



COUNTY OF BARRHEAD NO. 11

PROVINCE OF ALBERTA

BY-LAW NO. 7-2014

Fireworks By-Law

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A BY-LAW OF THE COUNTY OF BARRHEAD NO. 11 TO PERMIT THE STORAGE, GIVING AWAY, SALE AND DISCHARGE OF HIGH AND LOW HAZARD FIREWORKS.

WHEREAS The County of Barrhead No. 11 wishes to enact a Bylaw for the purpose of providing for the safe possession, sale, storage, purchase and discharge of fireworks in compliance with municipal policy, the Alberta Fire Code as amended, the Safety Codes Act RSA 2000, c. S-1 and the Explosives Act RSC 1985, c. E-17, and

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, and

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, and

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, and

WHEREAS the Council of the County of Barrhead No. 11 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, and

WHEREAS the Council of the County of Barrhead No. 11 has determined that the controlled and managed sale, storage, purchase and discharge of fireworks by persons 18 years of age or over creates a manageable level of risk to life, health, safety and property, and

WHEREAS the Council of the County of Barrhead No. 11 wishes to limit the hours of sale of fireworks in order to effectively manage the risk.

NOW THEREFORE the Council of The County of Barrhead No. 11, duly assembled, enacts as follows:

1. DEFINITIONS

- a) 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:
 - i) Municipal Government Act RSA 2000, c. M-26
 - ii) Safety Codes Act RSA 2000, c. S-1
 - iii) Alberta Fire Code
 - iv) Explosives Act RSC 1985, c. E-17
 - v) 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.
- b) "Fire Chief" shall mean the Person appointed as head of the County's Fire Services or a Person designated to act on his behalf.
- c) Written Permissions noted in this bylaw shall take the form as outlined in Schedule "A" of this Bylaw.



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2. PROHIBITIONS

- a) No person shall wholesale, display for sale, offer for sale, sell, possess or store any fireworks within the County of Barrhead No. 11 without the written permission of the Fire Chief.
- b) No person, may obtain, purchase, set off, discharge or otherwise handle fireworks within the County of Barrhead No. 11 without the written permission of the Fire Chief.
- c) No person shall sell fireworks to any person without seeing that person's Driver's License or other photo identification issued by the Government of Canada or the Government of Alberta.
- d) No person shall sell fireworks to anyone under the age of 18 years.
- e) No person under the age of 18 years shall purchase fireworks.
- f) No person shall bring fireworks into the County of Barrhead No. 11 without the written permission of the Fire Chief.
- g) No person shall set up, set off, fire, discharge or energize a pyrotechnics display in the County of Barrhead No. 11 without the written permission of the Fire Chief.

3. PERMISSIONS

- a) All persons purchasing, possessing, handling, distributing, offering for sale, storing, selling, discharging, firing or setting off fireworks or pyrotechnics displays shall conform to all requirements of the Alberta Fire Code.
- b) 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.
- c) A Display Supervisor or Pyro-Technician will apply in writing, a minimum of 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:
 - i) Date, time and location of the proposed event,
 - ii) Names, addresses and certification numbers of all display supervisors or pyro-technicians and assistants participating in the show,
 - iii) The name of the sponsor or purchaser of the event,
 - iv) A full description of the planned event and a list of all materials to be fired, detonated, burnt or energized during the event,
 - v) The emergency plan for the event,
 - vi) Verification of liability insurance, in an amount acceptable to the County of Barrhead No. 11
 - vii) Payment of the designated application fee as is approved by the Council of the County of Barrhead No. 11 from time to time, and
 - viii) Any other information deemed necessary by the County of Barrhead No. 11 or the Fire Chief.
- d) The Fire Chief may choose to issue to a Display Supervisor or Pyro-Technician, written permission for a show or display to take place.



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- e) The Fire Chief 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.
- f) Fireworks may only be sold and purchased between the hours of 8:00 AM and 8:00 PM Mountain Time.
- g) A wholesaler or distributor of fireworks wishing to provide fireworks to a retail vendor in the County of Barrhead No. 11 must first apply and obtain the written permission of the Fire Chief.
- h) A retail vendor wishing to sell fireworks to persons in the County of Barrhead No. 11 must first apply and obtain the written permission of the Fire Chief. This permission must include approval and acceptance of the storage area and the required Fire Safety Plan as outlined in the Alberta Fire Code.
- i) A retail vendor wishing to sell fireworks in the County of Barrhead No. 11 to any person 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 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,
 - 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 Department 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 Chief of the County of Barrhead No. 11.
- k) A person wishing to purchase fireworks in the County of Barrhead No. 11 must first obtain written permission to discharge, issued by the Fire Chief 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.
- l) A person in possession of written permission to discharge fireworks as noted in section 4(d) above may apply to the Fire Department of the County of Barrhead No. 11 for written permission to purchase fireworks from a vendor within County of Barrhead No. 11.
- m) The Fire Chief may attach any terms and conditions in a written permission that he or she deems appropriate for the specific event and location.
- n) The Fire Chief may choose to revoke any previously issued written of permission for reasons of non-compliance with:
 - i) The Alberta Fire Code,
 - ii) The Explosives Act,
 - iii) The letter of permission, including any terms and conditions,



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- iv) Changes in environmental conditions, and/or
- v) For any reasons of safety to life, limb or property

4. Penalties

- a) Breach of this bylaw is an offence and upon conviction shall be subject to a penalty and fine of not less than \$100.00 and not more than \$5,000.00.
- b) Where a
 - i. By-Law Enforcement Officer, or
 - ii. Community Peace Officer, or
 - iii. A Police Officer

with authority to enforce the bylaws of the Municipality has reasonable grounds to believe that a person has violated any provision of this bylaw, such 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.

- c) The issuance of a violation ticket as noted in subsection b) shall require a Court appearance by the person pursuant to Part 2 of the Provincial Offences Procedure Act.
- d) Where a
 - i. Safety Codes Officer in the Fire Discipline, holding a Designation of Powers to County of Barrhead No. 11, or
 - ii. By-Law Enforcement Officer or Community Peace Officer or Police Officer, with authority to enforce the bylaws of the County of Barrhead No. 11

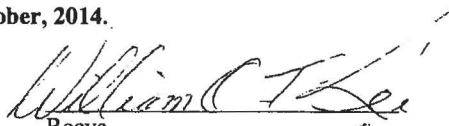
has reasonable grounds to believe that a person has violated any provision of the Alberta Fire Code, they may commence Court proceedings under the Safety Codes Act against such person pursuant to the provisions of the Provincial Offences Procedure Act.

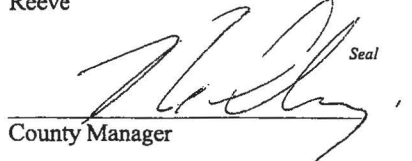
- 12. The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw, which can be given effect with such invalid part or parts.
- 13. This By-Law shall come into force and effect upon third and final reading and signing in accordance with the Municipal Government Act.

FIRST READING GIVEN the 7th day of October, 2014.

SECOND READING GIVEN the 21st day of October, 2014.

THIRD READING GIVEN the 21st day of October, 2014.


Reeve


County Manager

FORM FIREWORKS-001

APPLICATION FOR VENDOR OF LOW HAZARD FIREWORKS

LOW HAZARD FIREWORKS REGULATIONS

Code requirements came into effect 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 for sale, fireworks unless
 - a. Permission is obtained from the fire department for sale and storage
 - 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 if 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 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

VENDOR SELF CHECKLIST

1.	Do you prohibit smoking, open flames devices and 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 10 centimeters high, posted in locations acceptable to the fire departments?	Yes / No
3.	Are your fireworks stored in lots that do not exceed 25kg each, gross weight?	Yes / No
4.	If you have quantities of LOW HAZARD fireworks that exceed 25kg gross weight, are they stored in a container meeting the requirements of the Explosives Act and its regulations published by Natural Resources Canada?	Yes / No
5.	If you have quantities of LOW HAZARD fireworks that exceed 25kg gross weight, are they stored in a separate store or warehouse meeting the requirements of the "Explosives Act" and its regulations, as published by Natural Resources Canada?	Yes / No
6.	Do you have a portable extinguisher in buildings/areas where fireworks are stored?	Yes / No
7.	Are all of the employees selling and handling fireworks at your place of business of the age 18 years of older?	Yes / No

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8.	Does your business have the ability to store the personal information collected on the Fires Sale & Discharge permit safely and securely in accordance with regulations set out in the PERSONAL INFORMATION PROTECTION ACT ?	Yes / No
9.	Have you complied with all conditions set out by the County of Barrhead No. 11 to obtain a LOW HAZARD fireworks vendor permit ?	Yes / No

If you have answered "NO" to any item, please contact the Fire 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.

Date of Application Submission : _____

Business/Party Name _____

Business Owner's Name _____

Business Phone Number _____

Owner's Phone Number _____

Address _____

Town/City _____

Province _____

Postal Code _____

I, _____, (Printed Name of Applicant)

CONFIRM THAT THE ABOVE INFORMATION IS CORRECT, AND

HAVE READ THE FIREWORKS BY-LAW # _____ AND THE ABOVE, AND

AGREE TO THE TERMS AND CONDITIONS, AND

UNDERSTAND I WILL BE HELD RESPONSIBLE FOR ANY CONTRAVENTION OF
BY-LAW # _____ AND ALBERTA FIRE CODE 2006

Date Signed _____

Printed Name of Vendor _____

Signature of Vendor or Business Owner _____

**Any business/party with the intentions of giving away, selling,
storing or distributing LOW HAZARD Fireworks must conform to
Section 5.7 of the Alberta Fire Code 2006.**

FORM FIREWORKS-002

**APPROVAL FOR LOW HAZARD FIREWORKS VENDOR
PERMIT**

PERMIT CONDITIONS

1. The County of Barrhead No. 11 requires a full site inspection, at the expense of the business, by the designated Fire Chief or Deputy Fire Chief for compliance to the building and storage requirements as outlined in Section 5.7 of the Alberta Fire Code 2006.
2. LOW HAZARD Fireworks Vendor Permit holders are subject to random inspection/audits, at which time all Sale & discharge Permit information must be readily available.

SCHEDULE "A"

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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 Advisory or Fire Bans. Sales are not permitted under these conditions.
5. All information collected by the Vendor must be used and stored in accordance with regulations set out in the PERSONAL INFORMATION PROTECTION ACT.

County of Barrhead No. 11 Fireworks Vendor Permits may be cancelled at any time if vendor is found to be in contravention of any of the requirements set out in the Alberta Fire Code 2006.

Date Signed

Printed Name of Vendor

Signature of Vendor or Business Owner

**PERMISSION OF LOCAL AUTHORITY FOR LOW HAZARD
FIREWORKS VENDOR PERMIT**

The applicant _____ (Specify Name of Vendor)

is hereby authorized to give away, display for sale, offer for sale, sell, possess or store any low hazard fireworks

AT _____ (Specify Location of Vendor)

within the County of Barrhead No. 11.

Date Issued

Signature of Fire Chief or Deputy Fire Chief

Printed Name of Fire Chief or Deputy Fire Chief

FORM FIREWORKS-003

**APPLICATION FOR PURCHASE & POSSESSION OF LOW
HAZARD FIREWORKS**

This permit is valid for Family Use, LOW HAZARD Fireworks only.

**THIS PERMIT ONLY ALLOWS THE HOLDER TO PURCHASE AND POSSESS LOW
HAZARD FIREWORKS. DISCHARGE IS NOT AUTHORIZED**

Date of Application : _____

Name of Applicant for Purchase _____ Owner _____ Lessee _____ Occupant

Primary Phone Number: _____ Secondary Phone Number: _____

Address Town/City Province Postal Code

Driver's License ID Number or Other Photo ID Number (Specify other ID type)

Location of Sale : _____ Vendor Name : _____

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Proposed Purchase Date : _____

1. Are you, the applicant for purchase, over the age of 18 years old? (Yes/No) _____
2. Has the seller provided you with the manufacturer's instructions on safe use? (Yes/No) _____

I, _____ (Printed Name of Applicant)

_____ CONFIRM THAT THE ABOVE INFORMATION IS CORRECT, AND
_____ HAVE READ THE FIREWORKS BY-LAW # _____, AND
_____ AGREE TO THE TERMS AND CONDITIONS, AND
_____ UNDERSTAND I WILL BE HELD RESPONSIBLE FOR ANY CONTRAVENTION OF BY-LAW
_____ AND THIS PERMIT

Date

Applicant's Signature

ATTACH LIST OF EXPLOSIVES AND RECEIPT

TO BE COMPLETED BY THE VENDOR:

Printed Name of Fireworks Vendor

Fireworks Vendor Authorization # _____
(Applicable to County of Barrhead Vendors)

Signature of Fireworks Vendor

**PERMISSION OF LOCAL AUTHORITY FOR
PURCHASE & POSSESSION OF LOW HAZARD FIREWORKS**

Date Signed

Signature of Fire Chief or Deputy Fire Chief

Printed Name of Fire Chief or Deputy Fire Chief

FORM FIREWORKS-004

**APPLICATION FOR DISCHARGE OF LOW HAZARD
FIREWORKS**

This permit is valid for Family Use, LOW HAZARD Fireworks only.

Date of Application : _____

Name of Applicant for Discharge

_____ Owner _____ Lessee _____ Occupant

Primary Phone Number: _____ Secondary Phone Number: _____

Address

City

Province

Postal Code

Printed Name of Fire Chief or Deputy Fire Chief _____

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FORM FIREWORKS-005

**APPLICATION FOR PERMIT - POSSESSION AND DISCHARGE OF
HIGH HAZARD FIREWORKS (DISPLAY OR SHOW)**

Date of Application: _____

Name of Applicant (Discharger, Fireworks Supervisor or Pyro-technician) _____

Fireworks Supervisor's Card No. & Expiry Date _____

Primary Phone Number: _____ Secondary Phone Number: _____

Address _____ City/Town _____ Province _____ Postal Code _____

Name of Organization Representing/Sponsoring _____

Location of Event : _____ Date of Event : _____

_____ Detailed site plan attached _____ Insurance certificate attached
_____ Site emergency plan attached _____ Written permission from land owner attached
(applicable for events on **private property**)
_____ Site security plan attached _____ List of explosives and receipt attached

I _____, (Printed Name of Applicant)

_____ CONFIRM THAT THE ABOVE INFORMATION IS CORRECT, AND
_____ HAVE READ THE FIREWORKS BY-LAW # _____, AND
_____ AGREE TO THE TERMS AND CONDITIONS, AND
_____ UNDERSTAND I WILL BE HELD RESPONSIBLE FOR ANY CONTRAVENTION OF
BY-LAW # _____ AND THIS PERMIT

_____ Date

_____ Applicant's Signature

_____ Fireworks Supervisor's Card No. & Expiry Date

**PERMISSION OF LOCAL AUTHORITY
FOR POSSESSION AND DISCHARGE OF HIGH HAZARD FIREWORKS**

PERMIT NO. _____

This permit is valid for the possession and discharge of HIGH HAZARD Fireworks only.

THE APPLICANT IS HEREBY AUTHORIZED TO purchase, possess, handle, discharge, fire, set-off or display high hazard fireworks

ON: _____
(Specify date & time of show or display)

AT: _____ within the County of Barrhead No. 11.
(Specify location of fireworks show or display)

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THIS PERMIT IS SUBJECT TO CANCELLATION FOR ANY BREACH OF THE ALBERTA FIRE CODE OR ANY OF THE FOLLOWING CONDITIONS AND PRECAUTIONS REQUIRED AS A CONDITION OF THIS PERMIT. THIS PERMIT SHALL BE PRODUCED WHEN MAKING FIREWORKS PURCHASES.

Conditions and Precautions: _____

A. INSURANCE APPROVAL BY CHIEF ADMINISTRATIVE OFFICER - REQUIRED

_____ Date Issued	_____ Signature of Chief Administrative Officer	_____ Printed Name of Chief Administrative Officer
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B. DISCHARGE ON COUNTY OWNED OR CONTROLLED LANDS APPROVAL BY CHIEF ADMINISTRATIVE OFFICER (IF APPLICABLE)

_____ Date Issued	_____ Signature of Chief Administrative Officer	_____ Printed Name of Chief Administrative Officer
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C. APPROVAL BY FIRE CHIEF - REQUIRED

_____ Date Signed	_____ Signature of Fire Chief or Deputy Fire Chief	_____ Printed Name of Fire Chief or Deputy Fire Chief
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