



## MILTON FIRE DEPARTMENT

# ***FAMILY FIREWORKS*** **Safety Guide**

The Town of Milton Council has passed a by-law regulating the sale, storage, display and discharge of fireworks within the community.

In effect as of March 30, 2009, anyone wishing to set off or display family fireworks must apply for a temporary permit through the Fire Department. Such individuals would need to meet requirements such as minimum lot line distances and other safety factors that would demonstrate that the display is being held in a safe manner. The use of sparklers is not considered as fireworks. There is no fee for a permit to celebrate both Victoria and Canada Day and the new by-law allows recognition of other events for a fee of \$25.

### ***BY-LAW NO.037-2009 STATES:***

No person shall discharge family fireworks unless the person has obtained a permit to discharge family fireworks from the Chief Fire Official.

No person shall display Family Fireworks on land except his own or other privately owned land where the consent of the owner has been obtained.

No person shall discharge family fireworks except on Victoria Day and

Canada Day, and the two (2) days immediately preceding each of these days, or any other day for which a permit has been issued by the Chief Fire Official, and only then on that day.

No person shall discharge family fireworks at any time except in accordance with the Noise By-law, between the hours of dusk and 11:00 p.m. on the same day.

No person shall discharge family fireworks in any place or manner as to create a danger or nuisance to any person or property or to do or cause or allow any unsafe act or omission at the time and place of the discharging of any family fireworks.

No person shall discharge family Fireworks in a building or automobile.

### **General Conditions of the Discharge of Family Fireworks**

Every person who discharges family fireworks shall be mindful of their duty of care to individuals and property, and shall provide the following for set-up:

- an open area away from buildings, vehicles, overhead obstructions, and dry brush / grass;
- a minimum clear area of 30m by 30m for aerial family fireworks, and a minimum clear area of 20m by 20m for ground based family fireworks.
- fully operational fire extinguishing equipment ready and accessible at all times when family fireworks are being discharged and for a reasonable period thereafter at the site.
- A hard, flat and level surface for ground based family fireworks to ensure stability of the item.
- A means to bury aerial family fireworks to half their length in the ground or in a large pail or box filled with earth or sand.
- A means to keep all spectators at least 20m away.

Every person who discharges family fireworks shall:

- read the instructions, cautions and warnings on each family fireworks item.
- light only one (1) family firework at a time.
- wear proper eye protection and wear proper clothing.
- keep children away from family fireworks.
- use care when handling and firing family fireworks.
- clean up the area after the display.

Prior to discharge on the approved date, the applicant, his representative or agent shall access the Town's website, Fire Services home page, to confirm that the discharge of family fireworks is approved for that date.

Every person or organization that conducts a family fireworks display shall ensure that all family fireworks that failed to fire or were not discharged are immediately disposed of in a safe manner, having regard to the particular type of fireworks involved.

### ***REVOCAION OF PERMITS***

All permits granted by the Chief Fire Official may be revoked whenever, in the Chief Fire Official's opinion, the holder of such permit is in non-compliance with the By-law's conditions or requirements, or the Chief Fire Official has concerns for public safety.

### ***PERMIT FEES***

Permits are free to permit Family Fireworks Displays on both Victoria Day and Canada and the two days immediately preceding these two days. There is a fee of \$25 to permit Family Fireworks Displays on all other days of the year to recognize Special Occasions.

## ***ENFORCEMENT***

This By-law shall be enforced by the Fire Department, Municipal Law Enforcement Officers, the Halton Regional Police Service, officers from Conservation Halton, Assistants to the Fire Marshal or such other persons as Council may designate.

## ***PENALTY***

Any person who violates any provisions of this By-law is, upon conviction, guilty of an offence and shall be liable to a fine, subject to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, and be subjected to any other penalties permitted by law for each offence.

In the event the Fire Department responds to a fireworks incident being conducted without a permit, or in violation of the conditions of the permit, the full costs of extinguishment, including labour costs and equipment costs as determined by the Chief Fire Official, may be charged to the property owner and/or permit holder.

## ***DEFINITIONS***

**Chief Fire Official** shall mean the Town's Chief Fire Official, or his or her designate.

**Discharge** when in relation to fireworks, includes firing, igniting, exploding and setting off such articles.

**Duty of Care** everyone who has an explosive substance in his or her possession or under his or her care and control is under a legal duty to use reasonable care to prevent bodily harm and death to persons or damage to property by that explosive device.

**Exhibition Fireworks** shall mean high hazard fireworks used for public fireworks displays, also referred to as display fireworks, formerly Canadian Class 7.2.2.

**Family Fireworks** shall mean low hazard fireworks generally used for recreation, also referred to as consumer fireworks, formerly Canadian Class 7.2.1.

**Firecracker** means a pyrotechnic device that explodes instantaneously when ignited and does not produce any visible effect after the explosion, but does not include caps for toy guns.

**Fireworks** means those devices that explode or burn to produce visual or sound effects and include the definitions as provided in exhibition fireworks and family fireworks and/or those defined as per the Explosives Act.

**Fireworks Supervisor** shall mean any person certified by Natural Resources Canada to conduct a fireworks display and who is responsible for ensuring all fireworks are properly installed and that all appropriate safety measures have been taken.

**Mobile Vendor** means any person, organization or company that sells, displays or offers family fireworks for sale in or from a temporary mobile retail outlet.

**Noise By-law** shall mean the Town's Noise By-law, as amended from time to time.