

# The Corporation of the City of Kenora

## By-Law Number 92 - 2024

### A By-law to Regulate the Discharge of Fireworks Within the City of Kenora

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**Whereas** Section 10(2), paragraph 6, of the Municipal Act, 2001, authorizes a municipality to pass by-laws for the health, safety, and well-being of persons; and

**Whereas** Section 121 of the Municipal Act, 2001, 5.0. 2001 c.25 as amended provides that a local municipality may prohibit and regulate the discharge of fireworks and to prohibit such activities unless a permit is obtained from the municipality for those activities and may impose conditions; and

**Whereas** Section 130 of the Municipal Act, 2001, 5.0. 2001 c.25 as amended provides that a municipality may regulate matters for purposes related to the health, safety, and well-being of the inhabitants of the municipality; and

**Whereas** Council deems it necessary to regulate by By-law the discharge of fireworks within the City of Kenora for the protection of persons and property in accordance with the authority set out in subsection 10(2)8. of the Municipal Act, 2001, S.O. 2001, c. 25; and

**Whereas** Subsection 7.1(4) of the Fire Protection and Prevention Act, S.O. 1997, c.4, as amended, provides that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted under this section are being complied with; and

**Whereas** Subsection 7.1(5) of the Fire Protection and Prevention Act, S.O. 1997, c.4, as amended, provides that the exercise of powers by an officer appointed under this section shall be conducted in accordance with Part XIV of the Municipal Act, 2001, S.O. 2001, c. 25 as amended (“Act”) other than clause 431 (a) of that Act; and

**Whereas** in accordance with Section 425 of the Act, a municipality may pass by- laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence; and

**Whereas** in accordance with Section 429 of the Act, a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act; and

**Whereas** Section 444 of the Act states if a municipality is satisfied that a contravention of a by-law of the municipality passed under this Act has occurred, the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity; and

**Whereas** Section 426(1) of the Act provides that no person shall hinder or obstruct, or attempt to hinder or obstruct any person who is exercising a power or performing a duty under this Act, or a by-law passed under this Act and that any person who contravenes subsection (1) is guilty of an offence; and

**Whereas** Section 426(4) of the Act states that any person who contravenes subsection (1) is guilty of an offence; and

**Whereas** Section 446(1) of the Act states that if a municipality has the authority under this or any other Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense; and

**Whereas** Section 446(3) of the Act states that the municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**Now Therefore the Council of The Corporation of The City of Kenora enacts as follows:**

## **1. Definitions**

- 1.1 "act" shall mean the Explosives Act, R.S.C. 1985, c.E-17 as amended and all Regulations thereto;
- 1.2 "Chief Fire Official" means the City's Fire Chief, or their designate;
- 1.3 "City" means The Corporation of the City of Kenora;
- 1.4 "consumer fireworks" means an outdoor, low hazard, recreational firework for which a permit is not required that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the Explosives Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, roman candles, volcanoes, and sparklers.
- 1.5 "competent adult" means any person (18 years of age or older) who can exercise the required judgement and is capable of performing the necessary actions to control and prevent its unwanted spread.
- 1.6 "discharge" when used in relation to fireworks, prohibited fireworks and firecrackers, includes firing, igniting, exploding, and setting of such articles or causing the setting off such articles.
- 1.7 "dusk" means the period of the evening, one half-hour before the astronomical sunset time determined for that date and geographic location and elevation, until darkness begins.
- 1.8 "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;
- 1.9 "display fireworks" means an outdoor high hazard, recreational firework that is classed as a subdivision 2 of Division 2 of Class 7 Fireworks under the Explosives Act, for which a permit shall be required and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons but does not include

consumer fireworks.

- 1.10 "Explosives Act" means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Explosives Regulation, 2013, SOR/2013- 211, enacted thereunder as amended from time to time.
- 1.11 "firecrackers" means a small, fused cylinder filled with explosive fireworks composition and designed to produce a sound effect when ignited and that do not create a subsequent visual display.
- 1.12 "Firefighter" means any person, or any rank of person employed in, or appointed to the City of Kenora Fire & Emergency Services and assigned to undertake fire protection or fire prevention services.
- 1.13 "fireworks" means any and all fireworks including consumer fireworks, display fireworks, and firecrackers.
- 1.14 "Fireworks Supervisor" means a Person who has, at the minimum, a valid and subsiding fireworks operator certificate (Display Supervisor) issued pursuant to the Explosives Act.
- 1.15 "flying lanterns" also known as sky lanterns is a lantern with a paper shell and wire frame that holds a heat or fuel source at the base of the lantern that is ignited. Once released, there is no control over where the lanterns travel or where they land.
- 1.16 "Officer" means the *Chief Fire Official*, *Deputy Chief Fire Official*, Fire Prevention Officer, Enforcement Officer, or such other law enforcement officer By-law appointed by the City of Kenora.
- 1.17 "owner" means the registered owner or any person, firm or corporation having control over, or possession, of any portion of the building or property under consideration.
- 1.18 "permit" means a permit issued by the *Chief Fire Official* under this By-law to discharge fireworks for a specified location, date, and period of time.
- 1.19 "person" means an individual, business, a partnership, or a corporation.
- 1.20 "prohibited fireworks" means any fireworks not listed on the List of Authorized Explosives published by Natural Resources Canada.
- 1.21 "special effect pyrotechnics" means explosives that are classified under Class 7, Subdivision 5 of Division 2 of the Explosives Regulations and any authorized explosive of a class set out in Section 6 of the Explosive Regulations that is made, manufactured or used to produce a pyrotechnic special effect in connection with a motion picture, theater or television production, or as a performance, before a live audience.

## **2 Administration and Enforcement**

- 2.1 The *Chief Fire Official* shall be responsible for the administration of this By-law.
- 2.2 Enforcement of this By-law is the responsibility of the *Chief Fire Official*, or designate, any By-law Enforcement Officer for the City of Kenora, Ontario

Provincial Police, or such other law enforcement *officer* appointed by The Corporation of the City of Kenora.

- 2.3 The *Chief Fire Official* may refuse to issue a *permit*, revoke any or all issued *permits* or attach any such conditions or requirements to the *permit* as may be deemed necessary.
- 2.4 Any *Officer* or *Firefighter* may always enter and inspect any property or premises to ascertain whether the provisions of this By-law are complied with and to enforce or carry into effect the By-law.
- 2.5 Any person who fails to comply with the provisions of this By-law or fails to cease *discharge* of *fireworks* once notification to do so has been given to him by an *Officer* or a *Firefighter* shall, in addition to any penalty provided herein, be liable to the City for all expenses incurred for the purposes of responding to an call for service caused by them *discharge* of *fireworks* and such expenses may be recovered by court action or in a like manner as municipal taxes.

### **3 Application of By-Law**

- 3.1 This by-law applies to all lands and premises within the City.
- 3.2 This by-law does not apply to the following low hazard *fireworks* having a practical use: highway safety flares, fuse and other small distress signals classes as Class 7, Division 3, Subdivision 4 of the *Act*.
- 3.3 This by-law does not apply to explosives or explosive materials and/or detonation, and/or explosions:
  - a) created at quarries or construction sites for the purposes of creating aggregate stone, construction materials or the removal or repositioning of said materials;
  - b) made by the Ontario Provincial Police, Royal Canadian Mounted Police, the Canadian Military, or any other public law enforcement agency;

### **4 General Requirements and Prohibitions**

- 4.1 Except where exempt, no *person* shall *discharge* or cause to be *discharge fireworks* without first having obtained a *permit* from the *Chief Fire Official*.
- 4.2 No *person* shall *discharge* or cause to be *discharge fireworks*:
  - a) that are *prohibited fireworks*;
  - b) that are display *fireworks* without holding a valid display supervisor certification;
  - c) that are *special effect pyrotechnics* without holding a valid *fireworks operators certificate* (pyrotechnician) certification;

- d) that are *firecrackers*;
- e) during times prohibited by this By-law;
- f) contrary to any condition attached to a *permit* issued under this By-law;
- g) for a period during which an air quality health index value forecasted or reported by Environment Canada for the Kenora District is greater than seven (7);
- h) for a period during which a municipal burn ban has been issued by the *Chief Fire Official*;
- i) that are not supervised continuously by a *competent adult*;
- j) that are within four (4) metres of a structure, fence, or property line;
- k) that are located on any public highway or on any property owned or maintained by the City without specific written permission;
- l) without adequate tools and/or water immediately available to contain or extinguish a fire caused by the *fireworks* or *fireworks* debris;
- m) in a manner to create a danger or nuisance to any person or property;
- n) after being ordered to cease *discharge fireworks* by an *Officer* or *Firefighter*;
- o) where the *fireworks* pose a hazard, at the sole discretion of the *Chief Fire Official*;
- p) at any location when wind or other conditions are such that they would likely cause,
  - i) a decrease in visibility on any highway; or
  - ii) a fire in adjacent brush, grassed area, structure or other combustible materials.

4.3 No *person*, other than a competent *person*, shall be in possession of *fireworks*.

4.4 No *person* shall release *flying lanterns* (sky lanterns) within the City.

4.5 No *person* shall display, offer for sale, or sell *flying lanterns* within the City.

## **5 Permit to Discharge Consumer Fireworks**

5.1 A *permit* shall not be required for the *discharge* of *consumer fireworks* in the City, on the following designated dates or holidays:

- a) 3 days before and on the third Monday of May, being Victoria Day
- b) 3 days before and including July 1, being Canada Day, and 3 days after July 1 inclusive of July 4, being Independence Day (U.S.A.)
- c) 3 days before and on the first Monday of August, being Civic Holiday

- d) 3 days before and on the first Monday of September, being Labour Day
  - e) December 31, being New Year's Eve;
- 5.2 Except as described in section 5.1, no *person* shall *discharge consumer fireworks* unless the *person* has obtained a *permit to discharge consumer fireworks* from the *Chief Fire Official*.
- 5.3 A *permit to discharge consumer fireworks* shall not be issued to a *person* under the age of eighteen (18) years.
- 5.4 Every *person* who wishes to *discharge consumer fireworks* in the *City* shall:
- a) submit an application for a *permit to discharge consumer fireworks* to the *Chief Fire Official* at least seven days before said date, on such prescribed application form as may be issued by the *Chief Fire Official*. Said application form shall include:
    - i) the name, address and telephone number of the applicant and the sponsoring organization, if applicable;
    - ii) the date and time of the proposed *discharge of consumer fireworks*.
    - iii) a description of the site on the property where the *discharge of consumer fireworks* is proposed;
    - iv) a list of the type and kind of *consumer fireworks* to be *discharged*;
    - v) proof of the written authorization of the lawful *owner* or occupier of the property that *consumer fireworks* may be *discharged* on his or her property, if applicable;
    - vi) such other information or documentation as the *Chief Fire Official* may require.
  - b) pay the applicable, non-refundable fee for a *permit to discharge consumer fireworks*, pursuant to the *City's* Tariff of Fees & Charges By-law, as amended from time to time;

## **6 Discharge of Consumer Fireworks**

- 6.1 *Consumer fireworks* are governed by Part 16 of the Explosives Regulation, 2013 (SOR/2013-211) which authorizes the acquisition, storage and sale of *consumer fireworks* and regulates their use.
- 6.2 No *person* shall *discharge consumer fireworks* except, on the following designated dates or holidays:
- a) 3 days before and on the third Monday of May, being Victoria Day
  - b) 3 days before and including July 1, being Canada Day, and 3 days after July 1 inclusive of July 4, being Independence Day (U.S.A.)

- c) 3 days before and on the first Monday of August, being Civic Holiday
  - d) 3 days before and on the first Monday of September, being Labour Day
  - e) December 31, being New Year's Eve;
  - f) or any other day for which a *permit* has been issued by the *Chief Fire Official*, and only then on that day.
- 6.3 Notwithstanding section 6.2 of this By-law, if weather conditions such as rain, fog, smog, or wind on the date specified on the *consumer fireworks discharge permit* does not allow the *discharge of consumer fireworks*, the *consumer fireworks* may be *discharged* on a mutually agreeable date.
- 6.4 No *person* shall discharge *consumer fireworks* at any time except between *dusk* and 11:00 p.m. on the designated days as prescribed in this By-Law, and between *dusk* on New Year's Eve and 12:30 a.m. the following day.
- 6.5 No *person* shall *discharge consumer fireworks*:
- a) 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 consumer fireworks*;
  - b) in a building or automobile.
- 6.6 Every *person* who *discharges consumer fireworks* shall be mindful of their *duty of care* to individuals and property, and shall provide the following for set-up:
- a) an open area away from buildings, vehicles, overhead obstructions, and dry brush/grass;
  - b) a minimum clear area of 30m by 30m for aerial *consumer fireworks* such as roman candles, and a minimum clear area of 20m by 20m for fountains and other ground-based *consumer fireworks*;
  - c) fully operational fire extinguishing equipment (minimum of 2A10BC extinguisher, 10 litre pressurized water unit or a fully charged garden hose) ready and accessible at all times when *consumer fireworks* are being *discharged* and for a reasonable period thereafter, at the *consumer fireworks discharge site*;
  - d) a hard, flat, and level surface for ground-based *consumer fireworks* to ensure stability of the item;
  - e) a means to bury aerial *consumer fireworks* to half their length in the ground or in a large bucket or box filled with earth or sand;
  - f) a means to keep all spectators at least 20m away.
- 6.7 Every *person* who *discharges consumer fireworks* shall:
- a) read the instructions, cautions and warnings on each *consumer*

*fireworks* item;

- b) light only one (1) *consumer firework* at a time;
- c) wear proper eye protection and wear proper clothing;
- d) keep children away from *consumer fireworks*;
- e) use care when handling and firing *consumer fireworks*;
- f) clean up the area after the display.

6.8 Every *person* or organization that conducts a *consumer fireworks* display shall ensure that all *consumer 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.

## **7 Permit for Discharge of Display Fireworks**

7.1 No *person* shall *discharge display fireworks* unless the *person* has obtained a *permit to discharge display fireworks* from the *Chief Fire Official*;

7.2 Every *person* who wishes to *discharge display fireworks* in the *City* shall:

- a) submit an application for a *permit to discharge display fireworks* to the *Chief Fire Official* at least seven days before said date, on such prescribed application form as may be issued by the *Chief Fire Official*. Said application form shall include:
  - i) the name, address and telephone number of the applicant and the sponsoring organization, if applicable;
  - ii) the date and time of the proposed *discharge of display fireworks* and, in the event of inclement weather, a mutually agreeable date for the *discharge of display fireworks*.
  - iii) a site plan of the property where the *discharge of display fireworks* is proposed, including separation distances and access to be provided for fire and emergency vehicles;
  - iv) a list of the type and kind of *display fireworks* to be *discharged*;
  - v) the number of *persons* authorized to handle and *discharge display fireworks*;
  - vi) proof of written authorization from the lawful *owner* or occupier of the property that *display fireworks* may be *discharged* on that property, if applicable;
  - vii) proof of Commercial General Liability insurance subject to the limit of not less than five million dollars (\$5,000,000) inclusive per occurrence for bodily injury, death, and damage to property, including loss thereof. Such insurance shall be in the name of the applicant and shall name the *City* as an additional insured thereunder;



- viii) such other information or documentation as the *Chief Fire Official* may require.
  - b) pay the applicable, non-refundable fee for a *permit to discharge display fireworks*, pursuant to the *City's User Fee By-law*, as amended from time to time;
- 7.3 The *Chief Fire Official* shall inspect the site where the *discharge of display fireworks* is to be held.
- 7.4 An application for a *permit for a display fireworks display* must be received by the *Chief Fire Official* at least thirty (30) days prior to the event.

## **8 Discharge of Display Fireworks**

- 8.1 *Display fireworks* are governed by Part 18 of the Explosives Regulation, 2013 (SOR/2013-211) authorizes the acquisition, storage and sale of *display fireworks* and their accessories and regulates their use.
- 8.2 No *person* shall set off *display fireworks* without first applying and obtaining authorization from the *City's Chief Fire Official*.
- 8.3 No *person* shall fire or set off any *display fireworks* within the City without first successfully completing a fireworks display supervisor's course and holding a valid *Fireworks Supervisor Card*.
- 8.4 The *fireworks* supervisor must ensure that the event is conducted safely, and that the supervision of a display event are followed including; plan, approval, *fireworks* to be attended, danger zone, fire prevention and first aid, firing procedures, firing unit disconnected, and record of use.
- 8.5 Every *person* that wishes to hold an event where *display fireworks* are to be used, shall fully complete the require application and/or submit any required information and pay the prescribed user fee before the application is considered.
- 8.6 Every applicant for use of *display fireworks* display shall provide any additional information to the satisfaction of the *Chief Fire Official* to allow proper consideration of the application, including proof of required certifications required under the *Explosives Act* and knowledge of the pyrotechnics special effects manual.
- 8.7 The *Chief Fire Official*, considering the contents of the application along with any additional information requested or obtained, may issue a *permit* on such terms & conditions as is deemed appropriate to the proposed display, taking all known factors into consideration.
- 8.8 The *Chief Fire Official* may refuse to grant the *permit* request and such decision and reasons for the refusal, will be in writing and shall be final and not subject to appeal.

8.9 Property damage or injury because of *display fireworks* shall be the responsibility of the *person discharge the fireworks*.

## **9 Permit for Discharge of Special Effect Pyrotechnics**

9.1 No *person* shall *discharge special effect fireworks* (pyrotechnics) unless the *person* has obtained a *permit to discharge display fireworks* from the *Chief Fire Official*;

9.2 Every *person* who wishes to *discharge special effect fireworks* (pyrotechnics) in the *City* shall:

- a) submit an application for a *permit to discharge special effect fireworks* (pyrotechnics) to the *Chief Fire Official* at least seven days before said date, on such prescribed application form as may be issued by the *Chief Fire Official*. Said application form shall include:
  - i) the name, address and telephone number of the applicant and the sponsoring organization, if applicable;
  - ii) the date and time of the proposed *discharge* of special effect *fireworks* (pyrotechnics) and, in the event of inclement weather, a mutually agreeable date for the *discharge* of special effect *fireworks* (pyrotechnics).
  - iii) a site plan of the property where the *discharge* of special effect *fireworks* (pyrotechnics) is proposed, including separation distances and access to be provided for fire and emergency vehicles;
  - iv) a list of the type and kind of special effect *fireworks* (pyrotechnics) to be *discharged*;
  - v) the number of *persons* authorized to handle and *discharge* special effect *fireworks* (pyrotechnics);
  - vi) proof of written authorization from the lawful *owner* or occupier of the property that *display fireworks* may be *discharged* on that property, if applicable;
  - vii) proof of Commercial General Liability insurance subject to the limit of not less than five million dollars (\$5,000,000) inclusive per occurrence for bodily injury, death, and damage to property, including loss thereof. Such insurance shall be in the name of the applicant and shall name the *City* as an additional insured thereunder;
  - viii) such other information or documentation as the *Chief Fire Official* may require.
- b) pay the applicable, non-refundable fee for a *permit to discharge display fireworks*, pursuant to the *City's* User Fee By-law, as amended from time to time;

- 9.3 The *Chief Fire Official* shall inspect the site where the *discharge* of special effect *fireworks* (pyrotechnics) is to be held.
- 9.4 An application for a *permit* for a special effect *fireworks* (pyrotechnics) *display* must be received by the *Chief Fire Official* at least thirty (30) days prior to the event.

## **10 Discharge of Special Effect Pyrotechnics**

- 10.1 *Special effect pyrotechnics* are governed by Part 17 of the Explosives Regulation, 2013 (SOR/2013-211) which authorizes the acquisition, storage and sale of *special effect pyrotechnics* and regulates their use.
- 10.2 No *person* shall set off *special effect fireworks* (pyrotechnics) without first applying and obtaining written authorization from the City's *Chief Fire Official*.
- 10.3 No *person* shall fire or set off any special effect *fireworks* (pyrotechnics) within the City without first successfully completing a *fireworks operators certificate* (pyrotechnician) for the use of *special effect pyrotechnics* and holding a *fireworks operators certificate* (pyrotechnician) card.
- 10.4 The pyrotechnician must ensure that the event is conducted safely, and that the supervision of a pyrotechnic event are followed including; plan, approval, safety meetings, danger zone, fire prevention and first aid, instructions, firing and disconnect and logbook of events.
- 10.5 Every *person* that wishes to hold an event or special effect production, where special effect *fireworks* are to be used, shall fully complete the require application and/or submit any required information and pay the prescribed user fee before the application is considered.
- 10.6 Every applicant for use of special effect fireworks display shall provide any additional information to the satisfaction of the *Chief Fire Official* to allow proper consideration of the application, including proof of required pyrotechnic certifications required under the *Explosives Act* and knowledge of the pyrotechnics special effects manual.
- 10.7 The *Chief Fire Official*, considering the contents of the application along with any additional information requested or obtained, may issue a *permit* on such terms & conditions as is deemed appropriate to the proposed display, taking all known factors into consideration.
- 10.8 The *Chief Fire Official* may refuse to grant the *permit* request and such decision and reasons for the refusal will be in writing and shall be final and not subject to appeal.
- 10.9 Property damage or injury because of special effect *fireworks* shall be the responsibility of the *person discharge the fireworks*.

## **11 Revocation of Permits**

- 11.1 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 this By-law's conditions or requirements, or the *Chief Fire Official* has concerns for public safety.

## **12 Prohibition**

- 12.1 No *person* shall *discharge fireworks* within the *City* in any manner contrary to the Criminal Code, R.S., 1985, C-46, as amended, the *Act*, the Fire Protection and Prevention Act, 1997 or any other applicable laws. If any provision of this By-law conflicts with the *Act*, the more stringent requirements will prevail.
- 12.2 No *person* shall *discharge any fireworks* on City owned lands, including public streets and roadways, at any time, without the written permission of the Chief Administrative Officer. Only *display fireworks* shall be considered in designated community parks meeting the display site requirements. Said permission may be denied by the Chief Administrative Officer in his or her complete discretion and which permission may be subject to terms and conditions, including but not limited to, the provision of insurance on such terms and in such amount as set out in section 12 of this by-law.

## **13 Insurance Requirements**

- 13.1 The applicant for a *permit* to hold a *fireworks display* on *City* property shall provide and maintain Commercial General Liability insurance subject to limits or not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name the *City* as an additional insured thereunder. Such insurance shall include coverage for displays of *fireworks*. Such insurance policy shall contain an endorsement to provide the *City* within thirty (30) calendar days prior written notice of cancellation or of a material change that would diminish coverage, and a Certificate of Insurance evidencing such insurance coverage shall be provided to the *City* prior to the issuance of a *permit* to hold a *fireworks display*.

## **14 Indemnification**

- 14.1 The applicant for a *permit* as required under this By-law shall indemnify and save harmless the *City* from any and all claims, demands, causes of action, loss, costs or damages that the *City* may suffer, incur or be liable for resulting from the performance of the applicant as set out in this By-law, whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

**15 Severability**

15.1 If a court or any tribunal of competent authority declares any section or part of this By-law invalid, the remainder of this By-law shall continue in force unless the court or tribunal makes an order to the contrary.

**16 Short Title**

16.1 The short title of this by-law shall be **Kenora Fireworks By-Law**.

**17 Effective Date**

17.1 This by-law shall come into full force and take effect on the 16<sup>th</sup> day of July, 2024.

**By-law read a First and Second Time this 16th day of July, 2024**

**By-law read a Third and Final Time this 16th day of July, 2024**

**The Corporation of the City of Kenora:-**

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**Andrew Porier, Mayor**

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**Heather Pihulak, City Clerk**

## **Schedule 'A'**

### **By-Law 92-2024**

A by-law to regulate the discharge of fireworks within the City of Kenora.

#### **The Corporation of the City of Kenora Fire Services Equipment and Personnel Rates**

##### **Emergency Services Rendered:**

- a) Ontario Ministry of Transportation rates for highway response charged per hour per apparatus attending

##### **No Emergency Response:**

- a) Ontario Ministry of Transportation rate for highway response charged per hour per apparatus attending

## Schedule 'B'

### By-Law 92-2024

A by-law to regulate the discharge of fireworks within the City of Kenora.

#### Set Fines under Part I – Provincial Offences Act

Item	Short Form Wording	Offence Creating Provision or Defining Offence	Set Fine
<b>Consumer Fireworks</b>			
1.	Discharge without a permit	4.1	\$300
2.	Discharge prohibited fireworks	4.2.(a)	\$500
3.	Discharge firecrackers	4.2 (d)	\$500
4.	Discharge when prohibited (days / times)	4.2 (e)	\$300
5.	Discharge during an air quality event	4.2 (g)	\$300
6.	Discharge during a municipal burn ban	4.2 (h)	\$500
7.	Discharge not supervised	4.2 (i)	\$300
8.	Discharge within four (4) meters of a structure, fence or property line	4.2 (j)	\$300
9.	Discharge on municipal property without written permission	4.2 (k)	\$300
10.	Discharge without adequate tools or water to contain or extinguish a fire caused by fireworks	4.2 (l)	Full cost recovery
11.	Discharge in a manner to create a danger or nuisance	4.2 (m)	\$300
12.	Fail to comply with a notice or order	4.2 (n)	\$300
13.	Discharge to decrease visibility on a highway	4.2 (o)	\$300
14.	Discharge flying lantern (sky lantern)	4.4	\$500
15.	Discharge without a permit when required	5.2	\$300
16.	Discharge during prohibited days	6.2	\$300
17.	Discharge during prohibited times	6.4	\$300
<b>Display Fireworks</b>			
18.	Discharge without a display supervisor certificate	4.2 (b)	\$300
19.	Display without a permit	7.1	\$300
20.	Display without proper insurance	13.1	\$500
<b>Special Effect Pyrotechnics</b>			
21.	Discharge without a fireworks operators certificate	4.2 (c)	\$300
22.	Display without written authorization	9.1	\$300
23.	Display without proper insurance	13.1	\$500