

Staff Report 2022-0182

Meeting Date: April 19, 2022

Subject: Fireworks By-law Update and Proposed Fee for Consumer Fireworks Display for Community Events

Submitted By: Dave Pelayo, Deputy Fire Chief, Fire Prevention, Training and Environmental Monitoring, Fire and Emergency Services

RECOMMENDATION

That a by-law be enacted to amend the Town's Fees and Charges By-law 2021-87, as amended, to add a permit fee of \$150.00 to discharge consumer fireworks for community public events along with the other minor changes as outlined in Schedule A of Staff Report 2022-0182.

REPORT HIGHLIGHTS

- At the November 30, 2021 General Committee Meeting Staff Report 2021-0433 "Fireworks By-law Update" was presented to Council for consideration
- A decision was made to proceed with a formal ban on discharging of fireworks, with the exception of Events and Theatrical Pyrotechnics
- The Town of Caledon Fees By-law does not include a fee for community groups that permits a consumer fireworks display. A recommended fee is included as part of this report.
- Corporate Communications in consultation with Fire Staff have developed a communication strategy plan to educate and inform the residents and vendors of the changes that will come into effect as a result of the proposed By-law
- An educational program for the public will be undertaken by the Municipal Law Enforcement Division in partnership with the Fire Department and the OPP and will consist of all Municipal Law Enforcement Officers, Fire Prevention Inspectors along with a compliment of auxiliary OPP officers being on-duty during future holidays.

DISCUSSION

Background

At the November 30, 2021 General Committee Meeting Staff Report 2021-0433 "Fireworks By-law Update" was presented to Council for consideration. A Council decision was made to ban the discharge of fireworks with the exception of events and theatrical pyrotechnics. As a result, a by-law will be presented to Council April 26, 2022 for consideration and will include the following:

- a) The discharge of fireworks for personal use will not be permitted.
- b) Formal ban on the sale of low-hazard consumer fireworks.
- c) Implement a permit system for the discharge of fireworks for community events and other displays for motion picture and theatrical pyrotechnics.

- d) Maintain minimum safe distances of 300m from all vulnerable occupancies (schools, nursing and care facilities), industrial, fuel dispensing facilities and agricultural facilities containing livestock.
- e) Set acceptable times to discharge fireworks with a permit from dusk to 11:00 p.m. unless otherwise approved.

Permit Process

The existing “Display Fireworks or Pyrotechnics” permit system has been updated to include a new permit for “discharge display fireworks or special effects pyrotechnics” and “discharge consumer fireworks for community public events”.

This updated process will ensure all fireworks displays;

- i) are discharged by a Licensed Display Supervisor
- ii) have sufficient insurance for liability purposes
- iii) required inspections for safety purposes
- iv) include acceptable times and locations
- v) apply to community groups that would like to put on displays in settlement areas and villages

Community Events

The proposed by-law will allow community groups and residents to host community fireworks display events at specific Town owned parks. Several parks throughout the Town have been pre-approved as suitable locations for consumer fireworks display events including Bolton, Caledon East, Southfields and Mono Mills. Table 1 provides a complete list of pre-approved Town of Caledon Parks. Applicants will need to meet specific criteria including following the Town’s parks rental process, and the firework’s permitting processes.

Discharging fireworks on public property increases the current level of maintenance required to clean up after park rentals. To address the increase in service levels, the current ‘Event Clean-Up Fee’ will be applied to all park’s rentals associated with fireworks display events.

Table 1 – Proposed Pre-Approved Parks

Pre-Approved Locations for Permitted Community Consumer Fireworks Display Events	
Park	Village / Location
Dennison Park	Southfields
Lina Marino Park	Valleywood
Victoria Parks Park	Mono Mills
Palgrave Park	Palgrave
Caledon East Soccer Complex	Caledon East
Sid Coburn Park	Caledon Village
Edelweiss Park	Bolton
Jack Garratt Park	Bolton
Johnston Sports Park	Bolton

Charles Haines Park	Cheltenham
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Fees By-law

It is proposed to update the fees by-law to include a new fee for the display of consumer fireworks for community events and remove the permit for the sale of permitted consumer fireworks fee. Staff expect a minimal impact to the Town’s 2022 operating budget based on the additional and deletion of these two (2) fees. Table 2 provides information on all fees related to fireworks along with the proposed changes.

Staff will be proposing an additional fee to the future 2023 Fees By-law, titled “Parks Cleaning Fee – Explosives”.

Table 2 – Proposed Changes to the Town’s 2022 Fees By-law

Changes to Fireworks By-law Fees to come into Effect April 27, 2022	2022 Fee
Application for a permit to discharge display fireworks or special effects pyrotechnics*	\$615.00
Application for a permit for the sale of permitted consumer fireworks	To Be Deleted
**Application for a permit to discharge consumer fireworks for community public events	\$150.00

*minor change proposed to round the current fee from \$615.06 to \$615.00

**Indicates proposed new fee to come into effect on April 27, 2022

Education/Enforcement

It is anticipated it will take a significant amount of time and effort to ensure that all residents are aware and abide by the new Fireworks By-law restrictions. It is also understood that in order to achieve this awareness and compliance with the new fireworks restrictions that a concentrated educational effort is required to help ensure that residents understand the restrictions regarding the discharging of fireworks in the Town of Caledon. This educational program will be in addition to the communication strategy being implemented by the Towns’ Communications Division.

The Municipal Law Enforcement Division will lead the education program in partnership with the Fire Department and the OPP. The program will include Municipal Law Enforcement Officers, Fire Prevention Inspectors along with a compliment of auxiliary OPP officers on duty during the evening hours of holidays such as the upcoming Victoria Day Holiday. Officers will be pre-deployed to strategic locations throughout the Town to respond directly to a property where they observe the discharge of fireworks or if a call for service is received by the Region of Peel after hours support who will dispatch staff to the location.

The primary focus of the Officers responding to calls for service will be to educate the responsible parties of the new By-law restrictions as well as direct them to stop discharging fireworks. However, should any person or persons continue discharging fireworks after having been directed to stop then the Officer may issue a charge against the individual(s). As part of the effort to ensure that residents comply with the new By-law restrictions, the Town will be seeking approval for new increased set fine amounts from the Senior Regional Justice, Ontario Court of Justice, for contraventions of the new By-law. While the ability to issue tickets with set fine amounts will not initially prevent someone

from contravening the By-law, it should act as a deterrent for future By-law contraventions by that individual.

As with any new By-law it will take time, education and enforcement efforts (where necessary) to encourage compliance. Staff plan to use upcoming holidays as a learning opportunity to increase resident awareness and will evaluate the outcome of education/enforcement efforts to plan for the education/enforcement approach for future celebrations that traditionally involve the discharging of fireworks.

FINANCIAL IMPLICATIONS

The recommended fee for a permit to discharge consumer fireworks for community public events is \$150.

There may be a need in the future for a deposit to become a part of the permit process. Staff recommend monitoring the events throughout the rest of 2022 and provide a report to Council in one year's time with a recommendation on whether to proceed with a deposit.

COUNCIL WORK PLAN

Improved Service Delivery - Update and standardize by-laws, including implementation, to meet the best practices of other municipalities

ATTACHMENTS

Schedule A: Proposed Amendment to the Town's Fees and Charges By-law