

BYLAW NUMBER 799

Being a Bylaw of the Town of Golden to regulate the sale, use and possession of fireworks.

WHEREAS, it is provided by Section 932(e) of the Municipal Act, R.S.B.C. 1979, that the Council may by bylaw regulate or prohibit the sale or disposal to any person of firecrackers and other fireworks of every nature or kind:

AND WHEREAS, it is provided by Section 933 of the said Municipal Act that the Council may, inter alia, authorize the issuance of a permit to any person or organization for the use of firecrackers or other fireworks of any nature or kind and may specify the terms and conditions thereof:

NOW THEREFORE, the Council of the Town of Golden, in open meeting assembled,

HEREBY ENACTS AS FOLLOWS:

1. In this bylaw, "Person" shall include any corporation, organization, partnership, association, society, or any party.
2. No person shall, at any time, sell, give, possess, or set off, low-hazard fireworks as defined in Class 7.2.1 of the Canadian Explosives Act, such as firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, but excluding sparklers, Christmas crackers and caps for toy guns, except under the following conditions:
 - a) fireworks may be sold, given, possessed, or set off between the 24th day of October and the 1st day of November, inclusive, in any year.
 - b) persons 18 years of age and over only, may sell, give, possess, or set off fireworks.
 - c) fireworks shall be set off only on private property with consent of the owner being first obtained where necessary, or on public property with the written permission of the Local Assistant to the Fire Commissioner.
 - d) notwithstanding Section 2(a), fireworks may be sold, given, possessed or set off at any time by any person conducting a public display if such public display is held with the written permission of the Local Assistant to the Fire Commissioner.
3. No person shall at any time sell, give, possess or set off high-hazard fireworks as defined in Class 7.2.2 of the Canadian Explosives Act, such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, mines except under the following conditions:
 - a) permission must first be obtained from the Local Assistant to the Fire Commissioner, having jurisdiction in the Town of Golden, such permission being in the form of a Special Permit, as shown in Schedule 'A' to this Bylaw.
 - b) each individual applying for a Special Permit, in accordance with the provisions of Section 3(a), must be the individual supervising the setting off of the fireworks and shall possess a valid Fireworks Supervisor Card issued by the Explosives Branch of Energy, Mines and Resources, Canada.
 - c) sale of fireworks shall be only to a person presenting a Special Permit.
4. The storage and display for sale of any fireworks, as governed by this bylaw, shall be in accordance with the Federal Explosives Regulations.
5. Any person found to be in possession of any fireworks as classified in Section 2 and 3 of this bylaw, and in violation of this bylaw, shall forthwith surrender the fireworks to the Local Assistant to the Fire Commissioner, or the local police, and said Local Assistant to the Fire Commissioner or police shall be authorized to seize and confiscate said fireworks without any compensation to the person found to be in possession.

6. Every person contravening or committing any breach of, or committing any offense or infraction against any of the provisions of this bylaw, shall be liable, on summary conviction before any Court having jurisdiction, to a fine of not more than one thousand dollars (\$1,000.00.)
7. "Fireworks Regulation Bylaw Number 4, 1958" is hereby rescinded.
8. This bylaw may be cited as "Fireworks Regulation Bylaw Number 799, 1990."

READ A FIRST TIME, this 22nd day of May, 1990.

READ A SECOND TIME, this 22nd day of May, 1990.

READ A THIRD TIME, this 22nd day of May, 1990.

RECONSIDERED AND ADOPTED, this

4th day of June, 1990.

MAYOR

PA Doyle

CLERK

Certified to be a true and correct copy of
Bylaw 799 cited as "Fireworks Regulation
Bylaw Number 799, 1990."

Dated this _____ day of _____, 19__.

CLERK