 5.7.1 Fireworks

A-5.7.1 Municipalities have the authority to regulate fireworks within their jurisdiction under the Municipal Government Act. Municipalities can use the Municipal Government Act to establish a fireworks permit bylaw allowing the municipality to permit fireworks. A fireworks permit bylaw established by a municipality may have provisions that include or exclude any activity involving fireworks.

##### 5.7.1.1 Application

- 1) Except as permitted by Sentence (2), this Section shall apply to the sale and discharge of *fireworks* and pyrotechnic devices.
- 2) This Section shall not apply to a person who possesses or discharges *fireworks* commonly used as distress flares.

##### 5.7.1.2. Manufacture, Importation, and Transportation

- 1) The manufacture and importation of *fireworks* shall be in conformance with the “Explosives Act” and its Regulations, published by Natural Resources Canada.
- 2) The transportation of *fireworks* shall be in conformance with the “Transportation of Dangerous Goods Act” and its Regulations.

##### 5.7.1.3. Discharge

- 1) Except as permitted in Clause 5.7.1.7.(1)(b), no person shall discharge, fire or set off *fireworks* from, on or over
  - a) public land as defined in the Public Lands Act, or
  - b) a forest protection area designated under the Forest and Prairie Protection Act.

##### 5.7.1.7. Written Permission

A-5.7.1.7. Due to the fact that fireworks can be purchased in one municipality and discharged in another, individuals must ensure that written permission is obtained from all of the appropriate authorities if this is the case.

- 1) No person shall
  - a) purchase, possess, handle, discharge, fire or set off *fireworks* unless written permission issued by the fire department for that purpose has been obtained, or
  - b) discharge, fire or set off *fireworks* in a forest protection area unless written permission issued by a *forest officer* for that purpose has been obtained.
- 2) Written permission issued under Sentence (1)
  - a) shall specify the date, time and location on which the *fireworks* are to be discharged, and considers necessary to ensure the safe use of the *fireworks*.
- 3) Permission shall not be granted under this Section in respect to *high-hazard fireworks* unless the applicant possesses a *fireworks* supervisor card issued pursuant to the “Explosives Act” and its Regulations, published by Natural Resources Canada.

##### 5.7.1.9. Age Requirement

- 1) No person who is under 18 years of age shall purchase, possess, handle, discharge, fire or set off *fireworks*.

##### 5.7.1.10. Discharging

- 1) *Fireworks* from which a projectile is discharged shall be set up in such a manner so that when ignited the projectile will go into the air in a vertical direction not more than 15° off the perpendicular.
- 2) Where ground level *fireworks* are discharged
  - a) they shall be positioned out of the firing range of aerial *fireworks* and in a location where there is no dry grass or combustible material on the ground beneath them, and
  - b) the area shall be thoroughly wet down immediately before the *fireworks* are discharged.
- 3) A portable extinguisher having a rating of not less than 2-A shall be provided and kept in the immediate discharge area.

#### 3.2.10. Indoor Storage of Fireworks

##### 3.2.10.1. Application

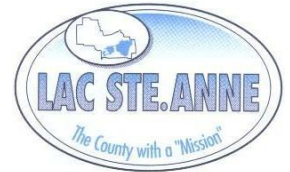
- 1) Except as permitted in Sentence (2), this Subsection shall apply to the indoor storage of Fireworks.
- 2) This Subsection shall not apply to the storage of Fireworks commonly used as distress flares.

##### 3.2.10.2 Dwelling Units

- 1) *High Hazard Fireworks* shall not be stored in a dwelling unit.
- 2) Not more than 10kg gross weight of *Low Hazard Fireworks* obtained in accordance with Part 5 shall be stored in a dwelling unit.
- 3) If *Low Hazard Fireworks* are stored in a dwelling unit, they shall be stored
  - a) in a secure container,
  - b) in a cool, dry area, and
  - c) away from
    - i) an open flame,
    - ii) excessive heat, or
    - iii) spark-producing equipment or tools.

##### 3.2.10.5. Low Hazard Storage

- 1) *Low Hazard Fireworks* that are displayed for sale shall be
  - a) in lots that do not exceed 25kg each gross weight,
  - b) in a package, glass case or other suitable receptacle away from flammable or combustible substances, and
  - c) in a place that is not exposed to direct or refracted sunlight or excessive heat.
- 2) Where *Low Hazard Fireworks* that exceed 25kg gross weight are stored, they shall be in a container meeting the requirements of the “Explosives Act” and its Regulations, published by Natural Resources Canada.
- 3) Where *Low Hazard Fireworks* that exceed 100kg gross weight are stored, they shall be stored in a separate store or warehouse meeting the requirements of the “Explosives Act” and its Regulations, published by Natural Resources Canada.



**LANDOWNER and ADJACENT LANDOWNER  
APPROVAL (PERMISSION) FOR  
HIGH HAZARD FIREWORKS DISCHARGE  
OR LOW HAZARD FIREWORKS DISCHARGE**

LANDOWNER(S) NAME: \_\_\_\_\_

\_\_\_\_\_

CONTACT PHONE NUMBER(S): \_\_\_\_\_

**FIREWORKS DISPLAY LOCATION PROPERTY INFORMATION -**

RURAL ADDRESS: \_\_\_\_\_

LEGAL LAND DESCRIPTION: Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

or: Street Address: \_\_\_\_\_ in the Summer Village of Ross Haven

DATE OF FIREWORKS DISPLAY: \_\_\_\_\_ TIME: \_\_\_\_\_

LANDOWNER SIGNATURE: \_\_\_\_\_

DATE SIGNED:

ADJACENT LANDOWNER NAME: \_\_\_\_\_

CONTACT PHONE NUMBER(S): \_\_\_\_\_

ROSS HAVEN ADDRESS: \_\_\_\_\_

LANDOWNER SIGNATURE: \_\_\_\_\_

DATE SIGNED:

ADJACENT LANDOWNER NAME: \_\_\_\_\_

CONTACT PHONE NUMBER(S): \_\_\_\_\_

ROSS HAVEN ADDRESS: \_\_\_\_\_

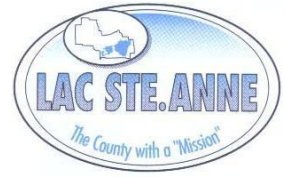
LANDOWNER SIGNATURE: \_\_\_\_\_

DATE SIGNED:





Lac Ste. Anne County  
Fire Services



**VENDOR LOW HAZARD FIREWORKS PERMIT**  
PERMIT TO SELL, STORE, DISTRIBUTE OR GIVE AWAY  
LOW HAZARD FIREWORKS

Permit Number: \_\_\_\_\_  
Permit Fee: \$75.00

**ISSUED TO:**

Business Name: \_\_\_\_\_

Operating Name (if different from above): \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Phone Numbers: \_\_\_\_\_

Application Date: \_\_\_\_\_

Applicant / Owner Signature: \_\_\_\_\_

**ANY PART / BUSINESS THAT INTENDS TO GIVE AWAY, SELL, STORE, OR DISTRIBUTE  
LOW HAZARD FIREWORKS MUST CONFORM TO SECTION 5.7 OF THE ALBERTA FIRE CODE 2006.**

Lac Ste. Anne County Office Use ONLY

Approval Date: \_\_\_\_\_

Lac Ste. Anne County Low Hazard Fireworks Vendor Number: \_\_\_\_\_

County Fire Services Representative: \_\_\_\_\_  
*(Please Print)*

Representative Signature: \_\_\_\_\_

# **LOW HAZARD FIREWORKS REGULATIONS**

Code requirements come into force effective September 2, 2007. All code requirements are referenced from the Alberta Fire Code 2006 edition.

## **Section 5.7. Fireworks**

### **5.7.1.8. Fireworks Sales**

- 1) No person shall sell, offer for sale or store for the purpose of sale, Fireworks, unless**
  - (a) permission is obtained from the Fire Department for the sale and storage, and**
  - (b) the building or place used for the sale or storage conforms to Part 3.**
- 2) A request for permission under Sentence (1) shall be accompanied by a copy of the applicant's current business license issued by the municipality in which the applicant carries on business.**
- 3) A person who sells Fireworks or offers them for sale shall ensure that**
  - (a) the manufacturer's instructions on the safe use of Fireworks are provided with each sale.**
  - (b) notices acceptable to the Fire Department are posted at the sales outlet outlining the instructions referred to in Clause (a).**
  - (c) a record of each sale is kept on the premises where the sale occurs for a period of not less than two years following the date of the sale, and**
  - (d) A record referred to in Clause (c) shows**
    - i. the date of the sale,**
    - ii. the name, address and phone number of the purchaser,**
    - iii. a description of the Fireworks sold,**
    - iv. the date and time the Fireworks will be discharged, and**
    - v. the location and a description of the site where the Fireworks will be discharged.**
- 4) A person who sells Fireworks or offers them for sale shall make available the record referred to in Clause (3) (c) in conformance with Article 2.2.1.2. of Division C.**

## **LOW HAZARD FIREWORKS** **VENDOR PERMIT CONDITIONS**

1. Lac Ste. Anne County requires a full site inspection, at the expense of the Business, by an approved Safety Codes Officer in the Fire and Building Discipline, for compliance to building and storage requirements as outlined in Section 5.7 of the *Alberta Fire Code*.
2. Low Hazard Fireworks Vendor Permit holders are subject to random inspections / audits, at which time all Sale & Discharge Permit information must be readily made available.
3. The Low Hazard Fireworks Vendor Permit must be renewed on an annual basis, coinciding with the calendar year.
4. Low Hazard Fireworks Vendor Permits may be suspended during times of Fire Advisories or Fire Bans. Sales ARE NOT permitted under these conditions.

The Lac Ste. Anne County Low Hazard Fireworks Vendor Permit may be cancelled at any time if the vendor is found to be in contravention of any of the requirements set out in the *Alberta Fire Code* and the Lac Ste. Anne County Fireworks Bylaw.

All information collected must be used and stored in accordance with Regulations set out in the *Personal Information Protection Act*.

## **VENDOR SELF CHECKLIST**

1. Do you have / allow smoking, open flame devices or spark producing equipment in any place, site, or building used for the sale, storage, or retail display of Fireworks? Yes \_\_\_ No \_\_\_
2. Do you have a sign reading “FIREWORKS – NO SMOKING or OPEN FLAME” in letters at least 100mm high, posted in locations acceptable to the Fire Services Department? Yes \_\_\_ No \_\_\_
3. Are your Fireworks stored in lots that do not exceed 25 kg each, gross weight? Yes \_\_\_ No \_\_\_
4. If you have quantities of LOW HAZARD Fireworks that exceed 25 kg gross weight, are they stored in a container meeting the requirements of the Explosives Act (Canada) and its Regulations published by Natural Resources Canada? Yes \_\_\_ No \_\_\_
5. If you have quantities of LOW HAZARD Fireworks that exceed 100 kg gross weight, are they stored in a separate store or warehouse meeting the requirements of the Explosives Act (Canada) and its Regulations published by Natural Resources Canada? Yes \_\_\_ No \_\_\_
6. Do you have a portable fire extinguisher in buildings / areas where Fireworks are stored? Yes \_\_\_ No \_\_\_
7. Have you complied with all conditions set out by Lac Ste. Anne County to obtain a LOW HAZARD Fireworks Vendor Permit? Yes \_\_\_ No \_\_\_
8. Are employees that will be selling / handling Fireworks at your store 18 years of age or older? Yes \_\_\_ No \_\_\_
9. Does your Business have the ability to store the personal information collected on the Fireworks & Discharge Permit safely and securely in accordance with Regulations set out in the Personal Information Protection Act? Yes \_\_\_ No \_\_\_

If you have answered “NO” to any item, please contact the Fire Services Department prior to submitting your application. A “NO” will be in contravention of Provincial or Federal Codes and Regulations and may disqualify and / or delay your application.