



APPLICATION TO SELL FIREWORKS

Schedule "B" to By-law 600-05

See Part 2 (attached) for further information.

DATE: _____

PERMIT NUMBER: _____

LICENCE FEE: \$100.00 (Annual Fee which expires December 31st)

- Outdoor Stand
- Tent
- Trailer
- Mobile Vehicle
- Commercial Building

"Family Fireworks" means low-hazard fireworks for recreation that are classified under Class 7, Division 2, Subdivision 2 of the Explosives Act, and the explosives regulations made under, and includes but is not limited to, firework showers, fountains, golden rain, lawn lights, pinwheels, roman candles, volcanoes, sparklers and other similar devices, but does not include Christmas crackers, and paper containing not more than 25/100 grain of explosives on average per cap, devices for use with such caps, safety flares or marine rockets.

"Display Fireworks" means high-hazard fireworks for recreation that are classified Class 7, Division 2, Subdivision 1 under the Explosive Act. The explosives regulations made thereunder, and includes, but are not limited to, rockets, serpents, shells, bombshells, tourbillion, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and kitchens.

"Theatrical Fireworks" means an authorized explosive of a class set out in Section 6 of the Explosives Act, Explosives Regulations (C.R.C. c. 599), that is made, manufactured or used to produce a pyrotechnic theatrical effect in connection with a motion picture, theatre or television production or as a performance before a live audience.

"Prohibited Fireworks" includes but is not limited to firecrackers, cigarette loads or kings , exploding matches, sparkling matches, ammunition for miniature tie clip, cuff link, or keychain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers; throw down and step on torpedoes, and crackling balls; exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky-rockets, fake firecrackers and other trick devices or practical jokes, as included in the list of Prohibited Fireworks as published from time to time under the Explosives Act.

- Type of fireworks to be sold:
- Display Fireworks
 - Theatrical Fireworks
 - Family Fireworks (If only selling family fireworks from a commercial building, you do not need a licence, but must follow Part 2 of By-law 600-05.)

Please attach description of fireworks to be sold.

APPLICANT (IF DIFFERENT FROM PROPERTY OWNER)

NAME: _____

STORE NAME: _____

ADDRESS: _____

CITY/PROVINCE: _____ POSTAL CODE: _____

PHONE NO: _____ FAX NO: _____

PART 2 OF BY-LAW 600-05 - SALE OF FIREWORKS

3. No person shall sell prohibited fireworks.
4. No person shall sell fireworks or sparklers to any person who is younger than 18 years of age.
5. No person shall sell fireworks unless;
 - a) the fireworks are included in the most recent list of authorized explosives as published from time to time by the Explosives Branch of Natural Resources Canada;
 - b) the fireworks are displayed for sale in a package, glass case or other suitable receptacle away from flammable goods;
 - c) the fireworks are displayed in a place that is not exposed to the rays of the sun or excess heat or adjacent to any exit door;
 - d) the fireworks are displayed for sale or stored in an area where signs are posted establishing it as a non-smoking area.
 - e) a manufacturer's brochure outlining the safe handling of fireworks is made available to every purchaser of fireworks.
 - f) every employee who sells fireworks has been instructed about the provisions of this by-law.
6. No person shall smoke, ignite any flammable material or have in his possession any lighted mach, lighter, pipe, cigar, cigarette, open flame or spark making device within six metres of any location where fireworks are displayed for sale or stored.
7. No person shall sell any fireworks from an outdoor stand, tent, trailer or motor vehicle without making obtaining a licence issued by the Municipality specifically permitting the sale of fireworks from the location authorized on such licence.
8. Every outdoor stand, tent, trailer or motor vehicle from which fireworks are sold shall have a "No Encroachment Zone" of at least six metres established around its perimeter by means of a barrier, such as snow fence, pylons, or other material satisfactory to the licensing officer to exclude the public from this area.
9. No person shall sell display fireworks or theatrical fireworks without obtaining a licence issued by the Municipality to permit such activity.

Sale of Family Fireworks

10. In addition to the provisions of Sections 3-9 inclusive, no person shall sell family fireworks unless:
 - a) the fireworks are displayed for sale in lots that do not exceed more than 25 kilograms each in gross weight;
 - b) the fireworks displayed in shop windows shall be mock samples only and shall not contain explosive composition, and
 - c) any unsold family fireworks must be returned to the manufacturer or distributor within seven days immediately following Victoria Day and Canada Day.
11. No person shall sell family fireworks or posses family fireworks for the purpose of sale except on Victoria Day, Canada Day and each of the seven days immediately proceeding Victoria Day and Canada Day.

Sale of Fireworks from Mobile Sales Premises

12. In addition to Sections 3-11 inclusive, no person shall sell fireworks from a mobile sales premise except in accordance with the following regulations;

- a) The weight of fireworks stored at the mobile sales premise cannot exceed 100 kilograms (220 pounds) unless the vendor is licensed by Natural Resources Canada Explosives Division.
 - b) Not less than two (2) signs must be posted in prominent locations on the outside of the mobile sales premise indicating that persons may not smoke or ignite any flammable material, or have in their possession any lighted match, lighter, pipe, cigar, cigarette, open flame or spark emitting device within six (6) metres of the mobile sales premise.
 - c) A mobile sales premise may not be located within twenty (20) metres of any road or occupied parking space and may not be located within forty (40) metres of any occupied building, or any dwelling or gas station.
 - d) The public shall not be permitted to enter any mobile sales premise for the purpose of purchasing fireworks unless there are at least two operational doors providing means of access to and egress from the mobile sales premise.
 - e) More than fifteen (15) customers are not permitted in a mobile sales premise at the same time.
 - f) Any portable power supply to the mobile sales trailer must be located not less than twelve (12) metres from the mobile sales premise.
 - g) With the exception of its entrance and exit, every mobile sales premise shall have a "No Encroachment Zone" of at least six (6) metres established around its perimeter by means of a barrier, such as snow fencing or pylons or other material satisfactory to the Licensing Officer to exclude the public from this area; and
 - h) Every vendor of fireworks from a mobile sales premise shall keep their licence posted in a conspicuous place on the mobile sales premise, at all times during the currency of the licence.
 - i) Every licence shall have endorsement for the location of a mobile sales premise and such endorsement shall be for one location only and such licence shall be valid only for the location endorsed thereon.
13. Every permit applicant shall during the regular operating hours of the mobile sales premise and at all times when fireworks are provided therein make available for inspection by the Licensing Officer, a Provincial Offences Officer, or a By-law Enforcement Officer the original of any document or record referred to in this By-law.
14. Every permit applicant and every person discharging fireworks shall, at all times during the set-up, discharge and dismantling of the fireworks, permit the entry by and the inspection of the site where the fireworks will be discharged by a By-law Enforcement Officer, a Provincial Offences Officer, the Licensing Officer or a Peace Officer.
15. No person may obstruct or hinder the entry or the inspection of a mobile sales premise by a By-law Enforcement Officer, a Provincial Offences Officer, the Licensing Officer or a Peace Officer.

Licence Application to Sell Fireworks

16. Every licence issued pursuant to this by-law shall expire on December 31st in the year the licence is issued.
17. Every applicant for a licence to sell fireworks from a mobile sales premise or to sell display fireworks or theatrical fireworks shall complete the application attached as Schedule B to this by-law and pay the fee established in Schedule A to this by-law.
18. Every person applying for a licence shall file with the Licensing Officer, documentation satisfactory to the Licensing Officer demonstrating the applicant's right to possess or occupy the premises and if any applicant is not the registered owner of the property upon which the mobile sales premise is to be located, such person shall file with the Licensing Officer a copy of the lease, if any, and a copy of any other document constituting or affecting the legal relationship relating to the said lands or premises between said applicant and the registered owner or owner in fee simple of the said real property.