

# VILLAGE OF ACME

## BYLAW # 2006- 02

**A BYLAW OF THE VILLAGE OF ACME prohibiting or regulating firing and setting off of fire balls, squibs, fire crackers or fireworks within the limits of the Village of Acme.**

**WHEREAS** the Municipal Government Act, R.S.A. 2000, Chapter M-26.1, Part 2, Section 7 and 8 and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people and property, and

**WHEREAS** it is deemed desirable and expedient to provide for the control and the use of fireworks within the boundary of the Village of Acme for the purpose of public safety and the protection of property, and

**AND WHEREAS** the Council of the Village of Acme deems it necessary to regulate the firing and setting off of fireworks within the limits of the Village of Acme.

**NOW THEREFORE** the Municipal Council of the Village of Acme enacts as follows:

### **Section 1 – Name of Bylaw**

This Bylaw shall be known as “The Fireworks Bylaw”.

### **Section 2 – Purpose of This Bylaw**

The purpose of this Bylaw is to increase public safety, reduce risk and protect public and private property.

### **Section 3 – Definitions**

In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meaning:

- a) “Council” means the Council of the Village of Acme
- b) “Fireworks” means firecrackers defined as small fireworks with entwined fuses used as noisemakers and fireworks as defined in the Alberta Fire Code.
- c) “Peace Officer” means a member of the Royal Canadian Mounted Police, a Special Constable or a Bylaw Enforcement Officer.
- d) “Public Place” means any highway, road allowance, reserve, park or building to which the public has, or is permitted to have access or any vehicle in a public place.

### **Section 4 – Restrictions**

- a) That no person shall fire and or set off fire balls, squibs, firecrackers or fireworks anywhere at any time within the limits of the Village of Acme without

first obtaining a permit from the Village of Acme.

- b) Professional Fireworks Displays will be authorized but only after a permit application is made by a licensed Pyro-technician accredited by Natural Resources Canada in Accordance and pursuant to the Alberta Fire Code.
- c) No person shall fire or set off any fireworks within the municipal limits of the Village of Acme when a fire ban is in effect.
- d) Persons or groups firing or setting off fireworks within the municipal limits of the Village of Acme shall be responsible for all liabilities incurred by the use of fireworks.
- e) Permits shall not be issued without proof of insurance, naming the Village of Acme and the land owner (if not the applicants private property) as additional named insured's with a minimum 2,000,000 liability coverage.
- f) Persons or groups firing or setting off fireworks within the municipal limits of the Village of Acme shall do so in accordance with all of the requirements of the Alberta Fire Code which include safety planning, obtaining written permission from neighbors that may be affected and receiving a permit from the Village Office. The Village Office will in turn seek advice of an accredited Safety Codes Officer for the preparation of the permit.
- g) Any commercial business selling fireworks shall be required to obtain a copy of the purchasers signed Fireworks Display Permit
- h) Any Commercial business selling fireworks shall be required to display a full size copy of this Bylaw in a prominent location and within two (2) feet of the Fireworks display or the cashier's till. The Village of Acme shall make available to the Commercial Business, copies of the Fireworks Bylaw for distribution to their customers who purchase fireworks or potential customers considering purchasing fireworks. .

Note 1: Nothing in this Bylaw is intended to be in conflict with the Alberta Fire Code and the Alberta Safety Codes Act.

### **Section 5 – Severability**

- a) Should any section or part of this Bylaw be found to have been improperly enacted, then such action or part shall be regarded as being severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the section found to be improperly enacted had not been enacted as part of this Bylaw.

## Section 6 – Penalty and Permit Provisions

- a) A Peace Officer authorized to enforce this Bylaw under Section 7 of the Municipal Government Act, R.S.A., 2000, Chapter M-26.1, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal Tag, and where this tag is not paid by the offender, a Part 2 Violation Tag may be issued under the Provincial Offences Procedures Act, R.S.A. Chapter 2000, P-34, to that person.
- b) Any person who contravenes the provision of this Bylaw shall be guilty of an offense and liable on summary conviction to penalty as set out in Schedule “A”.
- c) Penalties set out in Schedule “A” may be amended from time to time by a resolution of Council.
- d) Permit fees are set out in Schedule “B” may be amended from time to time by a resolution of Council. The permit application shall be made on the form provided for in Schedule “C”.

## Section 7 – Effective Date


This bylaw shall come into effect upon the date of third and final reading.

READ A FIRST TIME THIS 11<sup>th</sup> DAY OF SEPTEMBER, 2006.

READ A SECOND TIME THIS 10<sup>th</sup> DAY OF OCTOBER, 2006

READ A THIRD TIME AND FINALLY PASSED THIS 10<sup>TH</sup> DAY OF OCTOBER, 2006.

  
MAYOR

  
C.A.O.



**VILLAGE OF ACME**

**BYLAW # 2006-02**

**SCHEDULE "A"**

<b>Offense</b>	<b>Section</b>	<b>Fine</b>
Sale of Fireworks within the municipal limits of the Village of Acme without a permit		\$100.00
Discharge, fire or set off any fireworks within the municipal limits of the Village of Acme without a municipally issued permit		\$100.00
Discharge fire or set off any fireworks within the municipal limits of the Village of Acme when a fire ban is in effect. (\$100.00 for discharging without a permit plus \$150.00 for discharging during a fire ban)		\$250.00

**SCHEDULE "B"**

Persons or groups firing or setting off fireworks on private land within the municipal limits of the Village of Acme must receive a permit from the Village Office at a cost of \$10.00

Commercial Businesses selling fireworks must apply for and receive a permit from the Village of Acme at a cost of \$50.00 annually.

An application for a permit must be accompanied by the written permission of the owner of the land and the owner or occupant of neighboring land in accordance with the Alberta Fire Code.

**VILLAGE OF ACME**

**BYLAW # 2006-02**

**A BYLAW OF THE VILLAGE OF ACME, IN THE PROVINCE OF ABLERTA,  
TO CONTROL THE USE OF FIREWORKS.**

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**FOR OFFICE USE ONLY:**

**PART 2- APPROVAL BY LOCAL AUTHORITIES HAVING JURISDICTION**

Date Issued: \_\_\_\_\_

This permit is issued subject to compliance with the conditions as outlined in the attached Bylaw # 2006-02.

Permission is hereby granted to the party to whom this permit is issued to hold a fireworks display at such time and place as specified on the permit.

Name of Authorizing Officer: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

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