

THE CORPORATION OF THE CITY OF ELLIOT LAKE

By-law No. 93-23

Being a by-law to regulate the sale and setting off of fireworks, and to repeal By-law No. 58-123.

The Council of The Corporation of the City of Elliot Lake Enacts as follows:

1. In this by-law;
 - (a) "Class 7.2.1." means Class 7.2.1. as defined pursuant to the Canada Explosives Act, and generally means Low-hazard fireworks for Recreation "family fireworks" and includes small fountains, volcanoes, roman candles, pin wheels, sparklers, Christmas crackers and caps for toy guns.
 - (b) "Class 7.2.2." means Class 7.2.2. as defined pursuant to the Canada Explosives Act, and generally means High-hazard fireworks for Recreation "display fireworks" rockets - display shells, large wheels, bouquets, fountains, batteries, candles, bombardos, firecrackers and mines.
2. THAT class 7.2.1. low-hazard fireworks and class 7.2.2. high-hazard fireworks may be sold within the City of Elliot Lake subject to the requirements of the Canada Explosives Act and its regulations.
3. THAT no person shall set off class 7.2.2. high-hazard recreational fireworks except on the following days:
 - a) the two days preceding Victoria Day, Victoria Day and the two days following Victoria Day;
 - b) the two days preceding Canada Day, Canada Day, and the two days following Canada Day;
 - c) December 21st to and including January 1st;
 - d) days authorized by resolution of the Council of the City of Elliot Lake.
4. THAT no person under the age of eighteen years shall be allowed to purchase any fireworks or set off fireworks except under the direct supervision and control of a person eighteen years or over.
5. THAT no person being the parent or guardian of any child under the age of eighteen shall allow the child to set off any fireworks, except when such parent or

guardian or some other responsible person of eighteen years of age or over is in direct supervision and control.

6. THAT no person shall use, set off or allow to be used or set off any fireworks in such a place or in such a manner as might create danger or constitute a nuisance to any person or property, or to do or cause or allow any unsafe act or omission at the time and place for the setting off of any fireworks.

7. THAT no person shall set off class 7.2.2. high-hazard fireworks for recreation or high-hazard fireworks used for theatrical effects, as defined in class 7.2.5. under the Canada Explosives Act, without a permit signed by both the Elliot Lake Fire Chief or his designate and by the Elliot Lake Police Chief or his designate.

8. THAT application for a permit shall be made in writing and on the form provided for that purpose.

9. THAT the fee for a permit shall be \$25.00.

10. THAT permits shall be personal and non-transferable.

11. THAT the Elliot Lake Fire Chief or his designate or the Elliot Lake Police Chief or his designate may attach to a permit such restrictions and regulations as the occasion may require.

12. THAT the Elliot Lake Fire Chief or his designate or the Elliot Lake Police Chief or his designate may revoke any permit for non-compliance with this by-law or the conditions of a permit.

13. EVERY person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence.

14. THAT By-law No. 58-123 being a by-law respecting the manufacture, sale and setting off of fireworks is hereby repealed.

Passed this 10th day of May, 1993.

Mayor

City Clerk