



**Corporation of the Town of
Ingersoll By-Law 21-5184**

A bylaw to prohibit and regulate the sale and setting off of fireworks

WHEREAS Section 121 of the Municipal Act, .S.O. 2001, c. 25, provides that a local municipality may (a) prohibit and regulate the sale of fireworks and the setting of fireworks; and (b) prohibit the activities described in clause (a) unless a permit is obtained from the municipality for those activities and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans.

AND WHEREAS Section 7.1 (1) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 provides that a council of a municipality may pass by-laws (a) regulating fire prevention, including the prevention of spreading fires.

AND WHEREAS the Council of The Corporation of the Town of Ingersoll deems it advisable to pass such a by-law;

NOW THEREFORE the Council of The Corporation of the Town of Ingersoll enacts as follows:

1. Definitions

In this by-law:

"FIREWORKS" means and includes any explosive or combustible or explosive composition, or any substance or any combination of substances or article prepared for the purpose of producing a visible or audible effect through combustion, explosion, deflagration or detonation and shall include blank cartridges, toy pistols, toy cannons or toy guns in which explosives are used, the type of balloons which require fire underneath to propel same, fire-crackers, torpedoes, sky-rockets, roman candles and any fire-works containing an explosive or flammable compound, or any tablets or other devices containing any explosive substance;

but shall not include paper caps containing less than an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy guns and other devices for use of such caps, the sale and use of which shall be permitted at all times.

"FIREWORKS DISPLAY" means a display of fireworks in a public park, on private property or in some other area specifically approved by the Ingersoll Fire Service for view by a public or private group of more than twenty (20) persons, under the supervision of a fireworks supervisor as defined under the Explosives Act.

"PERSON" means and includes persons, firms and corporations.

Sale of Fireworks

2. No person shall:

- 2.1. Display, offer for sale or sell fireworks within the corporate limits of the Town of Ingersoll except:
 - i. during the ten (10) days prior to and on the holidays known as Victoria Day, Canada Day, Civic Holiday, Labour Day, and New Year's Eve; or
 - ii. when authorized by Permit.
 - 2.2. Sell fireworks to any person under the age of eighteen (18) years.
 - 2.3. Within the limits of the Town of Ingersoll, display fireworks in any shop or store window, doorway or open stall in or adjoining any public street except as regulated by the Ingersoll Fire Service.
3. Every person offering for sale or selling fireworks in the Town shall at all times during which fireworks are displayed, offered for sale or sold, maintain in a prominent position in the immediate area in which the fireworks are displayed a sign reading "Sale of Fireworks to persons under 18 years of age is prohibited" and the dimensions of such sign shall be not less than twelve (12) inches by eighteen (18) inches.

Discharge of Fireworks

4. No person shall:

- 4.1. Set off any fireworks when a fire ban is in effect as declared by Fire Services.
- 4.2. Ignite, discharge or set off any fireworks within the limits of the Town of Ingersoll except:
 - i. On Victoria Day and the Saturday and Sunday prior to Victoria Day;
 - ii. On Canada Day and on the Saturday and Sunday prior to Canada Day where Canada falls on a Monday or Tuesday; or on the Saturday or Sunday following Canada Day where Canada Day falls on a Wednesday, Thursday or Friday.
 - iii. On the Civic Holiday and the Saturday and Sunday prior to the Civic Holiday

- iv. On Labour Day and the Saturday and Sunday prior to Labour Day
 - v. On New Year's Eve and on the Saturday and Sunday prior to Canada where New Year's Eve falls on a Monday or Tuesday; or on the Saturday or Sunday following New Year's Eve where New Year's Eve falls on a Wednesday, Thursday or Friday.
- 4.3. Ignite, discharge or set off fireworks on the days permitted under Section 4.2. outside of the permitted hours between dusk and the hour of 11:00 p.m. (local time).
 - 4.4. Set off any firework(s) if under the age of 18 except if under the direct supervision of and control of a person 18 years of age or over.
 - 4.5. At any time, ignite, discharge or set off fireworks in or on any highway, street, public land, Public Square or any other public space without first obtaining a permit. This shall not prohibit a fireworks display in a public park or other public place or private location in accordance with a permit issued under the provisions of this by-law nor the discharge of fireworks by a person conducting a display upon private property before a private group of twenty (20) or less persons.
 - 4.6. Ignite, discharge or set off any firework within ten (10) meters of any building or structure.
 - 4.7. Discharge any fireworks in or into any building, doorway, automobile or other place where such discharge might create a nuisance or safety hazard to persons or property.
 - 4.8. Conduct a fireworks display for view by more than twenty (20) persons without a permit for same.
 5. Notwithstanding the foregoing provisions of this by-law, the Ingersoll Fire Service may grant a permit for a supervised public display of fireworks by the Town, Associations, Amusement Parks or other organizations or groups of individuals.
 6. Application for such permit or permits (Schedule "A") shall be made in writing to the Ingersoll Fire Service at least fifteen (15) days in advance of the day of such display.
 7. Every person shall dispose of any fireworks that remain unfired after such display has been concluded and for which a permit has been granted, in a safe manner having regard to the particular type of fireworks remaining.

Offences and Penalties

8. Every person who contravenes any of the provisions of this by-law is guilty of an

offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, Chapter p.33

Short Title

9. This by-law may be cited and known as "The Fireworks By-Law".

Repeal

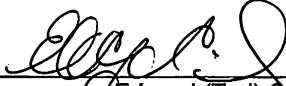
10. That By-Law No. 00-3924 and all other by-laws or parts thereof inconsistent with this by-law are hereby repealed.

Effective Date

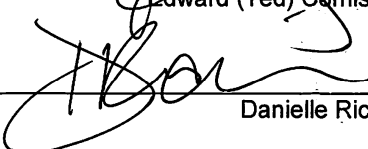
11. This by-law shall come into force and effect on the date of passing thereof.

READ a first and second time in Open Council this 13th day of December, 2021.

READ a third time in Open Council and passed this 13th day of December, 2021.



Edward (Ted) Comiskey, Mayor



Danielle Richard, Clerk

SCHEDULE "A"

To By-Law No. 21-5184

FIREWORKS

DISPLAY PERMIT

This permit authorizes

to hold a fireworks display _____ p.m. on _____
at the following function

provided the said

_____ shall duly observe all provisions of By-Law No. 00-3924 of the Town of Ingersoll relating to the setting off of fireworks (copy attached).

Fire Chief

"PERMIT" means authorization by the Ingersoll Fire Service to hold a Fireworks Display in the Town of Ingersoll (Schedule "A")