



Town of Huntsville Staff Report

Meeting Date: November 26, 2025

To: General Committee

Report Number: DEV-2025-112

Confidential: No

Author(s): Corey Crewson, By-law Enforcement Officer

Subject: Repeal and Replace the Discharge of Fireworks By-law

Report Highlights

In response to a recent deputation, Council directed staff to seek public input on the current Town of Huntsville Discharge of Fireworks By-law and report back to Committee with their findings. As a result of the public consultation, a revised Discharge of Fireworks By-law is being presented.

Recommendation

WHEREAS: Following receipt of the petition and deputation, staff were directed to review the Fireworks By-law and current municipal practices;

NOW THEREFORE, IT IS RECOMMENDED THAT: Committee approve the following:

1. The draft Discharge of Fireworks By-law, attached as Attachment B to report DEV-2025-112 be approved;
2. Staff be directed to amend the Appeals Committee By-law Schedule "A", to include the Discharge of Fireworks By-law;

AND FURTHER THAT: the relevant by-laws be provided to Council for consideration;

AND FURTHER THAT: the Discharge of Fireworks By-law 2020-34 be repealed and replaced upon final approval by Council.

Background

Section 121 (a) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that Council may prohibit and regulate the sale of fireworks and the setting off of fireworks. Throughout the month of September, Staff conducted public consultation by way of a survey, with more than 580 responses being completed. This survey has helped guide staff in reviewing and updating the current Discharge of Fireworks By-law. Due to the extensive formatting and changes within the by-law, staff are suggesting repealing and replacing the current by-law.

Discussion

As a result of a deputation before General Committee on June 25, 2025, Bylaw staff were directed to review the current Discharge of Fireworks By-law to determine if changes were needed to modernize the by-law. Staff conducted a public survey, reviewed various municipal by-laws and consulted with other departments within the Municipality.

Conduct and results of Survey:

The Town of Huntsville By-law Department, with the help of the Marketing Department, conducted a public survey to identify what the general public would like to see occur with the current Discharge of Fireworks By-law.

The survey was broken into the two different categories of fireworks:

Consumer Fireworks, which are defined as "an outdoor, low hazard, firework that is designed for recreational personal use" and includes but is not limited to Roman candles, sparklers, fountains, multi-shot cakes, volcanoes, mines, and snakes. These are typically the fireworks that the general public can purchase from a store.

Through the survey results, it was noted that the majority of members of the public would like to see Consumer fireworks either banned completely or only set off on Statutory Holidays. As the current bylaw enables the use of fireworks on any weekend, staff feel that an appropriate measure is to restrict these types of fireworks to statutory holidays only. These days are typically when residence and visitors engage in this activity and with current enforcement levels within the department would be easier to ensure noncompliance outside of these dates. Further comments regarding enforcement measures are sited below under Canadian National Fireworks Association. The Bylaw also includes an appeal allowance where people can request an event outside of these dates.

Display Fireworks, which are defined as "an outdoor, high hazard, firework that is designed for professional, licensed use only". They include items like aerial shells, cakes, Roman candles, waterfalls, lances, and wheels. As noted in the by-law, these types of displays are only to be conducted by a licensed individual.

Through the survey results, it was noted that the majority of the public would like the discharge of Display Fireworks to be limited to weekends and on Statutory Holidays with a corresponding permit being issued by the Town of Huntsville Fire Department.

A copy of the survey results are attached as Attachment "A".

Outreach to other Town of Huntsville Departments

Discussions were held with the Manager of Facility Operations, Sales and Customer Service as this position accepts applications for special events that may include the discharge of fireworks to gain their knowledge on the impact that the draft Discharge of Fireworks By-law may have on their process and customer base.

As well, the Manager of Recreation, Culture and Heritage was contacted as they assist with the Town of Huntsville fireworks as part of Town celebratory events such as Canada Day.

Both were in agreement with the proposed changes and believed the proposed by-law would assist them with future events.

Outreach to the Canadian National Fireworks Association

Discussions were held with the Chief Advocacy Officer for the Canadian National Fireworks Association. These discussions enabled them to provide information, in their opinion, as to why a complete ban on fireworks is not a viable option, as well as the regulations around the inspections and guidelines around both Consumer

Fireworks and Display Fireworks. It was noted that all fireworks imported are fully inspected and compliant with all Government of Canada laws and regulations. Additionally, approximately 4,000 products are tested and meet the Explosive Regulations Division, Natural Resources Canada and Transport Canada guidelines and requirements.

Staff were informed by the Chief Advocacy Officer that the Canadian National Fireworks Association offers several training programs to licensed vendors and their employees to support responsible sales and to ensure education at the point of purchase. The Canadian National Fireworks Association also provides Multilingual Public Awareness Campaigns, through their "Be a Good Neighbour" initiative, encouraging safe, respectful use across diverse communities.

Review of Impacts of Fireworks on Wildlife

Town of Huntsville staff conducted some background research on whether a study has been completed on the impacts of fireworks on wildlife and domestic pets. One study was found that was completed on Greylag Geese which are native to Europe. This study did show that there was an impact to the geese as a result of fireworks, however within Canada there does not appear to be a study completed to show the impact to native species or pets. As proposed within the draft by-law, there are less days that Consumer Fireworks and Display Fireworks could be set off, and therefore would be less impactful to wildlife and domestic pets.

Updates to the By-law:

Staff have prepared a detailed summary of the proposed changes to the By-law. Although most of the changes are due to a reorganization within the By-law, there have been some significant changes which are noted within this report.

The draft by-law changes are as follows:

Section 1.0 Definitions

While most of the definitions from the current Discharge of Fireworks By-law were carried over into the draft by-law, some additional definitions were added to provide clarification and ensure consistency of the sections contained within. These updates provide the reader a better understanding of what is being described and provide consistency with other municipal by-laws.

Section 3.0 Consumer Fireworks

Section 3.1 has been revised from the current Discharge of Fireworks By-law to prohibit setting off Consumer Fireworks on any weekend. Section 3.1 also regulates that Consumer Fireworks can only be discharged on certain Statutory Holidays, between certain times, with only New Year's Eve having its own time allowances.

Section 4.0 Display Fireworks

Section 4.1 has been revised from the current Discharge of Fireworks By-law to prohibit Display Fireworks outside of weekends and Statutory Holidays.

Additionally, a permit must be obtained from the Town of Huntsville Fire Department, and the person discharging the fireworks must hold a valid Display Supervisor Certificate from Natural Resources Canada.

Section 5.0 Exceptions

Section 5.1 has been added to allow for a member of the public that wishes to discharge fireworks outside of the permitted days and times indicated under the by-law to apply to the Town of Huntsville Appeals Committee to seek an exemption to the by-law. This would only apply if the discharge of fireworks is occurring on private property within the municipality.

Section 5.2 has been added to the draft by-law to allow for fireworks to be exempt, if they are in association with a Special Events permit. A Special Events Permit Application is reviewed by the Special Events Team consisting of multiple Town Departments, OPP and District of Muskoka. These events would include any event that is conducted on Town of Huntsville owned property or fireworks being set off by Town of Huntsville staff.

Section 10.0 Administrative Penalties

This section has been added to outline the procedure for AMPs and allowance for this to be used as an enforcement tool for noncompliance under the By-law.

Options

- The Discharge of Fireworks By-law be repealed and replaced. (**recommended**)
- The Discharge of Fireworks By-law not be repealed and replaced. (not recommended)

Capital

None

Operational

None

Relevant Policies / Legislation / Resolutions

[Bylaw 2020-34](#) The Discharge of Fireworks By-law
Municipal Act, 2001, S.O. 2001, c. 25

Council Strategic Direction

- Town's Mission: Delivering quality services for the people of Huntsville through responsible decision-making.
- Corporate Value - Transparency: We value pro-active, open, and honest communication with the community and coworkers.

Attachments

[Survey results-Attachment](#)
[2025-XX - Fireworks - Redline](#)
[2025-XX - Fireworks - Clean](#)

Consultations

Aleem Kanji, BES, MAES, Ec.D- Chief Advocacy Officer - Canadian National Fireworks Association
Jacqueline Surette, Manager of Recreation, Culture and Heritage
Greg Pilling, Manager of Facility Operations, Sales and Customer Service
Public Survey through Myhuntsville.ca (Attachment "A")

[Effects of severe anthropogenic disturbance on the heart rate and body temperature in free-living greylag geese \(Anser anser\) | Conservation Physiology | Oxford Academic](#)

Respectfully Submitted: Corey Crewson, By-law Enforcement Officer

Manager Approval (if required): _____

Director Approval:

Kirstin Maxwell, Director of Legislative Services

CAO Approval:

Denise Corry, Chief Administrative Officer

Project Report

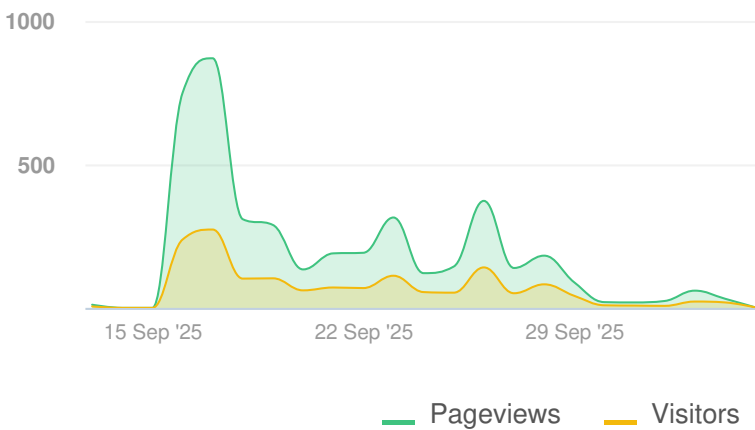
01 August 2025 - 04 October 2025

MyHuntsville

Fireworks By-Law Review



Visitors Summary

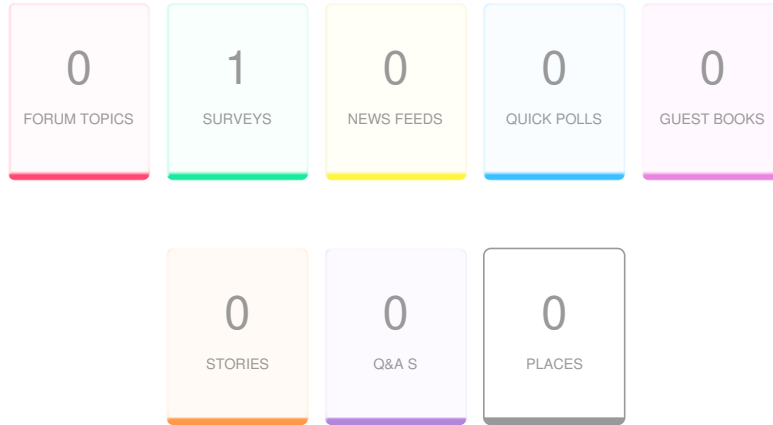


Highlights



Aware Participants		Engaged Participants			
1,429		583			
Aware Actions Performed	Participants	Engaged Actions Performed			
Visited a Project or Tool Page	1,429	Registered	Unverified	Anonymous	
Informed Participants	1,043	Contributed on Forums	0	0	0
Informed Actions Performed	Participants	Participated in Surveys	117	466	0
Viewed a video	0	Contributed to Newsfeeds	0	0	0
Viewed a photo	0	Participated in Quick Polls	0	0	0
Downloaded a document	0	Posted on Guestbooks	0	0	0
Visited the Key Dates page	0	Contributed to Stories	0	0	0
Visited an FAQ list Page	0	Asked Questions	0	0	0
Visited Instagram Page	0	Placed Pins on Places	0	0	0
Visited Multiple Project Pages	429	Contributed to Ideas	0	0	0
Contributed to a tool (engaged)	583				

ENGAGEMENT TOOLS SUMMARY



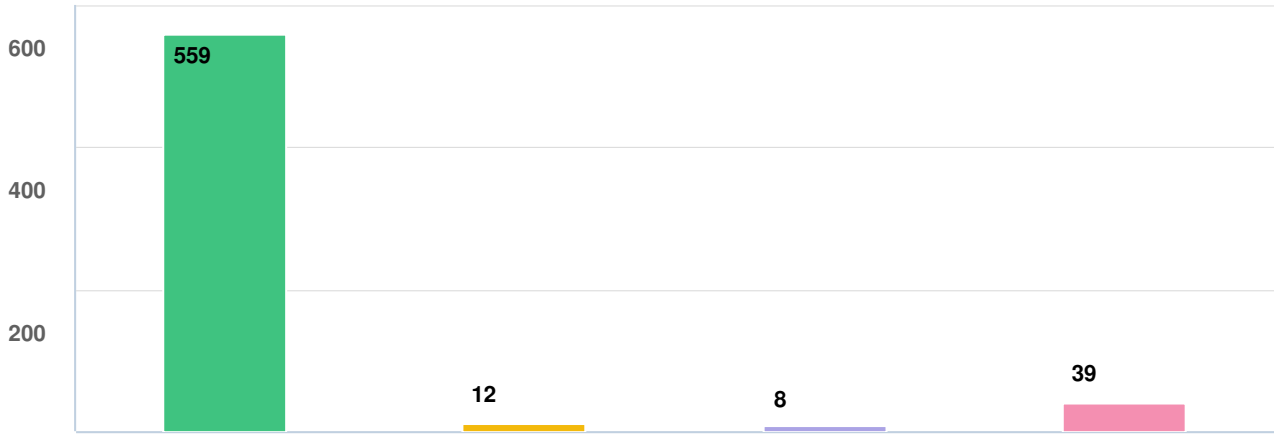
Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Consumer and Display Fireworks Survey	Archived	1044	117	466	0

ENGAGEMENT TOOL: SURVEY TOOL

Consumer and Display Fireworks Survey

Visitors 1044	Contributors 583	CONTRIBUTIONS 597
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I am:



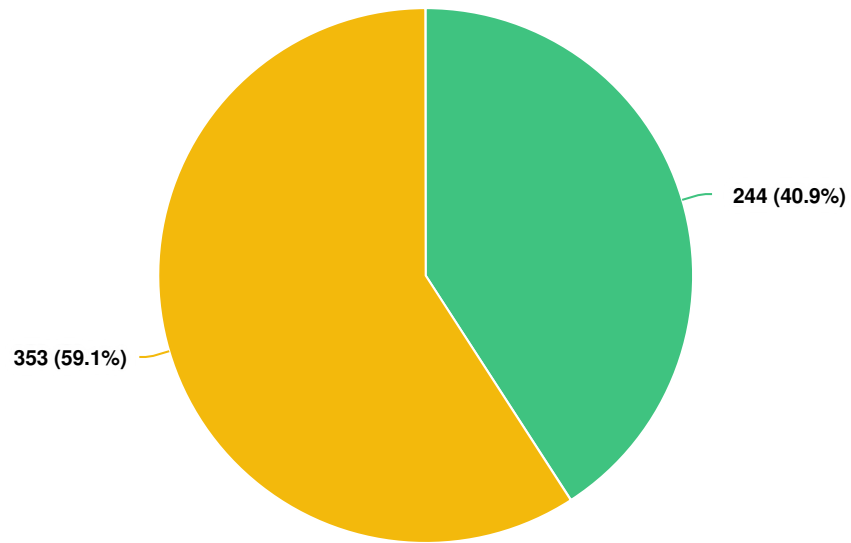
Question options

- Resident of the Town of Huntsville
- Business owner (fireworks retailer, event venue, tourism operator)
- Short Term Rental Accommodation Owner
- Visitor

Mandatory Question (597 response(s))

Question type: Checkbox Question

Should the Town of Huntsville allow Consumer Fireworks?



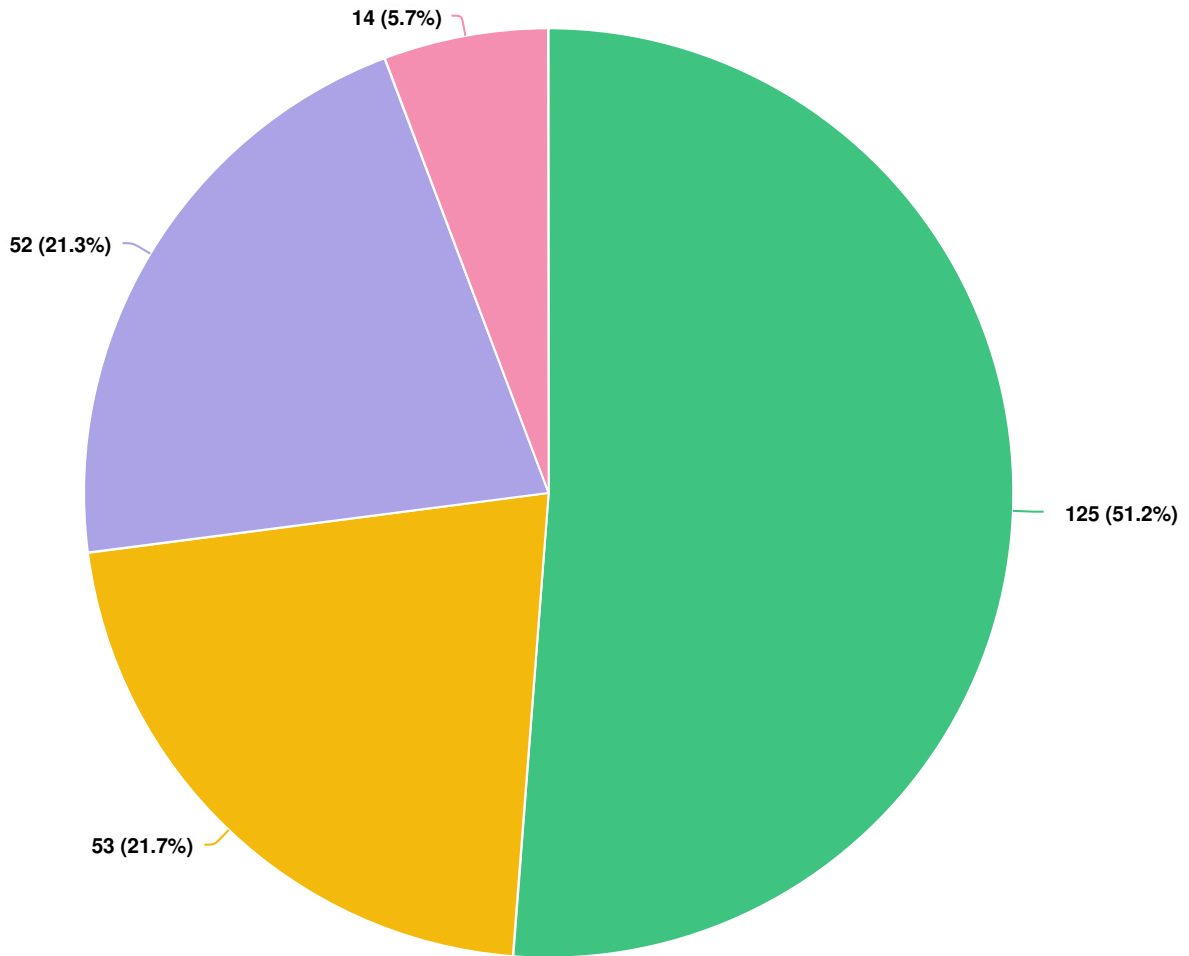
Question options

- Yes
- No

Mandatory Question (597 response(s))

Question type: Radio Button Question

The current Town of Huntsville Fireworks By-law permits Consumer Fireworks on weekends (Friday, Saturday and Sunday), and the following statutory holidays: New Year's Eve, Victoria Day, Canada Day and Labour Day. What days should the Town of Huntsv...



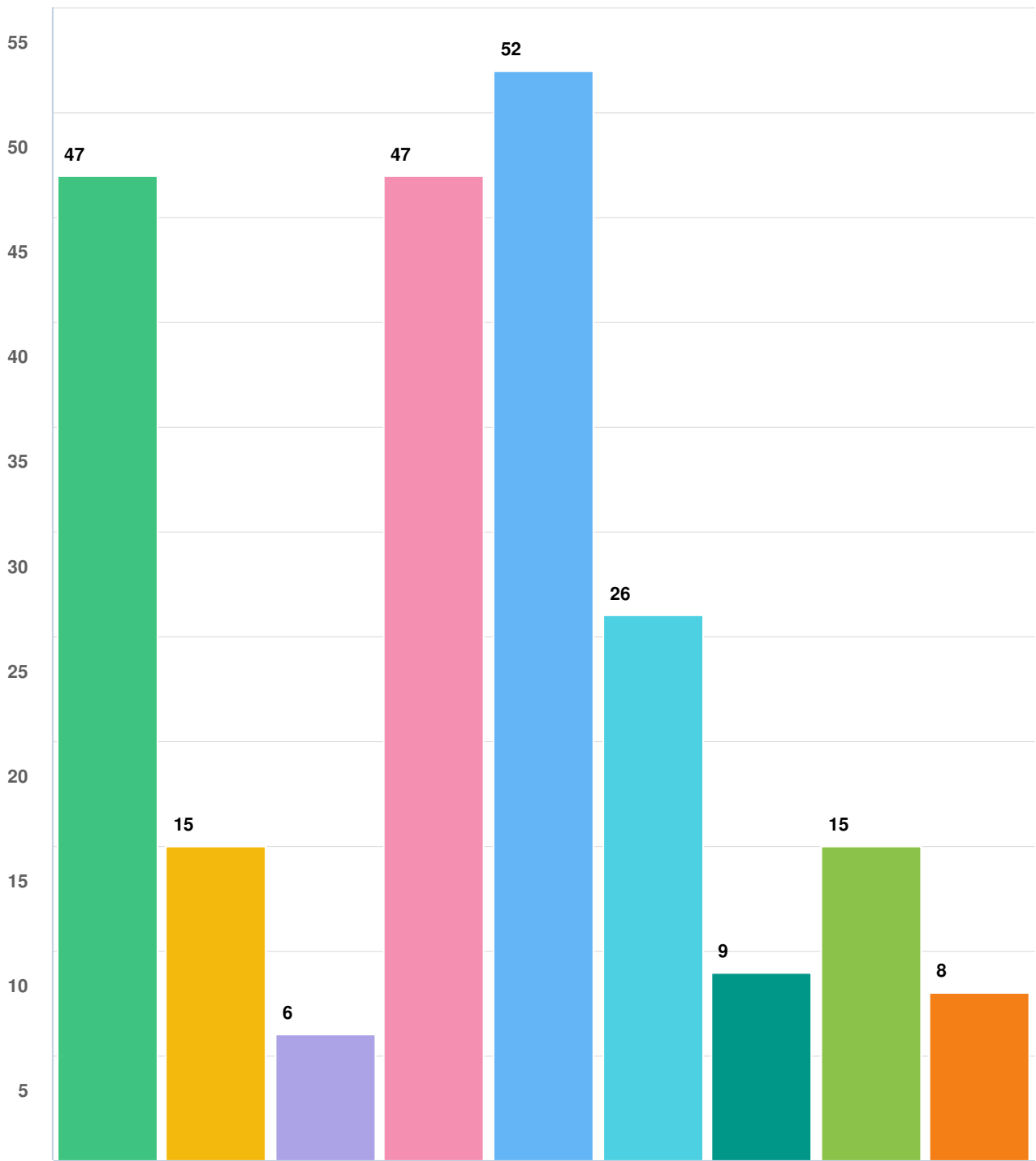
Question options

- The regulations should remain the same
- Consumer Fireworks should only be permitted on statutory holidays
- Consumer Fireworks should be allowed any day
- Other (please specify)

Mandatory Question (244 response(s))

Question type: Radio Button Question

On which statutory holidays should Consumer Fireworks be allowed?



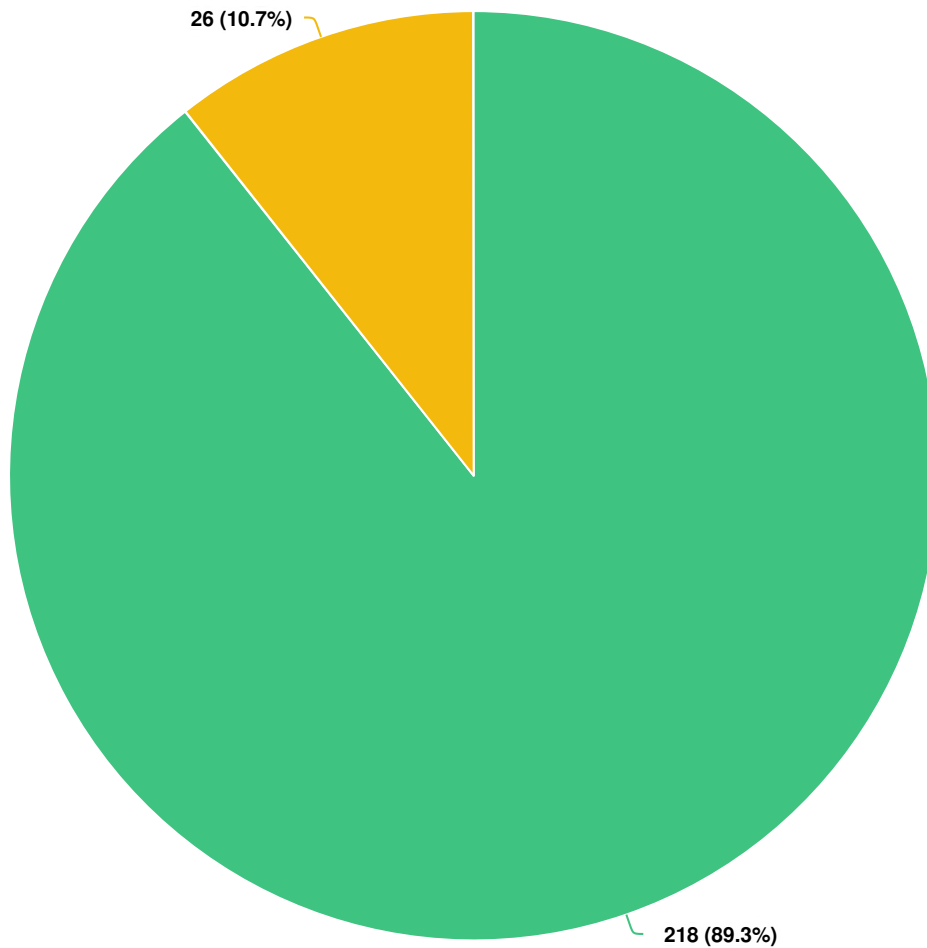
Question options

- New Year's Eve
- Family Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day

Mandatory Question (53 response(s))

Question type: Checkbox Question

Should Consumer Fireworks be allowed throughout the weekend on which a statutory holiday is celebrated?



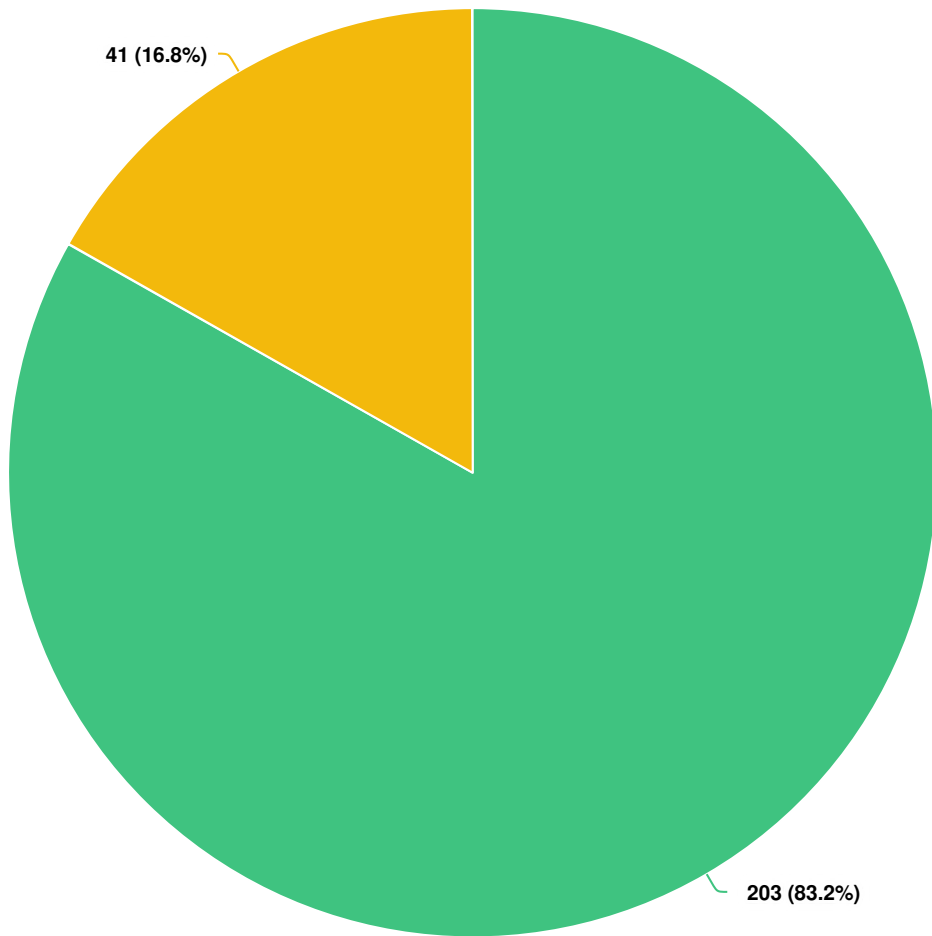
Question options

- Yes
- No

Mandatory Question (244 response(s))

Question type: Radio Button Question

Should Consumer Fireworks be allowed on weekends preceding or following a statutory holiday in cases when a statutory holiday falls on a weekday? (Example: If Canada Day falls on a Wednesday, fireworks are also allowed the weekend before and after.)



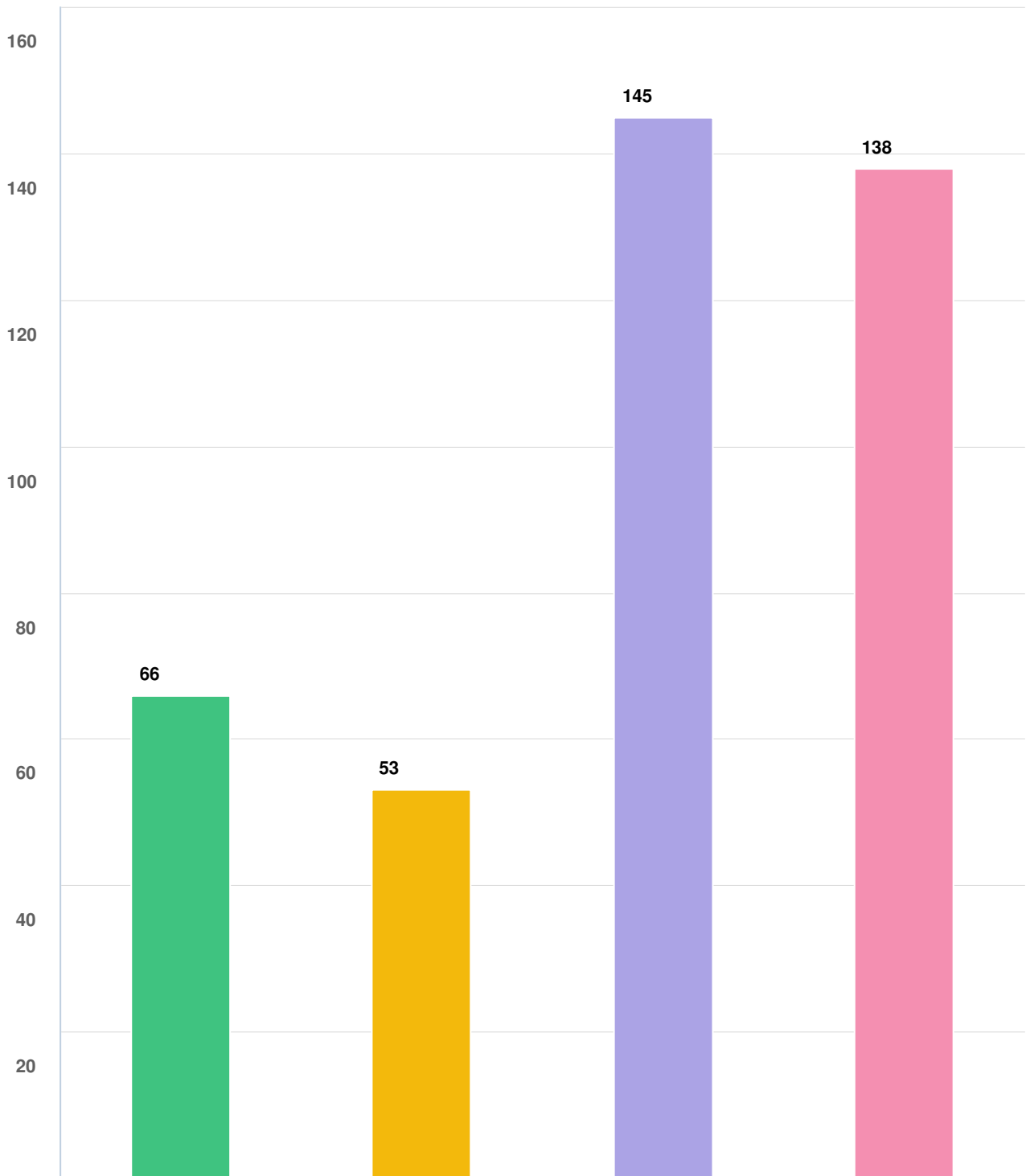
Question options

- Yes
- No

Mandatory Question (244 response(s))

Question type: Radio Button Question

What time of day should Consumer Fireworks be allowed to be set off?



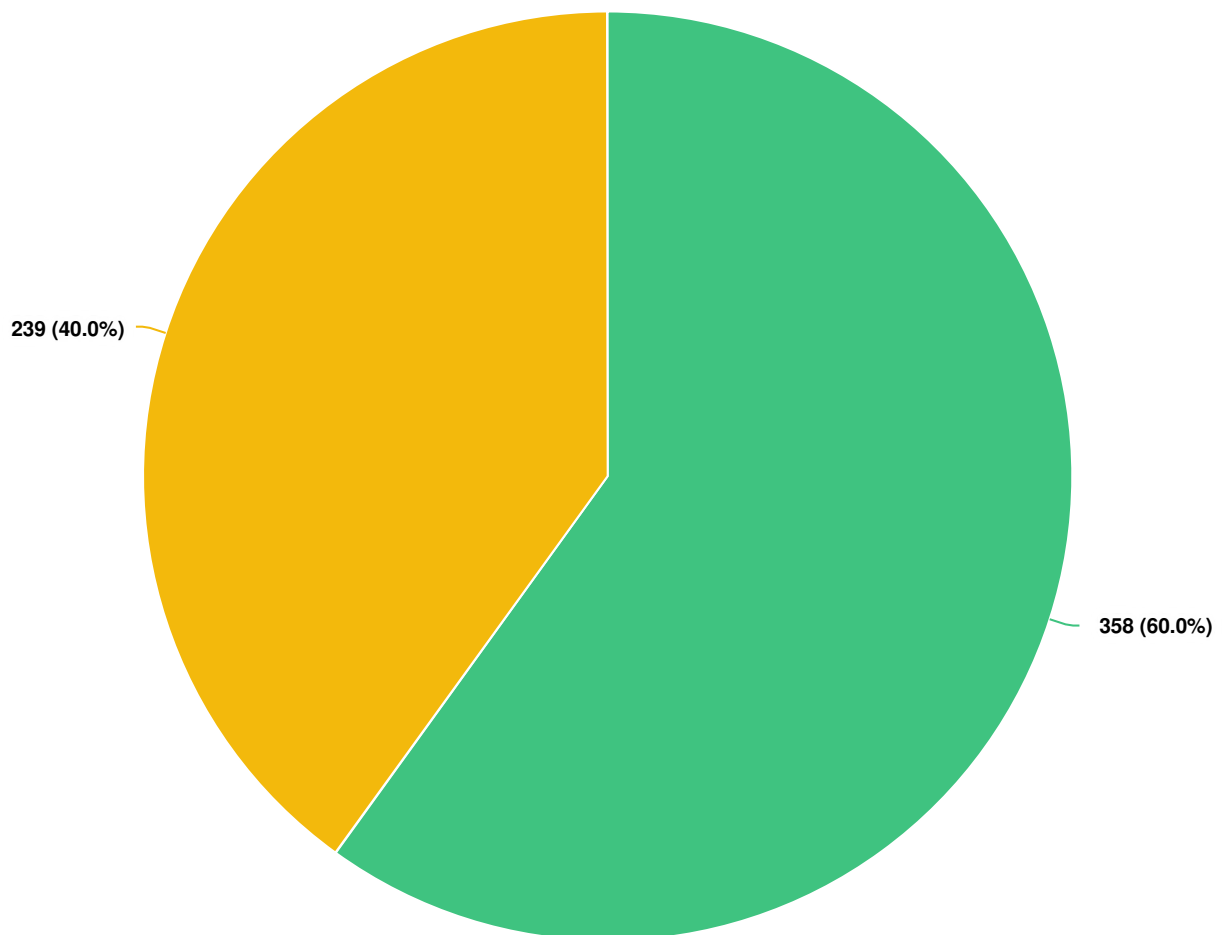
Question options

- 8 pm to 10 pm
- 8 pm to 10:30 pm
- 8 pm to 11 pm
- 8 pm to 1 am on New Years Eve only

Mandatory Question (244 response(s))

Question type: Checkbox Question

Should the Town of Huntsville allow Display Fireworks?



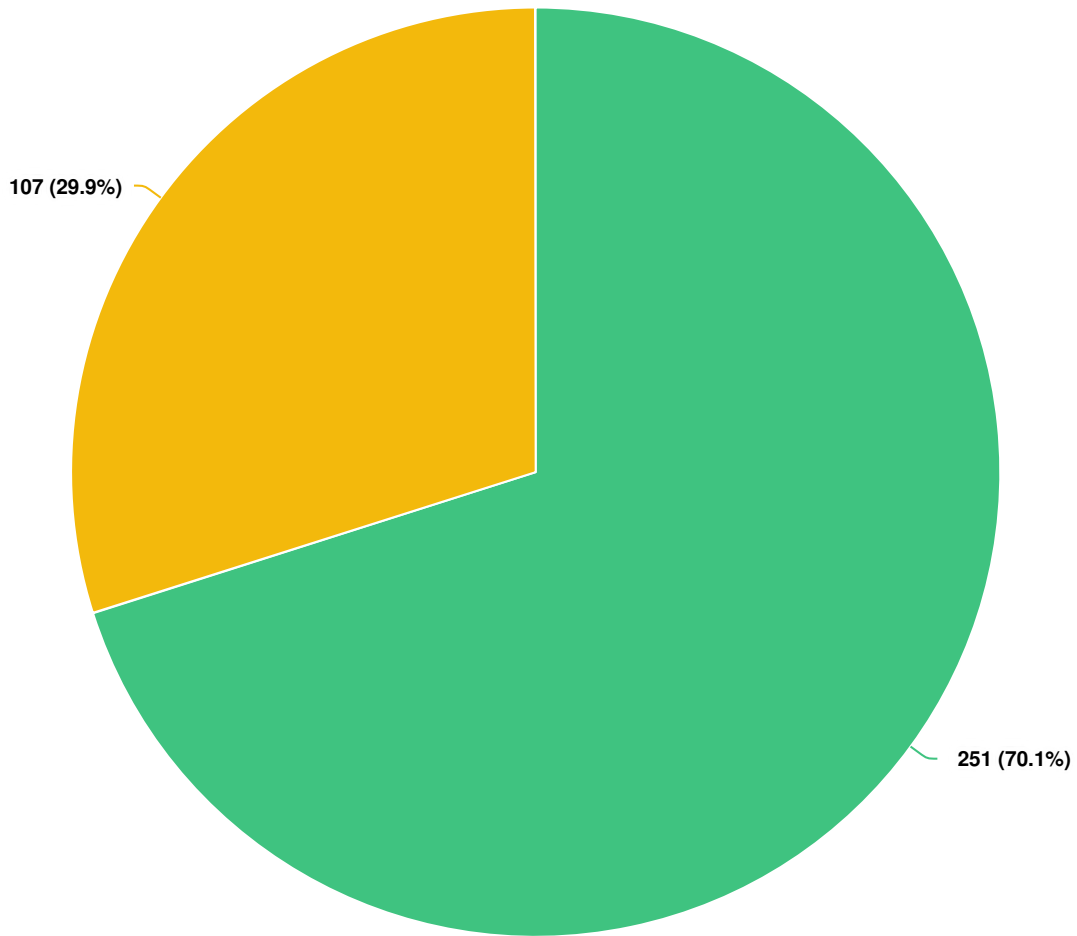
Question options

- Yes
- No

Mandatory Question (597 response(s))

Question type: Radio Button Question

Display fireworks are currently only permitted through approval of the Chief Fire Official or their designate. Because of this, the by-law does not restrict the day or time for these displays. Should businesses that use Display Fireworks (inclusive...



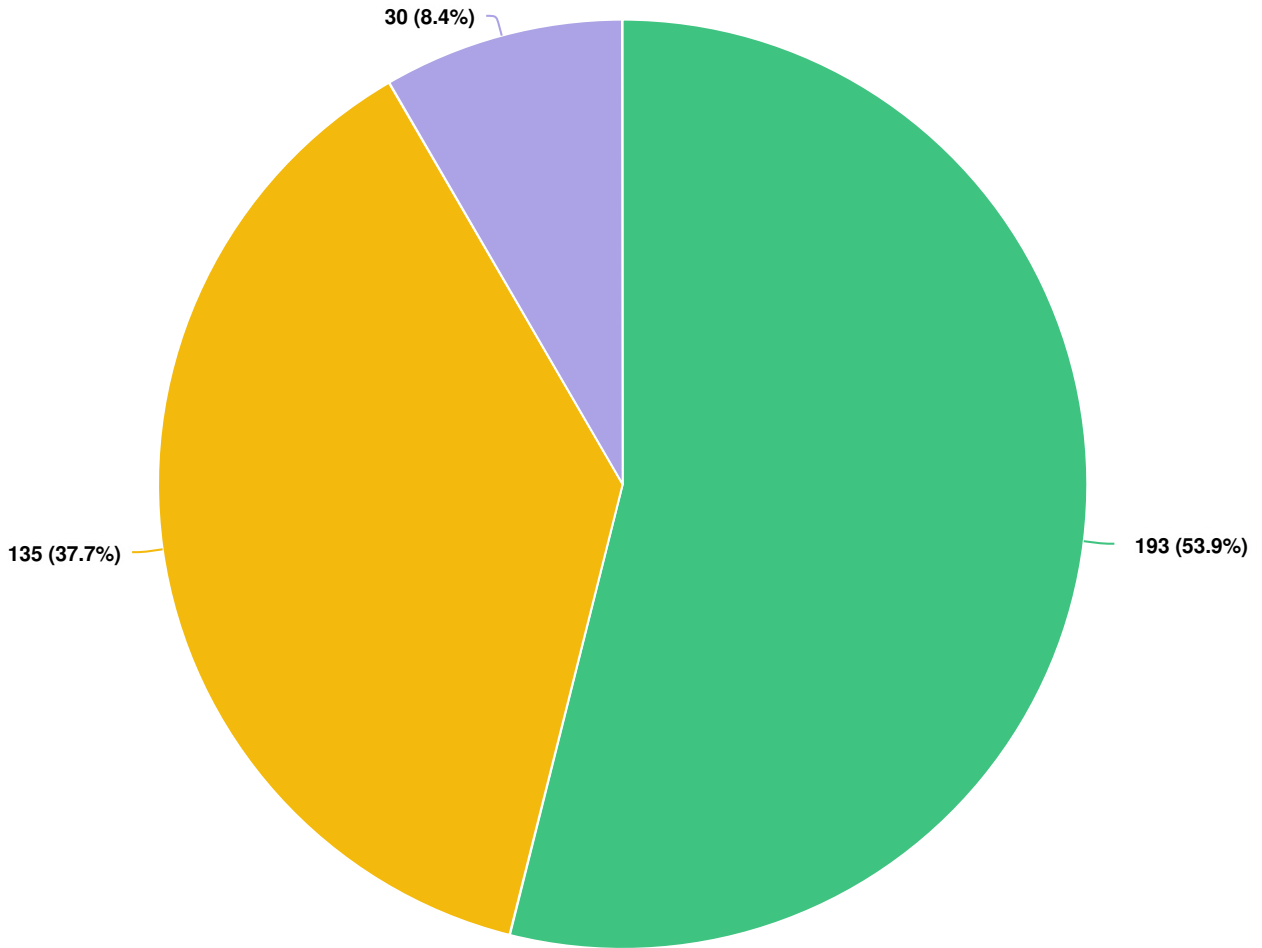
Question options

- Yes
- No

Mandatory Question (358 response(s))

Question type: Radio Button Question

What days should the Town of Huntsville allow Display Fireworks?



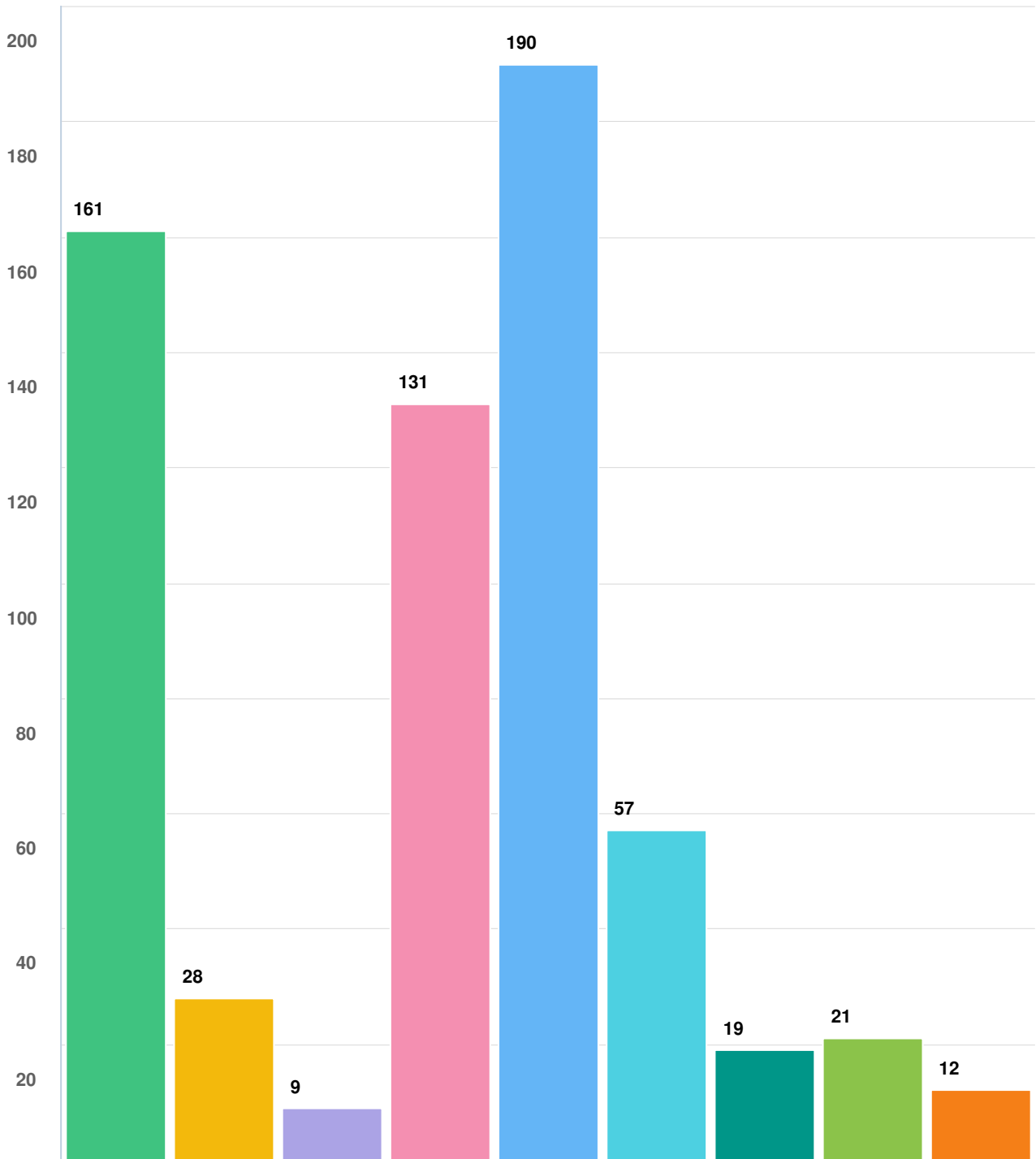
Question options

- Display Fireworks should only be permitted on statutory holidays
- Display Fireworks should be allowed any day
- Other (please specify)

Mandatory Question (358 response(s))

Question type: Radio Button Question

On which statutory holidays should Display Fireworks be allowed?



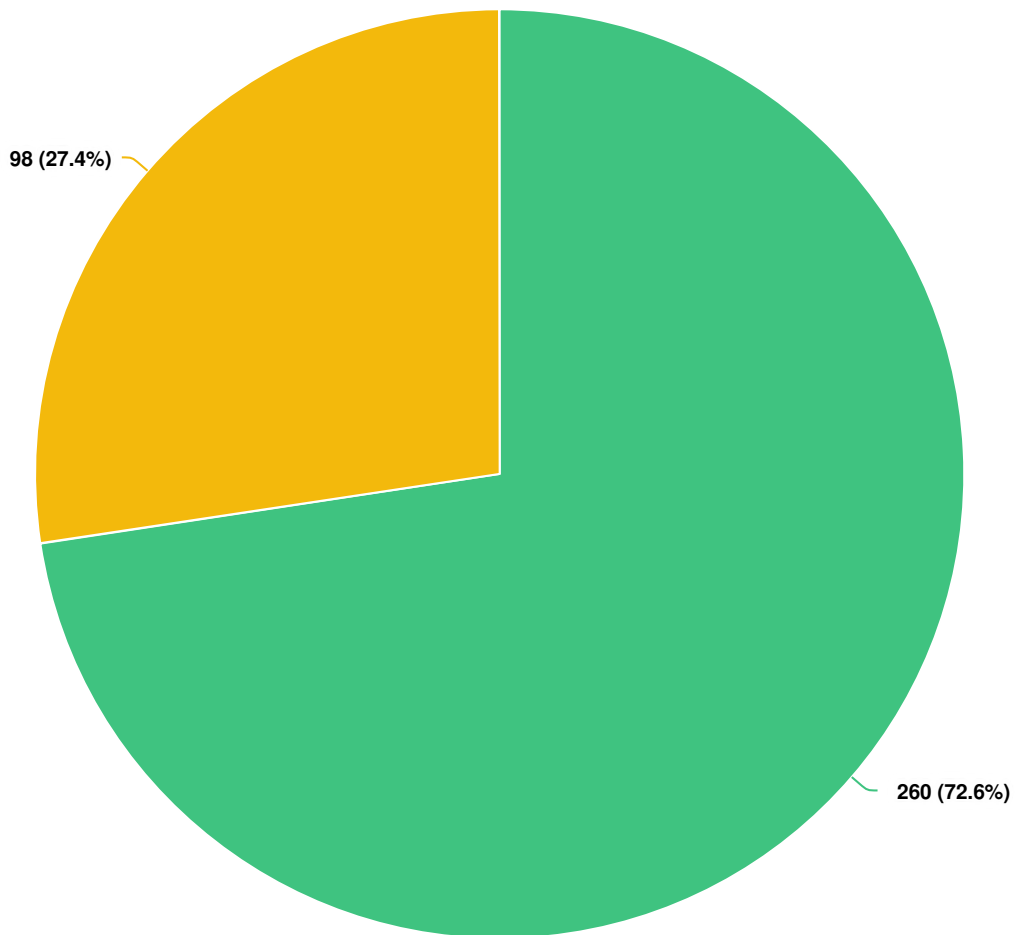
Question options

- New Year's Eve
- Family Day
- Good Friday
- Victoria Day
- Canada Day
- Labour Day
- Thanksgiving Day
- Christmas Day
- Boxing Day

Mandatory Question (193 response(s))

Question type: Checkbox Question

Should Display Fireworks be allowed throughout the weekend on which a statutory holiday is celebrated?



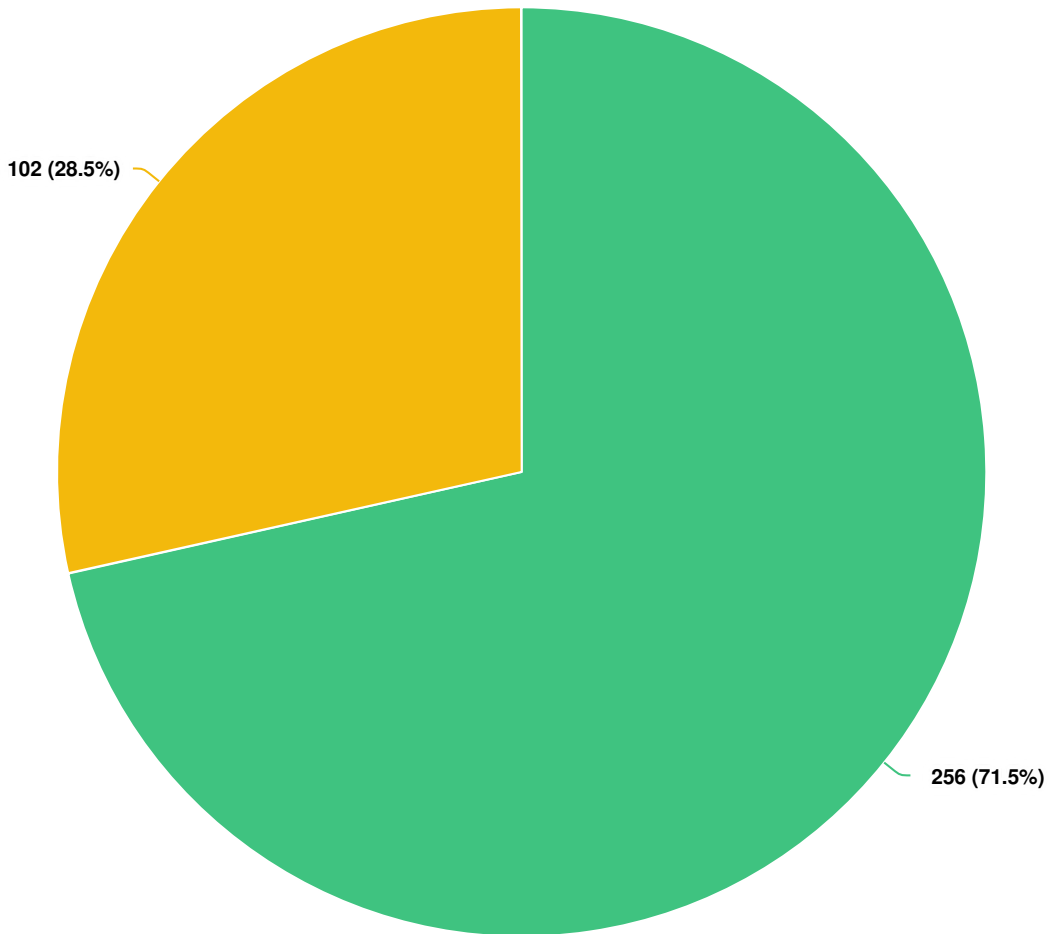
Question options

- Yes
- No

Mandatory Question (358 response(s))

Question type: Radio Button Question

Should Display Fireworks be allowed on weekends preceding or following a statutory holiday in cases when a statutory holiday falls on a weekday? (Example: If Canada Day falls on a Wednesday, fireworks are also allowed the weekend before and after.)



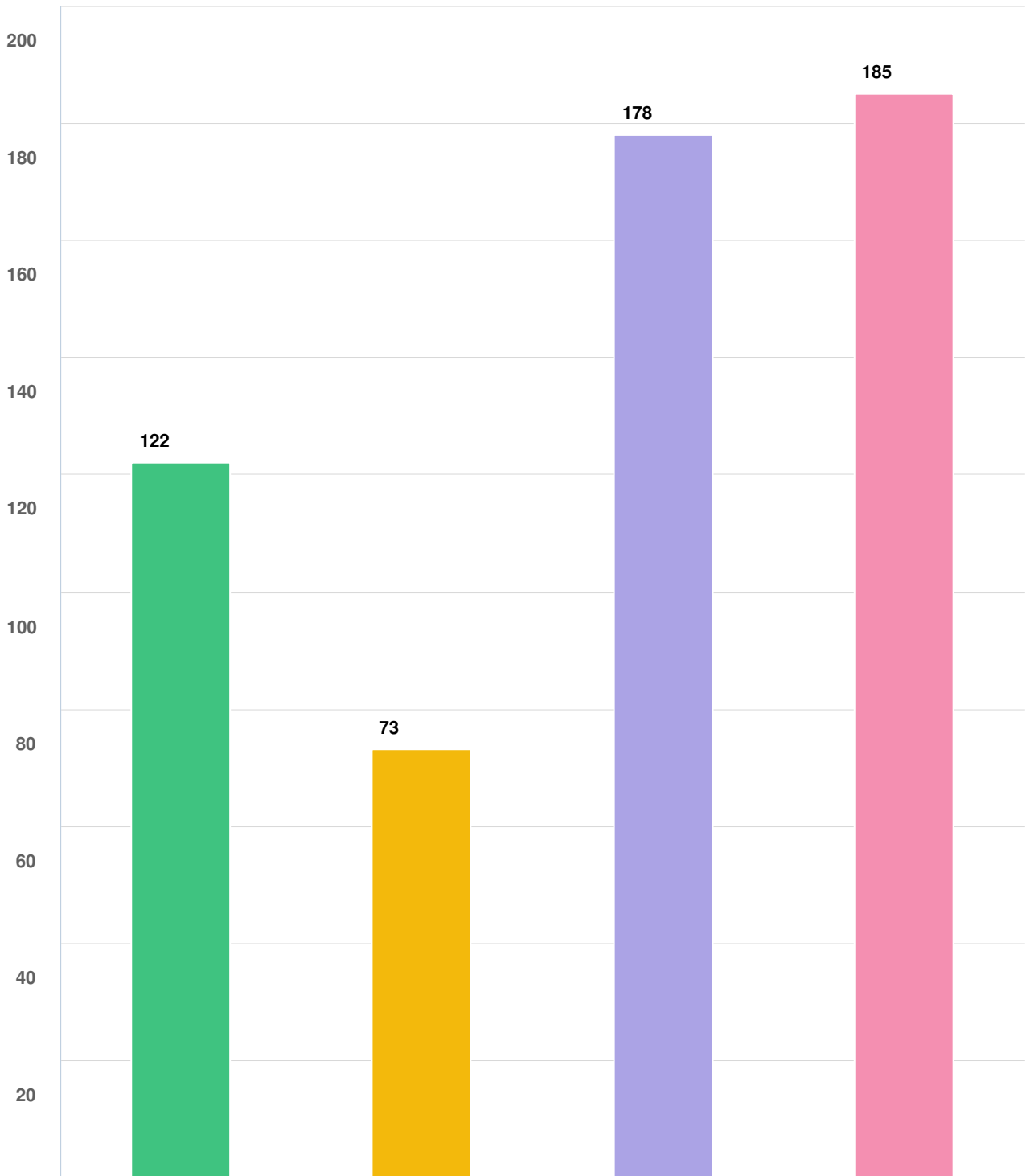
Question options

- Yes
- No

Mandatory Question (358 response(s))

Question type: Radio Button Question

What time of day should Display Fireworks be allowed to be set off?



Question options

- 8 pm to 10 pm
- 8 pm to 10:30 pm
- 8 pm to 11 pm
- 8 pm to 1 am on New Years Eve only

Mandatory Question (358 response(s))

Question type: Checkbox Question



THE CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2020X-34

Being a By-law to Prohibit the Setting off of Fireworks within the of the Town of Huntsville

WHEREAS Council acknowledges that fireworks have the potential to pollute air and water, negatively impact wildlife in the vicinity and diminish quality of life for some residents;

AND WHEREAS Council wishes to take action to mitigate the risk to human, animal and environmental health;

AND WHEREAS Section 121 (a) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that the Council may prohibit and regulate the sale of fireworks and the setting off of fireworks;

AND WHEREAS Section 434.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, enables the councils of local municipalities to establish a system of administrative penalties

AND WHEREAS Section 434.2 establishes an administrative penalty constitutes a debt of the person which may be added to the tax roll;

AND WHEREAS pursuant to Section 436 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of the municipality passed under the Act is being complied with;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1.0 Definitions

In this By-law:

1.1 **“Act”** means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitutions therefore;

- 1.2 “**By-Law Enforcement Officer**” means a Person who is appointed by **Council** to enforce bylaws enacted and passed by **Council**;
- 1.3 “**Chief Fire Official**” as defined in the Ontario Fire Code O. Reg. 213/07, Article 1.4.1.2.;
- 1.4 “**Committee**” means the Appeals **Committee** as per the Appeals **Committee By-law**
- 1.5 “**Consumer Fireworks**” means an outdoor, low hazard, firework that is designed for recreational personal use and includes but is not limited to Roman candles, sparklers, fountains, multi-shot cakes, volcanoes, mines, and snakes;
- 1.6 “**Council**” means the **Council** of The Corporation of the Town of Huntsville;
- 1.7 “**Display Fireworks**” means an outdoor, high hazard, firework that is designed for professional, licenced use only. They include items like aerial shells, cakes, Roman candles, waterfalls, lances, and wheels;
- 1.8 “**Fireworks**” as defined in the Explosive Regulations made pursuant to the Explosives Act, R.S. c. E-15, s.1 as amended and includes one single item of **Fireworks**;
- 1.9 “**Person**” means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a **Person** to whom the context can apply, according to law;
- 1.910 “**Permit**” means written permission to hold a **Display Fireworks** issued by the Municipality pursuant to this By-law and signed by the **Chief Fire Official** or their designate;
- 1.~~4~~011 “**Premises**” means land and includes the buildings and/or structures thereon;
- 1.~~4~~112 “**Public Fireworks Display**” means an exhibition of **Fireworks** in an open-air assembly, occupancy to which the public is invited, attends or is admitted, with or without a fee being charged;
- 1.~~4~~213 “**Pyrotechnics**” are high-hazard and designed for professional use. They include but is not limited to items like gerbs, mines, comets, and crossette **fireworks**, as well as special-purpose **pyrotechnics** made for live stage performances and the film and television industry;
- 1.14 “**Setting Off**” or “**Set Off**” means to fire, discharge, ignite, explode or release into the air or to cause to fire, discharge, ignite or explode or release into the air;

1.15 “Special Event” means, but not limited to, an organized event, demonstration, parade, marathon, walkathon, fundraising walk, sports event, sidewalk sale, film, beach event, fair, festival, a social, recreational, educational, community or similar event and includes any other stationary event occurring indoors or outdoors on Town owned, managed or maintained property; or similar event occurring on a Highway and having an impact on Town services.

1.16 **Statutory Holiday** means Province of Ontario recognized holidays consisting of Canada Day, Labour Day, Victoria Day and Civic Holiday

1.17 **“Town”** means the Corporation of The Town of Huntsville;

1.4518 **“Weekend”** means the period from Friday evening through Sunday evening.

2.0 **General Prohibitions**

2.1 No **Person** shall cause, permit or engage in the Setting Off of Consumer **Fireworks** in the **Town** of Huntsville at any time, except as permitted under Section 3 of this by-law.

2.2 No **Person** shall **Set Off** any **Fireworks** in or into, on or onto any building, ~~_____~~highway, sidewalk, Municipal Park or Municipal property except as provided under Section 5.2.

2.3 No **Person** shall permit the use of **Display Fireworks** unless a valid permit as outlined in Section 4 has been obtained from the **Chief Fire Official** or their designate.

3.0 **Consumer Fireworks**

3.1 **Consumer Fireworks** within the **Town** may be **Set Off** on the days below as follows;

- ~~a) On any weekend between 6:00pm and 11:00pm on Friday, Saturday and Sunday;~~
- a) On any **Statutory Holiday**- between 8:00p.m and 11:00p.m excluding New Years Eve
- bb) On New Year’s Eve - between 8:00 p.m. and 1:00 a.m. the following day;
- ~~c) On Victoria Day between 8:00p.m. and 11:00p.m.;~~
- ~~d) On Canada Day between 8:00p.m. and 11:00p.m.;~~
- ~~e) On Labour Day between 8:00p.m. and 11:00p.m.~~

4.0 **Display Fireworks**

4.1 **Display Fireworks** within the **Town** may be **Set Off** as follows when a **permit** has been obtained from the **Chief Fire Official** or their designate;

- a) On any **Weekend** between 6:00pm and 11:00pm
- b) On any **Statutory Holiday** between the 8:00 p.m. and 11 p.m. excluding **New Years Eve**.
- c) On **New Year's Eve** - between 8:00 p.m. and 1:00 a.m. the following day;

4.24 Only **Persons** who hold a valid Display Supervisor certificate, issued by the _____Explosives Regulatory Division (ERD) of Natural Resources Canada are eligible_____to apply for a **permit** to **Set Off Display Fireworks** or Pyrotechnic Special Effects.

4.32 An application package as prescribed under the **Act** must be submitted to the _____**Chief Fire Official** or their designate a minimum of 45 days prior to the date being _____applied for.

4.43 The application package shall contain the requirements as found in the Natural Resources Canada (NRCAN) **Fireworks** Display Manual:

4.54 The **Permit** may be suspended or revoked by the **Chief Fire Official** or their designate if the conditions of the **permit** are not being met or it would be unsafe to allow the **Public Fireworks Display**.

4.65 The **Display Fireworks** shall only be **Set Off** on the day or days specified by the **Permit**.

4.76 Property damage or injury as a result of **Display Fireworks** shall be the _____responsibility of the **Person** named on the **permit**.

5.0 Exemptions

5.1 ~~Any and all exceptions to this bylaw shall be heard by the **Committee**.~~

5.2 ~~Every Person who holds a **Special Event Permit** issued by the **Town Special Events Team** shall be exempt from Sections 2.2 and 4.1.~~

65.0 Administration and Enforcement

65.1 This By-law shall be administered by the **Chief Fire Official** or their designate.

65.2 This By-law shall be enforced by a **By-law Enforcement Officer**.

67.0 Entry and Inspection

76.1 The **Chief By-law Enforcement Officer, Chief Fire Official** or their designate(s) may at any time, enter onto a property to determine whether this by-law is being complied with.

76.2 Every **Person** shall permit the **Chief By-law Enforcement Officer, Chief Fire Official** or their designate(s) to inspect any land for the purposes of determining compliance with this by-law.

76.3 The **Chief By-law Enforcement Officer, Chief Fire Official** or their designates may enter upon lands at any reasonable time to direct or require that a matter or thing be done, and in default of that matter or thing being done, to do such matter or thing in accordance with this by-law.

76.4 A **Person** exercising a power of entry on behalf of the **Town** under this by-law may be accompanied by any **Person** under their direction including Law Enforcement Services.

87.0 Obstruction

87.1 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any **Person** exercising a power or performing a duty under this by-law.

87.2 Every **Person** who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the **By-law Enforcement Officer, the Chief Fire Official** or their designates upon request, failure to do so shall be deemed to have hindered or obstructed the **By-law Enforcement Officer or Chief Fire Official** under section 7.1 of this by-law.

98.0 Penalties

98.1 Every **Person** who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.5.0. 1990, c. P.33.

98.2 Every **Person** who contravenes any provision of this by-law is guilty of an offence ———pursuant to the provisions of the Provincial Offences Act R.S.O. 1990, Chapter ———P.33, as amended, and upon conviction, a **Person** is liable to a fine of not more ———than \$5,000, exclusive of costs.

~~**8.3** Every **Person** guilty of an offence under this y-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Judge of the Ontario Court~~

~~Provincial division, shall be requested to establish set fines in accordance with
Schedule “A” attached to this by-law.~~

109.0 Administrative Penalties

10.1 Every **Person** who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended.

10.2 An Officer who finds that a **Person** has contravened any provision of this By-law may issue a penalty notice addressed to that **Person**.

10.3 Any **Person** who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 10.2, be liable to pay to the Municipality an administrative penalty in the amount as noted within the Fee and Charges By-law.

10.4 An Officer has the right to issue an elevated fine as noted under the Fee and Charges By-law, when a violation has reoccurred at the same property, or by the same **Person**.

10.5 The penalty notice shall be given to the **Person** to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
a) Particulars of the contravention, including to which property it applies;
b) The amount of the administrative penalty;
c) A statement advising that an administrative penalty will constitute a debt to the Municipality.

10.6 A **Person** who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.

10.7 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.~~9.1 A By-law Enforcement Officer who finds that a Person has contravened any provision of this By-law may issue an administrative penalty notice addressed to that Person or owner where the contravention occurred.~~

~~9.2 The penalty notice shall be given to the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:~~

- ~~a) Particulars of the contravention, including to which property it applies;~~
- ~~b) The amount of the administrative penalty;~~
- ~~c) A statement advising that an administrative penalty will constitute a debt to the Municipality.~~

~~9.3 Any Person who contravenes any provision of this By-law shall, upon issuance of an administrative penalty notice pursuant to Section 9.3, be liable to pay to the Municipality an administrative penalty as per the Towns Fees and Charges by-law.~~

~~9.4 A Person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.~~

~~9.5 An administrative penalty notice that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.~~

~~9.6 The Town may serve any penalty notice, personally to the Person named on the notice, by registered or regular mail addressed to the Person to whom the document is to be given at the Person's last known place of abode.~~

~~9.7 Service by registered or regular mail under subsection 9.6 shall be deemed to have been made on the fifth day after the day of mailing.~~

~~9.8 A Person's last known address includes the address provided by the Person to the Town as identified in the property tax file.~~

~~110.0 Severability~~

~~110.1 If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced **Council** to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.~~

~~11.0 Schedules~~

~~11.1 Schedule "A" as attached forms part of this by-law.~~

~~132.0 Town Not Liable~~

~~132.1 The **Town** assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any **Person** or property that is subject of this by-law.~~

143.0 Short Title

143.1 This by-law shall be known as the “Fireworks By-law.”

154.0 Repeals

154.1 That By-law Number 2020-~~1634~~ be hereby repealed.

READ a first, second and third time and finally passed this 17th day of March, 2020.

Mayor (~~Karin Terziano~~Nancy Alcock)

Clerk (Tanya Calleja)

~~THE CORPORATION OF THE TOWN OF HUNTSVILLE
PART I PROVINCIAL OFFENCES ACT
BY-LAW NO. 2020-34 – Fireworks By-law~~

~~SCHEDULE "A"~~

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Cause the setting off of fireworks during prohibited time	Section 2.1	\$ 500.00
2.	Permit the setting off of fireworks during prohibited time	Section 2.1	\$ 500.00
3.	Engage in the setting off of fireworks during prohibited time	Section 2.1	\$ 500.00
4.	Set off fireworks in prohibited area	Section 2.2	\$ 300.00
5.	Permit the use of Display Fireworks without a valid permit	Section 2.3	\$ 300.00

~~NOTE: the general penalty provision for the offences listed above is Section 8.0 of
By-law 2020-34, X-XXa certified copy of which has been filed.~~



THE CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2025-

Being a By-law to Prohibit the Setting off of Fireworks within the Town of Huntsville

WHEREAS Council acknowledges that fireworks have the potential to pollute air and water, negatively impact wildlife in the vicinity and diminish quality of life for some residents;

AND WHEREAS Council wishes to take action to mitigate the risk to human, animal and environmental health;

AND WHEREAS Section 121 (a) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that the Council may prohibit and regulate the sale of fireworks and the setting off of fireworks;

AND WHEREAS Section 434.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, enables the Councils of local municipalities to establish a system of administrative penalties

AND WHEREAS Section 434.2 establishes an administrative penalty constitutes a debt of the person which may be added to the tax roll;

AND WHEREAS pursuant to Section 436 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of the municipality passed under the Act is being complied with;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1.0 Definitions

In this By-law:

- 1.1 “**Act**” means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitutions therefore;

- 1.2 “**By-Law Enforcement Officer**” means a Person who is appointed by **Council** to enforce bylaws enacted and passed by **Council**;
- 1.3 “**Chief Fire Official**” as defined in the Ontario Fire Code O. Reg. 213/07, Article 1.4.1.2;
- 1.4 “**Committee**” means the Appeals **Committee** as per the Appeals **Committee** By-law;
- 1.5 “**Consumer Fireworks**” means an outdoor, low hazard, firework that is designed for recreational personal use and includes but is not limited to Roman candles, sparklers, fountains, multi-shot cakes, volcanoes, mines, and snakes;
- 1.6 “**Council**” means the **Council** of The Corporation of the Town of Huntsville;
- 1.7 “**Display Fireworks**” means an outdoor, high hazard, firework that is designed for professional, licenced use only. They include items like aerial shells, cakes, Roman candles, waterfalls, lances, and wheels;
- 1.8 “**Fireworks**” as defined in the Explosive Regulations made pursuant to the Explosives Act, R.S. c. E-15, s.1 as amended and includes one single item of **Fireworks**;
- 1.9 “**Person**” means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a **Person** to whom the context can apply, according to law;
- 1.10 “**Permit**” means written permission to hold a **Display Fireworks** issued by the Municipality pursuant to this By-law and signed by the **Chief Fire Official** or their designate;
- 1.11 “**Premises**” means land and includes the buildings and/or structures thereon;
- 1.12 “**Public Fireworks Display**” means an exhibition of **Fireworks** in an open-air assembly, occupancy to which the public is invited, attends or is admitted, with or without a fee being charged;
- 1.13 “**Pyrotechnics**” are high-hazard and designed for professional use. They include but is not limited to items like gerbs, mines, comets, and crossette **fireworks**, as well as special-purpose **pyrotechnics** made for live stage performances and the film and television industry;
- 1.14 “**Setting Off**” or “**Set Off**” means to fire, discharge, ignite, explode or release into the air or to cause to fire, discharge, ignite or explode or release into the air;

- 1.15 “**Special Event**” means, but not limited to, an organized event, demonstration, parade, marathon, walkathon, fundraising walk, sports event, sidewalk sale, film, beach event, fair, festival, a social, recreational, educational, community or similar event and includes any other stationary event occurring indoors or outdoors on Town owned, managed or maintained property; or similar event occurring on a Highway and having an impact on Town services;
- 1.16 “**Statutory Holiday**” means Province of Ontario recognized holidays consisting of Canada Day, Labour Day, Victoria Day and Civic Holiday
- 1.17 “**Town**” means the Corporation of The Town of Huntsville;
- 1.18 “**Weekend**” means the period from Friday evening through Sunday evening.

2.0 **General Prohibitions**

- 2.1 No **Person** shall cause, permit or engage in the Setting Off of Consumer **Fireworks** in the **Town** at any time, except as permitted under Section 3 of this by-law.
- 2.2 No **Person** shall **Set Off** any **Fireworks** in or into, on or onto any building, highway, sidewalk, Municipal Park or Municipal property except as provided under Section 5.2.
- 2.3 No **Person** shall permit the use of **Display Fireworks** unless a valid permit as outlined in Section 4 has been obtained from the **Chief Fire Official** or their designate.

3.0 **Consumer Fireworks**

- 3.1 **Consumer Fireworks** within the **Town** may be **Set Off** on the days below as follows:
- a) On any **Statutory Holiday**- between 8:00p.m and 11:00p.m, excluding New Years Eve
 - b) On New Year’s Eve - between 8:00 p.m. and 1:00 a.m. the following day

4.0 **Display Fireworks**

- 4.1 **Display Fireworks** within the **Town** may be **Set Off** as follows when a **permit** has been obtained from the **Chief Fire Official** or their designate;
- a) On any **Weekend** between 6:00pm and 11:00pm;

- b) On any **Statutory Holiday** between the 8:00 p.m. and 11 p.m. excluding New Years Eve;
 - c) On New Year's Eve - between 8:00 p.m. and 1:00 a.m. the following day
- 4.2 Only **Persons** who hold a valid Display Supervisor certificate, issued by the Explosives Regulatory Division (ERD) of Natural Resources Canada are eligible to apply for a **permit to Set Off Display Fireworks** or **Pyrotechnic Special Effects**.
- 4.3 An application package as prescribed under the **Act** must be submitted to the **Chief Fire Official** or their designate a minimum of 45 days prior to the date being applied for.
- 4.4 The application package shall contain the requirements as found in the Natural Resources Canada (NRCAN) **Fireworks Display Manual**:
- 4.5 The **Permit** may be suspended or revoked by the **Chief Fire Official** or their designate if the conditions of the **permit** are not being met or it would be unsafe to allow the **Public Fireworks Display**.
- 4.6 The **Display Fireworks** shall only be **Set Off** on the day or days specified by the **Permit**.
- 4.7 Property damage or injury as a result of **Display Fireworks** shall be the responsibility of the **Person** named on the **permit**.
- 5.0 **Exemptions**
- 5.1 Any and all exceptions to this bylaw shall be heard by the **Committee**.
- 5.2 Every Person who holds a **Special Event Permit** issued by the **Town Special Events Team** shall be exempt from Sections 2.2 and 4.1.
- 6.0 **Administration and Enforcement**
- 6.1 This By-law shall be administered by the **Chief Fire Official** or their designate.
- 6.2 This By-law shall be enforced by a **By-law Enforcement Officer**.
- 7.0 **Entry and Inspection**
- 7.1 The **By-law Enforcement Officer**, **Chief Fire Official** or their designate(s) may at any time, enter onto a property to determine whether this by-law is being complied with.

- 7.2 Every **Person** shall permit the **By-law Enforcement Officer, Chief Fire Official** or their designate(s) to inspect any land for the purposes of determining compliance with this by-law.
- 7.3 The **By-law Enforcement Officer, Chief Fire Official** or their designates may enter upon lands at any reasonable time to direct or require that a matter or thing be done, and in default of that matter or thing being done, to do such matter or thing in accordance with this by-law.
- 7.4 A **Person** exercising a power of entry on behalf of the **Town** under this by-law may be accompanied by any **Person** under their direction including Law Enforcement Services.
- 8.0 **Obstruction**
- 8.1 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any **Person** exercising a power or performing a duty under this by-law.
- 8.2 Every **Person** who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the **By-law Enforcement Officer, the Chief Fire Official** or their designates upon request, failure to do so shall be deemed to have hindered or obstructed the **By-law Enforcement Officer or Chief Fire Official** under section 7.1 of this by-law.
- 9.0 **Penalties**
- 9.1 Every **Person** who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.5.0. 1990, c. P.33.
- 9.2 Every **Person** who contravenes any provision of this by-law is guilty of an offence pursuant to the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended, and upon conviction, a **Person** is liable to a fine of not more than \$5,000, exclusive of costs.
- 10.0 **Administrative Penalties**
- 10.1 Every **Person** who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended.
- 10.2 An Officer who finds that a **Person** has contravened any provision of this By-law may issue a penalty notice addressed to that **Person**.

- 10.3 Any **Person** who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 10.2, be liable to pay to the Municipality an administrative penalty in the amount as noted within the Fee and Charges By-law.
- 10.4 An Officer has the right to issue an elevated fine as noted under the Fee and Charges By-law, when a violation has reoccurred at the same property, or by the same **Person**.
- 10.5 The penalty notice shall be given to the **Person** to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- a) Particulars of the contravention, including to which property it applies;
 - b) The amount of the administrative penalty;
 - c) A statement advising that an administrative penalty will constitute a debt to the Municipality.
- 10.6 A **Person** who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.
- 10.7 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.
- 11.0 **Severability**
- 11.1 If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced **Council** to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
- 12.0 **Town Not Liable**
- 12.1 The **Town** assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any **Person** or property that is subject of this by-law.
- 12.0 **Short Title**
- 12.1 This by-law shall be known as the “Fireworks By-law.”

13.0 **Repeals**

13.1 That By-law Number 2020-34 be hereby repealed.

READ a first, second and third time and finally passed this th day of _____, **2025**.

Mayor (Nancy Alcock)

Clerk (Tanya Calleja)