



CITY OF LANGLEY
FIREWORKS BYLAW

NO. 2603

A Bylaw to regulate fireworks within the City of Langley

The Council of the City of Langley in open meeting assembled, enacts as follows:

1) In this bylaw,

Authorized Person means a person identified in section 10 of this bylaw.

Building Inspector means an employee of the City who is responsible for the regulation of buildings in the City.

Bylaw Compliance Officer means an employee of the City who is responsible for the enforcement of City bylaws.

City means the City of Langley.

Discharge includes but is not limited to detonate, discharge, eject, explode, fire, ignite, light, project, set off, or throw.

Display Site means the area in which Fireworks will be Discharged during an Event.

Display Permit means a permit issued pursuant to section 5 of this bylaw.

Event means an event at which Fireworks will be Discharged.

Explosive Act means the Explosive Act, R.S.C. 1985, c. E-17, as amended from time to time.

Fire Chief means the person appointed as the Fire Chief of the Fire Rescue Service and his/her designate.

Fire Rescue Service means the department designated by the City to provide fire protection in the City.

Fire Services Act means the Fire Services Act, R.S.B.C. 1996, c. 144, as amended from time to time.

Firecracker means small Fireworks with entwined fuses used solely as noise makers and not for pyrotechnic effects or have little or no pyrotechnic effect, including but not limited to bottle rockets, screechers, screecharoos, humaroots, supersonic bang, butterfly thunder and air bombs and items similarly named or in the same noise producing category.

Fireworks means a substance or goods that is made, manufactured or used to produce an explosion or pyrotechnic effect or a pyrotechnic device including but not limited to fireworks as defined under the Explosive Act, fireworks as defined under the Fireworks Act, firework showers, Fire Crackers, fountains, golden rain, lawn lights, pinwheels roman candles, volcanoes and sparklers but does not include caps for toy guns, model rocket engines, sparklers, or Christmas crackers.

Fireworks Act means the Fireworks Act, R.S.B.C. 1996, c. 146, as amended from time to time.

Fireworks Supervisor Certificate means a valid fireworks supervisor certificate issued by Natural Resources Canada – Explosives Regulatory Division.

Local Assistant means a Local Assistant to the Fire Commissioner pursuant to the Fire Services Act.

Member means any person that is an active member, paid on-call member or volunteer of the Fire Rescue Service.

Minor means a person under the age of 18.

Officer means any person appointed by the Fire Chief to exercise the powers vested under this Bylaw or the Fire Services Act, including the Members of the Fire Rescue Service appointed to the positions of Deputy Chief, Captain or Acting Captain.

Police Officer means a member of the Langley Detachment of the Royal Canadian Mounted Police.

Sell includes but is not limited to sell, offer to sell, advertise for sale, display for sale, barter, dispose, distribute, furnish, give or trade.

- 2) No person shall Sell Fireworks in the City.
- 3) No Minor shall possess or Discharge Fireworks in the City.
- 4) A person may not possess or Discharge Fireworks in the City unless the person has a valid Display Permit.
- 5) The Fire Chief may issue a Display Permit provided that a person complies with the following conditions:
 - (a) the person applies for the Display Permit at least 10 business days before the date of the Event;
 - (b) the person has a Fireworks Supervisor Certificate;

- (c) the person pays a fee of \$100;
 - (d) the person is not a Minor;
 - (e) the person has written consent of the owner of the property upon which the Display Site is located, if the person is not the owner;
 - (f) the person has provided the Fire Chief before the Event a copy of a valid General Comprehensive Liability Insurance policy which:
 - (i) has a coverage limit of not less than \$5,000,000 per occurrence;
 - (ii) includes the City as an additional insured; and
 - (iii) has a deductible of not more than \$5,000, unless the City advises in writing that it consents to a higher deductible;
 - (g) the person submits a plan for the Display Site and details of the location, duration, storage, and safety measures in place for Event;
 - (h) there are at least 2 operators at the Display Site on duty during the Event, one of whom must have the Fireworks Supervisor Certificate.
- 6) The Display Site must comply with the following conditions:
- (a) the Display Site is located:
 - (i) at least 60 metres from the nearest permanent building, public highway or street; and
 - (ii) at least 15 metres from the nearest above ground utility, tree or other overhead obstruction;
 - (b) the Display Site has a minimum clear area of:
 - (i) at least 30 metres by 30 metres for aerial Fireworks; and
 - (ii) at least 20 metres by 20 metres for fountains and other ground based Fireworks;
 - (c) the area in which the public can stand is located at least 20 metres from the point where the Fireworks are Discharged;
 - (d) only persons who are involved in the staging of the Fireworks display are allowed inside of the 20 metre area; and
 - (e) at least 2 fire extinguishers of at least 2 ½ gallons capacity are kept at as widely separated points as possible within the area in which the Discharge of the Fireworks is being done.
- 7) The Fire Chief may:
- (a) waive the fee of \$100 if the Event is sponsored by the City or by a non-profit organization within the City;
 - (b) specify the day and hours when the Fireworks may be Discharged; or
 - (c) set additional terms and conditions for the Display Permit necessary to ensure the safety of the public and property.
- 8) The Fire Chief may refuse an application for, cancel or revoke a Display Permit for the any of the following reasons:
- (a) environmental or weather conditions are such that the use of Fireworks would endanger or pose a risk to property or the safety of the public;
 - (b) the holder of the Display Permit does not comply or fails to comply with the terms and conditions of the Display Permit;
 - (c) the holder of the Display Permit has acted in such a manner as to endanger property or public safety;
 - (d) the holder of the Display Permit has submitted false or inaccurate information on the application;

- (f) a person does not comply with the provisions of this Bylaw, the Explosive Act or the Fire Services Act.
- 9) The Display Permit is:
- (a) valid only for the location and during the times specified in the Display Permit; and
 - (b) is not transferable.
- 10) The following persons are designated as Authorized Persons to exercise the powers conferred in this Bylaw:
- (a) Fire Chief;
 - (b) A Local Assistant;
 - (c) an Officer;
 - (d) Bylaw Compliance Officer;
 - (e) a Police Officer; and
 - (f) a Building Inspector.
- 11) An Authorized Person may do any of the following:
- (a) confiscate and seize Fireworks from a person who is in contravention of this Bylaw;
 - (b) dispose of any seized Fireworks;
 - (c) order a person to remove or reduce any thing or condition from a building or property which is a fire hazard or increases the danger of fire; or
 - (d) enter onto property and inspect premises in order to ascertain if there is compliance with the provisions of this Bylaw;
- 12) The Fire Chief may prescribe the format and content of any form or permit required under this Bylaw.
- 13) Any and all costs that are incurred by the City while mitigating fires or damages from the misuse of Fireworks will be charged to the person responsible for Discharging the Fireworks at the applicable Greater Vancouver Regional District charge out rates for firefighters and equipment.
- 14) Any person who:
- (a) contravenes any of the provisions of this Bylaw;
 - (b) causes or allows any act or thing to be done in contravention of this Bylaw;
 - (c) fails to comply with any of the provision of this Bylaw or any other bylaw or applicable statute; or
 - (d) neglects or refrains from doing any act or thing required to be done under this Bylaw
- commits an offence and is liable of a penalty of not more than \$10,000.00 for each violation of this Bylaw.
- 15) Each day of violation or contravention or breach of this Bylaw continues will constitute a separate and distinct offence.
- 16) If any portion of this Bylaw is held to be invalid by a decision of a Court of competent jurisdiction, such invalidity will not affect the validity of the remaining portions of this Bylaw.

- 17) The Fire Prevention and Safety Bylaw, 2004, No. 2523 is amended by deleting:
- (a) the definitions “discharge”, “Explosive Act”, “firecracker”, “fireworks”, “police officer”, “roman candle”, “sell”;
 - (b) section 2(c);
 - (c) sections 21, 22, 23 and 24; and
 - (d) the following rows in the table in Schedule “A” – Permits:

| Section | Type of Permit | Fee |
|-------------------|-----------------------|------------|
| 21(a)(ii) | Fireworks Sale | \$50.00 |
| 22(a)(ii) and (c) | Fireworks Display | \$50.00 |

- 18) This Bylaw may be cited as the “Fireworks Bylaw, 2005, No. 2603”.

READ A FIRST, SECOND AND THIRD TIME this twenty-sixth day of September, 2005.

ADOPTED this third day of October, 2005.

MAYOR

CITY CLERK