

MOTION – January 18, 2023

Moved by: Councillor Parrish

Second by: Councillor Butt

Whereas Section 131 of the Municipal Act allows municipalities to prohibit or regulate the use of fireworks;

Whereas Councils in Caledon (2019) and Brampton (2022) have chosen to ban fireworks outright in those municipalities;

Whereas stricter bylaws governing the sale of fireworks, restrictions on the type of fireworks for individual use and clarification of the days and hours fireworks can be used, is preferable to a total ban at this time;

Whereas restriction to only F1 and F2 classifications of fireworks under the Explosives Act will contribute to the safe enjoyment of individual fireworks displays (showers, artificial rain, lawn lights, pin wheels, some Roman candles, volcanoes and sparklers);

Whereas strict regulations for vendors' permits for the sale of fireworks should include the following proposed regulations and restrictions:

- vendors must attend education sessions provided free of charge by the Canadian Fireworks Association
- licensing and follow up inspections shall be under the control of the Mississauga Fire Department or their agents
- temporary sites such as tents, trailers and huts will no longer be licensed for the sale of fireworks for safety reasons as they, by their nature have temporary wiring and shelving, can be crowded with makeshift entrance and egress openings and can be in close proximity to cigarette smokers
- sales must be in sections of permanent buildings with a principal business other than fireworks
- fireworks vendors must carry general liability insurance not less than \$5 million and must name the City of Mississauga as an additional insured as a cross liability
- for each of the four permitted holidays, vendors must obtain a new temporary sales permit
- permits will be for a maximum of 12 consecutive days only: 3 days to set up, 7 days including the actual holiday for sales ending at 7:00 pm, and 2 days to dismantle
- each permit will be \$1000 per holiday with mandatory fire inspection taking place on the first application and spot checks thereafter
- functioning fire extinguishers must be easily accessed at every location
- the owner of the building in which fireworks are sold will be deemed to have committed the same offence as the vendor and fined separately (current fines in place are \$25,000 for an individual and \$50,000 for a corporation);

Whereas information on safe storage, handling and detonation of fireworks must be clearly posted at all sales locations with a pamphlet version included with each sale;

- purchasers must be 18+ and must show proof of age and address
- addresses must be logged by the vendor and available to bylaw enforcement to assist in investigating complaints
- packages of home kits shall not exceed 22.68kg or 50lb per individual purchaser;

Whereas some holidays approved for fireworks involve multiple days of celebration, the municipality will set the single date for each on which fireworks can be used;

- special events which are permitted by the Fire Department, under the supervision of a certified pyrotechnic expert can still operate outside the four designated days in each calendar year
- fireworks can only be detonated during the hours between dusk and 11:00pm
- individuals in breach of the fireworks bylaw shall be fined as well as the homeowner on whose property the offence takes place
- fines shall be set in an amount sufficient to act as a strong deterrent;

Whereas the final fireworks bylaw will reinforce the current regulation stating no neighbourhood fireworks displays shall take place on City property including roadways, boulevards, sidewalks or parkland.

THEREFORE BE IT RESOLVED

That the information and direction contained in this Notice of Motion, and any other relevant material be addressed by staff in a detailed report to Council; and further

That the report from staff also include recommendations regarding the staffing required to enforce any bylaws coming out of the report, once approved by Council, as well as suggested methods of supervising traditionally high incident areas; and further

That any resulting bylaw be in effect for one calendar year from the date of its passing with a follow up staff report on its success in curbing improper activity.

