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Corporate Administrator

CITY OF PRINCE RUPERT

BYLAW NO. 2978

**A BYLAW FOR THE PROHIBITION OF THE SALE OR DISPOSAL OF
FIREWORKS AND THE DISCHARGE OF FIREWORKS EXCEPT BY PERMIT
TO AN AUTHORIZED PERSON**

WHEREAS pursuant to the provisions of the Municipal Act, Chapter 290, R.S.B.C. 1979 and the amendments thereto, Council may, by bylaw, prohibit the sale and disposal of fireworks, regulate and prohibit the discharge of fireworks, and issue permits for the use of fireworks under certain terms and conditions;

AND WHEREAS Council deems it expedient and desirable to provide such a bylaw;

NOW THEREFORE the Council of City of Prince Rupert, in open meeting assembled, enacts as follows:

SECTION I - DEFINITIONS

1.01 In this bylaw;

"Authorized Person" means a person who has been issued with a current Fireworks Supervisor Certificate by Energy Mines and Resources Canada.

"Council" means the Municipal Council of City of Prince Rupert.

"Fireworks" means all firecrackers, cannon crackers, fireballs, mines, roman candles, sky rockets, squibs, torpedoes and all fireworks designated as low hazard fireworks and high-hazard fireworks under the Explosives Regulations (Canada) excluding sparklers, Christmas crackers and caps for toy guns.

SECTION II - PROHIBITION OF SALE OR DISPOSAL

2.01 No person shall sell or offer to sell, either by way of retail or wholesale, fireworks in the City of Prince Rupert.

2.02 No person shall give or otherwise dispose of fireworks to another person in the City of Prince Rupert

SECTION III - EXPLOSION OF FIREWORKS

3.01 Except as provided in this bylaw, no person shall explode or discharge fireworks in the City of Prince Rupert, whether on public or private property.

SECTION IV - MANUFACTURING OF FIREWORKS

4.01 No person shall manufacture any fireworks by altering or combining any combustibles, chemicals, explosives, flammables or other dangerous things.

SECTION V - PERMITS

- 5.01 Notwithstanding Section III herein, the Council may authorize issuance of a permit to an authorized person for the discharge of fireworks for the purpose of the observance or celebration of a special event or festival where all conditions to obtain a permit under this bylaw have been met.
- 5.02 Application for a Permit required by this Bylaw shall be made in the form prescribed by the Fire Chief or his designate.
- 5.03 Such Permit after payment of a Permit Fee shall be submitted by the Fire Chief and the Applicant to the City Council for their approval.
- 5.04 The fee for every permit issued under this section shall be Ten Dollars (\$10.00), payable to the City prior to issuance of the permit.
- 5.05 Such Permit once issued is not transferrable, and any change in operations to be conducted requires a new permit
- 5.06 No permit shall be issued unless the fireworks are under the care and control of an authorized person for purposes of storage and explosion or discharge.
- 5.07 The handling and discharge of Fireworks shall conform to the "Fireworks Manual", published in 1991 by Energy, Mines and Resources Canada.
- 5.08 Notwithstanding the issuance of a permit herein, such permit does not authorize the sale by any person, to a permit holder, of fireworks in the City of Prince Rupert.

SECTION VI - PENALTIES

- 6.01 Every person who violates any provision in this bylaw commits an offence punishable upon summary conviction and shall be liable to a maximum fine of not more than Two Thousand Dollars (\$2,000.00), to imprisonment for not more than six (6) months, or to both fine and imprisonment.

SECTION VII - SEVERABILITY

- 7.01 If any section, subsection or clause of this bylaw is declared or held to be invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been enacted and adopted without the invalid and severed section, subsection or clause.

SECTION VIII - REPEAL

- 8.01 City of Prince Rupert Bylaw No. 1992, 1974 as amended is hereby repealed.

SECTION IX - CITING

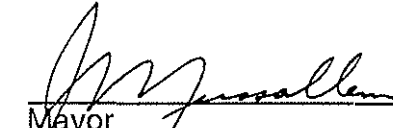
9.01 This Bylaw may be cited as "**FIREWORKS REGULATION BYLAW NO. 2978, 1996**".

READ A FIRST TIME THIS 12th DAY OF February, 1996.


READ A SECOND TIME THIS 12th DAY OF February, 1996.

READ A THIRD TIME THIS 12th DAY OF February, 1996.

ADOPTED THIS 25th DAY OF March, 1996.



Mayor



City Clerk

CITY OF PRINCE RUPERT
FIRE DEPARTMENT

APPLICATION TO CONDUCT A FIREWORKS DISPLAY

REQUIREMENTS:

1. The applicant must be the person supervising the fireworks
2. The applicant must be at least 18 years of age.
3. The applicant must be the holder of a current unexpired Firework Supervisor's Card.
4. The applicant must have read, understood and agreed to follow the the safety rules and recommendations defined in the FIREWORKS MANUAL issued by Energy, Mines and Resources Canada.
5. A Permit Fee of ten dollars shall be payable prior to the issuance of the permit.

Name of Applicant:

Mailing Address:

Postal Code:

Telephone Number:

Fireworks Supervisor Card #

Expiry Date:

Location of Display:

Date of Display:

Time of Display:

Type of Event:

Sponsoring Organization:

Additional Information / Comments:

Applicants Signature:

Date:

Prince Rupert Fire Department PERMIT
200 1st Ave. West, Prince Rupert, V8J 1A8, Tel: 627-1248

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Permit Name : Fireworks Permit Permit #: 9500039
Issue Date : Dec 12, 1995
Effective Date: Dec 25, 1995 Expiry Date: Dec 25, 1995

----- Property Owner -----

Name: City of Prince Rupert Telephone: (604) 624-5115
Address: 424 3RD AVE W
City: Prince Rupert, BC, V8J

----- Permit Issued To -----

Name: Prince Rupert Fire Dept. Telephone: (604) 624-5115
Address: 200 3RD AVE W
City: Prince Rupert, BC, V8J 1A8

----- Permit Information -----

Proposed Time of Display: _____

Supervisor's Card #: _____

Reason For Display: _____

Sponsoring Organization: _____

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RE: APPROVAL TO CONDUCT A FIREWORKS DISPLAY WITHIN THE CITY OF PRINCE RUPERT.

This permits the holder to conduct a Fireworks Display within the boundries of the City of Prince Rupert. This approval is conditional on the permit holder meeting and adhering to the requirements outlined below.

- 1) The permit holder must be a minimum of 18 years of age.
- 2) The permit holder must hold a current, unexpired "FIREWORKS SUPERVISOR'S CARD" as issued by Energy Mines and Resources Canada.
- 3) The permit holder must read, understand and agree to follow all rules, regulations and recommendations pertaining to the safe handling, storage and discharge of fireworks as defined in the "FIREWORKS MANUAL" issued from time to time by Energy, Mines and Resources Canada.
- 4) This permit may be revoked or rescinded at any time if in the opinion of the Fire Chief or his designate it is advisable to do so.
- 5) A permit fee of ten dollars shall be paid prior to the issuance of the permit.

----- Permit Issued By -----

Name : MILLER RONALD GORDON
Title : CHIEF

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FDM V3.42b Date Printed: Dec 12, 1995 3:18 pm