

**TOWN OF PRINCETON  
BYLAW NO. 913, 2016**

A bylaw to regulate the use of Fireworks and Firecrackers within the Town of Princeton

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**WHEREAS**, the Municipal Council deems it necessary to provide for the protection and enhancement of the well-being of the Community in relation to Fireworks and Firecrackers within the Town of Princeton;

**AND WHEREAS**, the Municipal Council, pursuant to Section 8 of the *Community Charter*, has the authority to regulate, prohibit and impose requirements in relation to Fireworks and Firecrackers;

**NOW THEREFORE** the Council of the Town of Princeton, in the Province of British Columbia, hereby **ENACTS AS FOLLOWS**:

**PART 1: TITLE**

- 1) This Bylaw may be cited as "FIREWORKS AND FIRECRACKER REGULATION BYLAW NO. 913, 2016".

**PART 2: DEFINITIONS**

- 2) In this Bylaw:

**COUNCIL** means the Municipal Council of the Town of Princeton.

**CONSUMER FIREWORKS** means outdoor, low-hazard recreational Fireworks (Canadian Class 7.2.1) such as showers, fountains, golden rain, Roman Candles, volcanoes, sparklers, as may be designated under the provisions of the Natural Resources Canada, "Display Fireworks Manual." For the purpose of the bylaw, *Consumer Fireworks* Roman Candle means a consumer firework that is capable of projecting or discharging a charge or series of charges or pyrotechnical effects more than 3 metres and which has a tube size internal diameter of three-quarters of an inch or less.

**DISPLAY FIREWORKS** means high-hazard recreational Fireworks (Canadian Class 7.2.2) such as aerial shells, mines and larger roman candles designed for use at public gatherings as may be designated under the provisions of the Natural Resources Canada, "Display Fireworks Manual."

**FIRECRACKER** means a pyrotechnic devise that explodes instantaneously when ignited and does not make any display or visual effect after the explosion, but does not include items classified under the Explosives Act RSC 1985, cE-17 as low or high hazard fireworks.

**PART 3: FIRECRACKERS PROHIBITED**

- 3) No person shall, at any time hold, possess, store, explode, set off, sell or purchase Firecrackers in the Town of Princeton.

**PART 4: GENERAL FIREWORKS REGULATIONS**

- 4) No person shall, at any time, explode or set off Fireworks, excluding sparklers, Christmas crackers and caps for toy guns, in the Town of Princeton.
- 5) The provisions of the *Fireworks Act* of British Columbia and the *Explosives Act of Canada* and its associated regulations and the Natural Resources Canada, "Display Fireworks Manual" shall apply within the Town of Princeton.

**PART 5: EXEMPTION TO FIREWORKS REGULATIONS**

- 6) Section 4 does not apply if a person or organization has received approval from Council to use, set off, explode or discharge Consumer or Display Fireworks for the purpose of the observance or celebration of a special event or festival. Requests for approval must be in writing. Council may impose any and all conditions deemed necessary to provide for the protection of persons and property. The person or organization to whom authorization is provided is responsible for ensuring compliance with all provisions of this Bylaw.

**PART 5: SALE OF FIREWORKS**

- 7) No person shall sell, or offer for sale (including by mail or internet), give or otherwise distribute in the Town of Princeton:
  - i) Consumer Fireworks, without a valid Business Licence, "Classification – Retailer – Inside, Description – Retail Fireworks Sales", issued by the Town of Princeton;
  - ii) Consumer Fireworks, to any person or organization, except between October 18<sup>th</sup> to October 31<sup>st</sup> and between December 18<sup>th</sup> to December 31<sup>st</sup> inclusive;
  - iii) Display Fireworks to any person or organization.

**PART 6: ENFORCEMENT**

- 8) The Fire Chief, a Peace Officer, Bylaw Enforcement Officer or designate may enter onto any property at any reasonable time to ascertain whether the provisions of this Bylaw are being observed and may take whatever action deemed necessary in accordance with Part 10.
- 9) All persons must, when directed to do so, surrender all Fireworks in their possession to the Fire Chief, a Peace Officer, Bylaw Enforcement Officer or designate, each of whom is authorized to seize and hold all such Fireworks in the interest of public safety and as evidence of the commission of an offence and a person who fails to surrender Fireworks upon demand commits an offence.

**PART 7: OFFENCES AND PENALTIES**

- 10) Any person who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence punishable on summary conviction and is subject to a fine not less than \$250 and not more than \$10,000.
- 11) Each day that a violation exists or is permitted to exist is deemed to be a separate offence against this Bylaw.
- 12) This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of section 264 of the *Community Charter*.
- 13) Pursuant to section 264(1)(b) of the *Community Charter*, the Town Administrator, the Town's Bylaw Enforcement Officers, and members of the Royal Canadian Mounted Police are designated to enforce this Bylaw.
- 14) Pursuant to section 264(1)(c) of the *Community Charter*, the words or expression in Column 1 of Schedule "A" to this Bylaw designate the offence committed under the Bylaw section number appearing in Column 2 opposite the respective words or expression.
- 15) Pursuant to section 265(1)(a) of the *Community Charter*, the fine amount in Column 3 of Schedule "A" to this Bylaw is the fine amount that corresponds to the section number and words or expression set out in Columns 2 and 1 opposite the fine amount.
- 16) Council hereby delegates to the Town's Chief Administrative Officer the authority to refer any disputed tickets to the Provincial Court.

**PART 8: SEVERABILITY AND REPEAL**

- 17) If any portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity does not affect the remaining portions of the Bylaw.

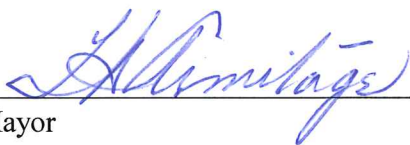
READ A FIRST TIME THE 16<sup>th</sup> DAY OF MAY, 2016.

READ A SECOND TIME THE 16<sup>th</sup> DAY OF MAY, 2016.

READ A THIRD TIME THE 16<sup>th</sup> DAY OF MAY, 2016.

ADOPTED THE 6<sup>th</sup> DAY OF JUNE, 2016.

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Mayor



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Chief Administrative Officer



**SCHEDULE "A"**

**FINE SCHEDULE**

<b>Description of Offence</b>	<b>Section #</b>	<b>Amount of Fine</b>
possessing, firing, setting off or discharging firecrackers	3)	\$200
discharging fireworks	4)	\$200
discharging fireworks in contravention of Council conditions	6)	\$300
selling or distributing fireworks without a business licence	7) i)	\$300
selling or distributing fireworks except between Oct. 18 and Oct. 31 and Dec. 18 and Dec. 31 inclusive	7) ii)	\$300
failure to surrender fireworks	9)	\$200