

THE CORPORATION OF THE TOWN OF HEARST

BY-LAW NO. 75-11

(as amended by By-law 25-12)

Being a by-law to prohibit the sale and the setting off of fire crackers and to regulate the sale and setting off of fireworks

WHEREAS local municipalities are empowered by Paragraph 121 of the Municipal Act, 2001 to prohibit and regulate the sale of fireworks and the setting off fireworks and to prohibit the activities related thereto unless a permit is obtained from the Municipality and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans, and

WHEREAS the Council of the Corporation of the Town of Hearst deems it advisable to enact the necessary regulations to prohibit the sale and setting off of fire crackers and to regulate the sale and the setting off of fireworks within the boundaries of the Town of Hearst,

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Hearst that:

1. The display, the sale and or the setting off of firecrackers within the boundaries of the Town of Hearst is prohibited.
2. The sale of fireworks by established business entities is authorized provided a permit from the Town is secured and the following conditions are observed:
 - a) Fireworks shall not be displayed openly for perusal of the general public.
 - b) All firework products shall be securely packaged and shall contain the detailed instructions for safe use.
 - c) The holder of the business permit to sell fireworks or his authorized representative shall remit a copy of this by-law to the purchaser at the time of sale.
 - d) Fireworks shall only be sold by the holder of the business permit or his authorized representative whom must be 16 years of age or older.
 - e) Fireworks shall only be sold to persons of the age of 18 and over.
 - f) All sale of fireworks shall be recorded in a registry supplied by the Town outlining the following information:
 - the name of the buyer,
 - his residential address,
 - the details of the products purchased,
 - the date of the purchase,
 - the signature of the buyer,
 - identification number from a recognized photo identity, and
 - the location the fireworks will be set off.
3. No person shall be allowed to hold a fireworks display within the boundaries of the Town of Hearst, unless a permit has been obtained from the Fire Chief of the Hearst Fire Department and in his absence, the Deputy Fire Chief, said permit:
 - requiring a plan outlining the location where the setting off of fireworks will take place and specifying the setback from adjacent buildings which shall be a minimum of 50 meters.
 - approving the site for the setting off of the said fireworks.

4. Fireworks display shall not be permitted within the zones identified in the map attached to this by-law.
5. Every person who contravenes any of the provisions of this by-law is guilty of an offense and shall, upon conviction hereof, forfeit and pay a penalty of not more than five thousand dollars (\$5,000), exclusive of costs and every such time, is recoverable under the provisions of the Provincial Offences Act, RSO 1990, as amended.
6. By-law No. 815 be hereby repealed.

READ AND PASSED IN OPEN COUNCIL

THIS 12th DAY OF OCTOBER, 2011

MAYOR

CHIEF ADMINISTRATIVE OFFICER/CLERK