

Memorandum



TO: Mayor and Members of Council

FROM: Jamie Hinton, Acting Director, Enforcement

DATE: June 25, 2010

SUBJECT: City regulations related to Fireworks

Members of Council have raised questions concerning what regulations the City has in place related to the sale and use of fireworks. Below is information in response to these questions.

Currently, there are two by-laws that deal directly with the sale of fireworks to the public. The Business Licensing By-law, 0001-2006, as amended, regulates, through licensing, the sale of fireworks from inside a building. Fireworks are defined in this by-law as:

“a pyrotechnic device or, a substance that is made, manufactured or used to produce an explosion or detonation and includes Fireworks composition and manufactured Fireworks as defined in the Explosives Regulations made pursuant to the Explosives Act.”

Schedule 14 of this by-law contains the following regulations:

1. Every application for a licence made under this By-law and this Schedule shall be accompanied by:
 - (1) A Zoning Certificate issued by the City of Mississauga Planning and Building Department, certifying that retail sales are permitted at the location;
 - (2) A letter from the Fire Chief or designate stating that an inspection has been conducted of the location, quantities and manner in which the Fireworks will be stored and displayed and that they are in compliance with the provisions of the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended; and the Ontario Fire Code, O. Reg. 388/97;

The sale of fireworks to minors is prohibited and there is a provision regulating the period of time that fireworks may be sold to the public as follows:

2. No Person licensed under this By-law and this Schedule shall:

- (4) Sell Fireworks at any time during the year except for the ten (10) days immediately preceding the days set by statute for the observance of Canada and Victoria Day, except to the holder of a permit issued by the Fire Chief;

The enforcement of this by-law falls under the jurisdiction of Compliance and Licensing Enforcement section of the Enforcement Division.

The display and sale of fireworks outside of a building, on private property is regulated under the Outside Fireworks Venders Licensing By-law, 0340-2002, as amended. This by-law was developed in consultation with the Peel Regional Police Bomb Disposal Unit.

It contains restrictions related to where on private property the sale may occur related to the proximity of inhabited buildings, schools, roads, intersections and entrances to parks. In addition, there are regulations which govern the storage of the fireworks and prohibiting public access to the storage areas follows:

- (1) No Smoking signs are posted on the Fireworks Portable Display Unit and the Fireworks Storage Unit;
- (3) There shall be an area of at least thirty (30) metres in radius surrounding the Fireworks storage Unit that is properly cordoned off to prohibit access by the public with motorized vehicles;
- (4) The public are not permitted within thirty (30) metres of the Fireworks Storage Unit;

Setting off of fireworks by the public within the City limits is regulated under the provisions of By-law 293-2001, as amended. Provisions within this by-law include those that restrict where and when fireworks may be set off as follows:

2. No person shall set off any Fireworks on any public street or roadway within the City of Mississauga at any time.
3. (1) No person shall fire or set off any Subdivision 1 of Class 7, Division 2 Fireworks within the limits of the City of Mississauga except on the Statutory Holidays known as Victoria Day, Canada Day or any other day for which a permit has been issued by the Fire Chief and only then on their property on that day.
- (2) For the purpose of this subsection, in the event of rain on either Victoria or Canada Day in such amount that it is impractical to fire or set off the Fireworks, the next day following Victoria or Canada Day, as the case may be, shall be considered to be the Statutory Holiday.

The enforcement of this by-law falls under the jurisdiction of the Mobile Licensing section of the Enforcement Division.

Finally, the Parks By-law, 186-2005, as amended, prohibits the setting off of fireworks in a park in subsection (7) of section 12 without benefit of a permit as follows:

12. While in a park, no person shall:
 - 7) fire or set off any fireworks without a valid permit issued under By-law 0293- 2001, as amended, being a by-law respecting the setting off of Fireworks within the limits of the City of Mississauga;

The enforcement of this by-law falls under the jurisdiction of Corporate Security.

Trusting this information is satisfactory. Should you require additional information concerning this matter, please contact Jamie Hinton, Manager of Compliance and Licensing Enforcement at jamie.hinton@mississauga.ca or 905-615-3200 Ext. 5676 or Elaine Buckstein, Director of Enforcement at 905-615-3200 Ext. 4194 or elaine.buckstein@mississauga.ca.

Sincerely,



Jamie Hinton
Acting Director, Enforcement
Ext. 5676

JH:mb

cc: Martin Powell, Commissioner, Transportation and Works
Elaine Buckstein, Director, Enforcement
James Bisson, Manager, Mobile Licensing Enforcement