



APPLICATION FOR PERMIT TO DISCHARGE DISPLAY FIREWORKS OR
THEATRICAL FIREWORKS

Schedule "B" to By-law 600-05

DATE: _____

PERMIT NUMBER: _____

PERMIT FEE: \$100.00 (Cash, Debit, Cheque - payable to the Municipality of Leamington)

Please note: If the Municipal Fire Chief determines that Fire Department Services are required at the event, there will be an additional charge. If you have any questions please contact the Fire Chief at 326-6291.

"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 DISCHARGED:
- Display Fireworks
 - Theatrical Fireworks
 - Family Fireworks (No permit is required if setting off ONLY family fireworks but MUST follow Part 3, Sections 25-29 of By-law 600-05.)

APPLICANT NAME: _____

ADDRESS: _____

CITY/PROVINCE: _____ POSTAL CODE: _____

PHONE NO: _____ FAX NO: _____

PROPERTY OWNER: _____

PHONE NUMBER: _____

NAME OF SPONSORING ORGANIZATION: _____

REQUIRED:

- Map illustrating location on property where fireworks to be discharged.
- Proof of comprehensive general liability insurance in an amount no less than five million dollars (\$5,000,000.00) naming the Municipality as an additional insured and containing a cross liability clause.
- Proof that the applicant has been approved by the Chief Inspector of Explosives pursuant to the Explosives Act as a Fireworks Supervisor by providing a copy of Fireworks Supervisor’s Licence.
- An indemnification/liability agreement signed by the applicant or by an individual having authority to bind the applicant.
- Proof of authorization of owner of the land that fireworks may be discharged from this location.

DATE AND TIME FIREWORKS TO BE DISCHARGED: _____

ALTERNATE DATE AND TIME FOR FIREWORKS TO BE DISCHARGED: _____

LOCATION WHERE FIREWORKS TO BE DISCHARGED: _____

DESCRIPTION OF FIREWORKS TO BE DISCHARGED: (Please attach additional page if more room required)

DECLARATION

I am the owner or authorized agent of the owner of the above application, and I certify the truth of all the statements and representations in this and all other documents submitted. I agree if a permit is issued not to depart from the plans, routes, specifications or spreading location proposed in this application.

I acknowledge that it is an offence to provide false information or to contravene any conditions included in the permit.

APPLICANT’S SIGNATURE (if applicable)

OWNER’S SIGNATURE

Maximum fines for contravention of by-law 600-05 are \$100.00.

**PART 3 OF BY-LAW 600-05
DISCHARGE OF FIREWORKS**

21. No person shall possess or discharge any firecrackers or other prohibited fireworks.
22. In circumstances where a permit is obtained for the discharge of fireworks, no applicant shall discharge fireworks at a date, time, location or site other than that specified in the permit and all conditions of such permit shall be observed.
23. No person shall discharge fireworks in a manner that creates or may create a nuisance or that creates or may create an unsafe condition, danger from fire or from risk of accident, injury or damage at or in respect of any place, location or site, or to or in respect of any person, property or thing.
24. No person shall discharge fireworks into, in or on any highway, street, lane, square, public park or other public place, without previously obtaining a permit for such purpose.

Discharge of Family Fireworks

25. No person shall discharge family fireworks except:
 - a) On Victoria Day and the two days immediately preceding, or,
 - b) Between June 29th and July 4th inclusive.
26. No parent or guardian of any person under the age of eighteen years shall allow or permit that person to set off family fireworks, except under the direct supervision and control of the natural person eighteen years of age or older, who shall, at all times, remain physically present in the immediate area where the fireworks are being set off.
27. No person shall set off or hold a display of family fireworks on any land that is not owned by him or her, unless written permission for the setting off or the holding of a display of family fireworks on a date to be clearly specified in the written permission, has been obtained from the owner, lessee or person in charge of the land.
28. Every person who sets off family fireworks shall:
 - a) Provide and maintain fully operational fire extinguishing equipment ready for immediate use, and present at all times and for a reasonable period thereafter, at the location or site of the setting off of family fireworks, and,
 - b) Permit the inspection of any site where the family fireworks may be stored, set off or displayed, and the family fireworks themselves together, together with all associated equipment, by anyone authorized to enforce this By-law, forthwith upon demand.
29. No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.

Fireworks Discharge Permit

30. No person shall discharge display fireworks or theatrical fireworks without a permit issued by the Licensing Officer for that purpose.
31. Every permit issued shall be for a single event.
32. The fees for permits are established in Schedule A to this by-law.
33. No permit shall be issued to any person under eighteen years of age.

34. Every permit application shall include:
- a) A description of the type and kind of fireworks which may be discharged, the discharge techniques to be used, the manner and means of restraining unauthorized persons from attending too near the discharge location, the manner in which unused fireworks are to be disposed of and the number of persons authorized to handle and discharge the fireworks;
 - b) A description of the discharge site to be used for the setting off of the fireworks sufficient to identify and locate the site upon the property where the discharge is proposed;
 - c) Proof of authorization of the owner of the land that fireworks may be discharged at such location;
 - d) The name of the applicant and the name of the sponsoring organization, if applicable, and
 - e) The date and time of the proposed discharge of fireworks and an alternate date and time in the event of inclement weather.
35. Every application for a permit for display fireworks and theatrical fireworks shall include:
- a) Proof of comprehensive general liability insurance in an amount no less than five million dollars (\$5,000,000.00), naming The Municipality as an additional insured and containing a cross liability clause;
 - b) Proof that the applicant has been approved by the Chief Inspector of Explosives pursuant to the Explosives Act as a Fireworks Supervisor by providing a copy of Fireworks Supervisor's Licence;
 - c) Such further and other information as the Licensing Officer may reasonably require, and
 - d) An Indemnification/Liability Agreement signed by the applicant or by an individual having authority to bind the applicant.
36. Every person to whom a permit is issued shall:
- a) Provide and maintain fully operational fire extinguishing equipment for immediate use, and present at all times and for a reasonable period thereafter, at the location or site of the discharge of fireworks;
 - b) Conform to the provisions of the current issue of the Fireworks Manual as published from time to time by the Explosives Branch of Natural Resources Canada, or any successor publication, applicable to the discharge of fireworks authorized in the permit;
 - c) Produce the permit on demand by any person authorized to enforce this By-law, and
 - d) Permit the inspection of the fireworks and any site where the fireworks may be stored or discharged together with all associated equipment.
37. Every permit issued shall include the following conditions:
- a) The permit holder shall only discharge the fireworks at the date, time, location and discharge site shown on the permit;
 - b) No person, except a Fireworks Supervisory, shall set off any display or theatrical fireworks;
 - c) The Fireworks Supervisor, who is named on the permit application, shall be present in person at the display at all times during which the display is being set up, discharged and cleaned up;
 - d) No person shall set off display or theatrical fireworks within three hundred (300) metres of any premises or place where explosives, gasoline or other highly flammable substances are manufactured or stored in bulk; and
 - e) No person shall set off display or theatrical fireworks within three hundred (300) metres of a hospital, nursing home, home for the aged, church or school unless the consent of the owner or authorized representative thereof is obtained.