



**DRAYTON VALLEY**

*'Pulling Together'*

**BYLAW NO. 2010/07/P**

**BEING THE BYLAW OF THE TOWN OF DRAYTON VALLEY IN THE PROVINCE OF ALBERTA, FOR THE REGULATION OF FIREWORKS WITHIN THE TOWN OF DRAYTON VALLEY.**

**WHEREAS** section 7(a) of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, provides for municipalities to enact Bylaws for the safety, health and welfare of people and the protection of people and property.

**AND WHEREAS** section 8(a) of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, provides for municipalities to enact Bylaws to regulate or prohibit.

**AND WHEREAS** section 8(c) of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, provides for municipalities to enact Bylaws to provide for a system of licences, permits or approvals.

**AND WHEREAS** the Council of the Town of Drayton Valley recognizes that fireworks are explosive devices which are classified as Dangerous Goods under the *Alberta Fire Code* and which, when used improperly by untrained persons, can cause injury, damage, fire and death.

**AND WHEREAS** the Council of the Town of Drayton Valley has determined that the sale, storage, purchase and discharge of fireworks by persons not in possession of a fireworks display supervisors card creates an unacceptable level of risk to life, health, safety and property.

**NOW THEREFORE** the Town of Drayton Valley wishes to enact a Bylaw for the purpose of prohibiting the possession, sale, storage, purchase and discharge of fireworks by any person not in possession of a valid fireworks display supervisor card issued pursuant to the *Explosives Act* of Canada, and its Regulations, by the Government of Canada.

**1. TITLE**

This Bylaw may be cited as the **“Fireworks Prohibition Bylaw”**

**2. DEFINITIONS**

**2.1** The definitions in the following enactments, as amended, in order of precedence, shall be used for the purposes of interpreting this Bylaw and its application:

- a) *Municipal Government Act* (R.S.A. 2000, c. M-26)

- 4.3** A Display Supervisor or Pyro-Technician shall apply in writing, a minimum of 28 calendar days prior to an event, to the Fire Chief for a written letter of permission to conduct an event. The application in writing will include all the information required by the *Explosives Act* and the *Alberta Fire Code*. It shall include, but may not be limited to:
- a) date, time and location of the proposed event;
  - b) names, addresses and certification numbers of all display supervisors or pyro-technicians and assistants participating in the event;
  - c) name of the sponsor or promoter of the event;
  - d) a full description of the planned event and a list of all materials to be fired, detonated, burnt or energized during the event;
  - e) emergency plan for the event;
  - f) verification of liability insurance, in an amount acceptable to the Town of Drayton Valley;
  - g) payment of the designated application fee; and
  - h) a photocopy of the certification documents for all supervisors and pyro-technicians who are participating in the show including name, expiry date, certification number, and photo.
  - i) any other information deemed necessary by the Town of Drayton Valley or the Fire Chief.
- 4.4** The Fire Chief or designate may choose to issue to a Display Supervisor or Pyro-Technician, in the form of a signed letter on official letterhead, written permission for an event to take place.
- 4.5** The Fire Chief or designate shall determine, pursuant to the *Alberta Fire Code*, if a proposed fireworks display constitutes a *high-hazard fireworks* discharge. In such cases, the person responsible for discharging the fireworks shall ensure that:
- a) they have at least 2 assistants who are competent persons over 18 years of age and have been trained in the proper handling of fireworks;
  - b) the fireworks are set up in conformance with the "Display Fireworks Manual," published by Natural Resources Canada;
  - c) at least 2 portable extinguishers each having a rating not less than 2-A shall be not more than 45 m from the location at which the fireworks are discharged;
  - d) the potential landing area is cleared of spectators, vehicles, dry grass and other combustible material immediately prior to the beginning of the display and during the display;
  - e) nothing other than a flashlight or electrical lighting is used for artificial illumination;
  - f) no person, other than persons responsible for discharging the fireworks, is closer than 45 m from the location at which the fireworks are being discharged;

5.4 Where a Safety Codes Officer in the Fire Discipline, having been designated by the Town of Drayton Valley to provide those services or an Enforcement Officer, has reasonable grounds to believe that a person has violated any provision of the *Alberta Fire Code*, they may commence Court proceedings under the *Safety Codes Act* against such person by filing an Information pursuant to the provisions of the *Provincial Offenses Procedure Act*.

This Bylaw shall come into force and effect on the date of the third reading thereof.

READ A FIRST TIME THIS 3<sup>rd</sup> DAY OF November, 2010 A. D.

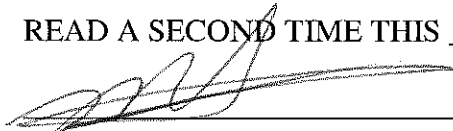
  
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MAYOR

  
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TOWN MANAGER

READ A SECOND TIME THIS 8<sup>th</sup> DAY OF December 2010 A. D.

  
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MAYOR

  
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TOWN MANAGER

READ A THIRD AND FINAL TIME THIS 8<sup>th</sup> DAY OF December 2010 A. D.

  
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MAYOR

  
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TOWN MANAGER

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