

**A by-law to prohibit and regulate the sale and setting off of fireworks.**

**WHEREAS** pursuant to Section 210, subsections (37) and (38) c.M.45 of the Municipal Act, R.S.O. 1990, as amended, the Council of a Municipal Corporation may pass a by-law to prohibit and regulate the sale and setting off of fireworks within its corporate limits;

AND WHEREAS the Council of The Corporation of the Town of Ingersoll deems it advisable to pass such a by-law;

**NOW THEREFORE** the Council of The Corporation of the Town of Ingersoll enacts as follows:

**1.0 Definitions**

**"FIREWORKS"** means and includes any explosive or combustible or explosive composition, or any substance or any combination of substances or article prepared for the purpose of producing a visible or audible effect through combustion, explosion, deflagration or detonation and shall include blank cartridges, toy pistols, toy cannons or toy guns in which explosives are used, the type of balloons which require fire underneath to propel same, fire-crackers, torpedoes, sky-rockets, roman candles and any fire-works containing an explosive or flammable compound, or any tablets or other devices containing any explosive substance;

but shall not include paper caps containing less than an average of twenty-five hundredths of a grain of explosive content per cap and toy pistols, toy guns and other devices for use of such caps, the sale and use of which shall be permitted at all times.

**"FIREWORKS DISPLAY"** means a display of fireworks in a public park, on private property or in some other area specifically approved by the Ingersoll Fire Service for view by a public or private group of more than twenty (20) persons, under the supervision of a fireworks supervisor as defined under the *Explosives Act*.

**"PERSON"** means and includes persons, firms and corporations.

**2.0 No person shall**

2.1 display, offer for sale or sell fireworks within the corporate limits of the Town of Ingersoll except

- (i) during the ten (10) days prior to the holiday known as Victoria Day and on the Victoria Day holiday in each year, or
- (ii) during the ten (10) days prior to the holiday known as Canada Day and on the Canada Day holiday in each year.
- (iii) or when authorized by Permit.

2.2 sell fireworks to any person under the age of eighteen (18) years.

2.3 within the limits of the Town of Ingersoll display fireworks in any shop or store window, doorway or open stall in or adjoining any public street except as regulated by the Ingersoll Fire Service.

2.4 discharge or set off any fireworks within the limits of the Town of Ingersoll except during the three days prior to the holiday known as Victoria Day

and on the Victoria Day holiday and during the three days prior to the holiday known as Canada Day and on the Canada Day holiday in each year.

- 2.5 under the age of 18 years shall set off any firework or fireworks except under the direct supervision of and control of a person 18 years of age or over.
- 2.6 at anytime discharge fireworks in or on any highway, street, public land, public square or any other public space. This shall not prohibit a fireworks display in a public park or other public place or private location in accordance with a permit issued under the provisions of this by-law nor the discharge of fireworks by a person conducting a display upon private property before a private group of twenty (20) or less persons.
- 2.7 conduct a fireworks display for view by more than twenty (20) persons without a permit for same.
- 2.8 discharge any fireworks in or into any building, doorway, automobile or other place where such discharge might create danger to persons or property.
- 3.0 Notwithstanding the foregoing provisions of this by-law, the Ingersoll Fire Service may grant a permit for a supervised public display of fireworks by the Town, Associations, Amusement Parks or other organizations or groups of individuals.
  - 3.1 Application for such permit or permits (Schedule "A") shall be made in writing to the Ingersoll Fire Service at least fifteen (15) days in advance of the day of such display.
  - 3.2 Any fireworks that remain unfired after such display has been concluded and for which a permit has been granted, shall immediately be disposed of in a safe manner having regard to the particular type of fireworks remaining.
- 4.0 Every person offering for sale or selling fireworks in the Town shall at all times during which fireworks are displayed, offered for sale or sold, maintain in a prominent position in the immediate area in which the fireworks are displayed a sign reading "*Sale of Fireworks to persons under 18 years of age is prohibited*" and the dimensions of such sign shall be not less than twelve (12) inches by eighteen (18) inches.
- 5.0 Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction be liable to a fine or penalty of not more than Five Thousand Dollars (\$5,000.00) exclusive of costs and every such fine is recoverable under the Provincial Offences Act.
- 6.0 This by-law may be cited and known as "The Fireworks By-Law".
- 7.0 That By-Law No. 2230 and all other by-laws or parts thereof inconsistent with this by-law are hereby repealed.
- 8.0 This by-law shall come into force and effect on the date of passing thereof.

READ a first and second time in Open Council this      day of

READ a third time and passed in Open Council this      day of

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Michael J. Hennessy, Mayor

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Edward A. Hunt, Clerk Administrator

SCHEDULE "A"

To By-Law No. 00-3924

**FIREWORKS**

**DISPLAY PERMIT**

This permit authorizes

to hold a fireworks display \_\_\_\_\_ p.m. on \_\_\_\_\_  
at the following function

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provided the said \_\_\_\_\_  
shall duly observe all provisions of By-Law No. 00-3924 of the Town of Ingersoll relating  
to the setting off of fireworks (copy attached).

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Fire Chief

**PERMIT"** means authorization by the Ingersoll Fire Service to hold a Fireworks Display  
in the Town of Ingersoll (Schedule "A")

July 12, 2000

Nesbitt Coulter  
P. O. Box 125  
Woodstock, Ontario  
N4S 7W8

Attention: Murray L. Coulter

Dear Murray:

Enclosed are two certified copies of the Fireworks By-Law No. 00-3924 duly passed by Council on July 5, 2000.

Please forward the by-law to the Chief Judge for set fine approval. I would suggest the fine be set at \$200.00.

Thank you for you assistance with this by-law.

Yours truly,

Joan Barrett  
Deputy Clerk Administrator

Encs.