

**BYLAW 2024-04  
VILLAGE OF BEISEKER  
FIREWORKS BYLAW**

**A BYLAW IN THE VILLAGE OF BEISEKER, IN THE PROVINCE OF ALBERTA TO REGULATE, CLASSIFY AND CONTROL THE SALE AND USE OF FIREWORKS.**

**WHEREAS**, pursuant to the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended Council may enact bylaws for municipal purposes, respecting the safety, health and welfare of people and protection of property;

**AND WHEREAS**, as pursuant Section 8 of the *Municipal Government Act*. RSA 2000, as amended, a Council may, in a bylaw, regulate or prohibit and provide for a system of licenses, permits or approvals;

**AND WHEREAS**, the Council for the Village of Beiseker recognizes that fireworks are explosive devices which are classified as dangerous goods under the Alberta Fire Code and which, when used improperly by untrained persons, can cause injury, damage, fire and death;

**AND WHEREAS**, the Council for the Village of Beiseker deems it desirable and necessary in order to protect and preserve the safety and welfare of its citizens to prohibit the sale of fireworks and regulate fireworks permits within the geographical limits of the Village of Beiseker.

**NOW THEREFORE**, the Council of the Village of Beiseker, duly assembled, enacts as follows:

**1. CITATION**

This bylaw shall be cited as the Beiseker Fireworks Bylaw.

**2. DEFINITIONS**

In this bylaw, unless context otherwise requires:

- a) ALBERTA FIRE CODE means the National fire Code – 2019 Alberta Edition as amended or repealed and replaced from time to time;
- b) CAO shall mean the Chief Administrative Officer of the Village of Beiseker or their delegate.
- c) CONSUMER FIREWORKS fireworks are low-hazard and designed for recreational use. They include items such as Roman candles, sparklers, fountains, volcanoes, mines, and snakes. These fireworks are classified as F.1. under the *Explosives Act* and Regulations.
- d) COUNCIL shall mean the body of elected officials for the Village of Beiseker.
- e) DISPLAY FIREWORKS are high-hazard and designed for professional use. They include items such as aerial shells, cakes, Roman candles, waterfalls, lances, and wheels. These fireworks are classified as F.2. under the *Explosives Act* and Regulations.
- f) ENFORCEMENT OFFICER shall mean a Community Peace Officer, Bylaw Enforcement Officer, RCMP or another person appointed by the Village and who is authorized to enforce the Bylaws of the Village of Beiseker.
- g) EVENT means an event where Fireworks are used, shown or displayed
- h) EXPLOSIVES ACT means the *Explosives Act*. RSC 1985, c-E17 and the regulations enacted thereunder as amended or repealed and replaced from time to time.
- i) FIRE DEPARTMENT means the Beiseker Fire Department
- j) FIRECRACKER means any device that explodes instantaneously when ignited and does not produce any subsequent display or visible effect after the explosion and includes, but is not limited to, those devices commonly known as Chinese firecrackers, but does not include paper caps containing not more than 16.2 mg (1/4 grain) of explosive per cap or devices to be used with the paper caps such as Christmas crackers and caps used in cap pistols (guns).
- k) FIREWORKS means Display fireworks, Consumer Fireworks and Special Effect Pyrotechnics Fireworks.

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- l) FIREWORKS PERMIT means a document issued by the Municipality which constitutes written permission for purposes of the *Alberta Fire Code (See Schedule "B" of this Bylaw)*
- m) HIGHWAY has the same meaning as defined in the *Traffic Safety Act, RSA 2000 c T-6* as amended or repealed and replaced from time to time.
- n) MOTOR VEHICLE has the same meaning as defined in the *Traffic Safety Act, RSA 2000 c-T-6* as amended or repealed and replaced from time to time.
- o) MINOR means a person who is under 18 years of age.
- p) PERSON includes a corporation and the heirs, executors, administrators or other legal representatives of a person.
- q) PYROTECHNICIAN means an individual who is certified and authorized to purchase and supervise the display of Special Effect Pyrotechnics Fireworks under the *Explosives Act/Regulations*.
- r) REGULATION means *Explosives Regulations, 2013 SOR-2013-2011*, as amended or repealed and replaced from time to time.
- s) SPECIAL EFFECT PYROTECHNICS FIREWORKS Special effect pyrotechnics are high-hazard and designed for professional use. They include items like gerbs, mines, comets, and crossettes, as well as special-purpose pyrotechnics made for live stage performances and the film and television industry. Classified as F.3 under the *Explosives Act* and Regulation.
- t) VILLAGE means the Village of Beiseker in the Province of Alberta

**3. APPLICATION**

3.1 Nothing in this bylaw relieves a person from the obligation to comply with a provision of any other bylaw or enactment, or the requirement of a permit, order or license issued under another bylaw or enactment.

3.2 The provisions of this bylaw do not apply to:

- a) the Village's emergency response activities;
- b) the Village's fire extinguishing, fire prevention or fire training operations;
- c) distress flares, when used to signal a person in distress; or
- d) the transportation of Fireworks through the Village, when transported in accordance with a permit or as permitted under the *Explosives Act*.

**4. SALE OF FIREWORKS**

4.1 No person shall display, offer for sale or sell Fireworks within the Village as of September 1, 2024.

**5. POSSESSION, HANDLING AND DISCHARGE OF FIREWORKS**

5.1 No Person shall possess, handle, discharge, fire or set off Fireworks within the Village unless the Person holds a valid and subsisting Fireworks Permit.

5.2 No Person shall possess, handle, discharge, fire or set off Fireworks within the Village that is contrary to the terms and conditions of a Fireworks Permit.

5.3 No Person shall discharge, fire or set off Fireworks on any land of which the Person is not the owner without obtaining and providing to the Village prior written permission of the owner of the land to do so.

5.4 No Person shall store, handle or set off Fireworks in an unsafe manner or in a manner that creates a nuisance as described in the Village of Beiseker's *Community Standard Bylaw*, taking into account noise, danger of fire and explosion, risk of death, injury and/or damage to Persons or property inherent to the storage, handling or use of Fireworks.

5.5 A Person who stores, handles or sets off Fireworks shall use reasonable care to ensure that Fireworks are not accessible to a Minor.

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**6. FIRECRACKERS**

- 6.1 No Person shall possess, handle, discharge, fire or set off Firecrackers within the Village.
- 6.2 No Person shall display, offer for sale or sell Firecrackers within the Village.

**7. REQUIREMENT FOR FIREWORKS PERMIT**

- 7.1 No Person shall discharge, fire or set off Fireworks within the Village without first obtaining a Fireworks Permit.
- 7.2 Fireworks Permits will only be issued for Display or Special Effect Pyrotechnics Fireworks. Consumer Fireworks are not permitted to be stored, discharged or set off in the Village.
- 7.3 An application for a Fireworks Permit must be submitted in the form prescribed by the Village (See Schedule "B") a minimum of three weeks prior to the Event, and be accompanied by:
  - a) the application fee as set out in the *Beiseker Fees and Schedules Bylaw*
  - b) details of the location, date and time of the Event; and
  - c) a list of all Fireworks to be used during the Event; and
  - d) a copy of the written permission of the landowner to use their land for the Fireworks Event (if the Person who is discharging, firing or setting off the Fireworks is not the landowner).
  - e) a drawing or map depicting physical access to be provided for fire and emergency vehicles at the Event;
  - f) the free zone area of clear distance between the point of launch and occupied area at the Event;
  - g) the emergency plan for the Event that includes:
    - a. Details and procedures for dealing with an emergency (large and small)
    - b. Materials and equipment onsite for fire extinguishment
    - c. Hot zone security details and site plan
    - d. Details for cool down, dismantling of show, clean up and disposal of debris and fallout
    - e. Signage for public notification onsite and adjacent public areas
    - f. Details for following day inspection
    - g. Product list including manufacturer, type, size and quantity of fireworks to be used during event.
  - h) Certificate of liability insurance in the amount of not less than \$5,000,000.00, naming the Village as an additional insured.
  - i) the name, address and certification number of the Fireworks Display Supervisor or Pyrotechnician (Technician) under whose supervision the Event shall be held.
  - j) the name, address and certification numbers of all other display supervisors, Pyrotechnicians and assistants participating in the Event, if applicable, and
  - k) Any other information as required by the Village.
- 7.4 Submitting false or misleading information on a Fireworks permit is an offence.
- 7.5 The Village may require additional information from the applicant to ensure the public's safety and may, at its discretion, issue a Fireworks Permit, with or without conditions, or refuse to issue a Fireworks Permit.
- 7.6 No Fireworks Permit will be issued to a Minor.
- 7.7 The Village, at its discretion, may suspend or revoke a Fireworks Permit:

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- a) for reasons of non-compliance with the *Alberta Fire Code*, the *Explosives Act*, this Bylaw, or any other act or legislation, or non-compliance with the terms and conditions of the Fireworks Permit; or
- b) due to changes in environmental conditions; or
- c) for any reasons relating to safety to Persons or property.

7.8 The Fireworks Permit will be approved by both the CAO and the Fire Chief.

**8. TERMS AND CONDITIONS – FIREWORKS PERMIT**

- 8.1 No Fireworks Permit will be issued to any Person who is not properly certified and authorized to purchase and supervise the display of Fireworks.
- 8.2 No Person shall discharge, fire or set off Fireworks in, into, over on or from:
  - a) a building;
  - b) a Motor Vehicle; or
  - c) a Highway
- 8.3 The Person named on the Fireworks Permit shall be responsible for any property damage or injury caused by the discharge, firing or setting off of Fireworks.
- 8.4 Fireworks shall only be permitted to be set off on property that is not designated for residential use in the Village's *Land Use Bylaw*
- 8.5 No Fireworks permit shall be issued for a location within 200 meters of any place where explosives or flammable or combustible liquids or substances are manufactured or stored.
- 8.6 Every Person to whom a Fireworks Permit is issued must:
  - a) provide and maintain approved, fully operational fire extinguishing equipment, ready for immediate use, throughout the time the Fireworks are being set off or displayed and for a reasonable period thereafter, at the location or site of the Event;
  - b) produce the Fireworks Permit, forthwith, upon demand of the Fire Department, an Enforcement Officer; and
  - c) permit the inspection of any site where the Fireworks may be stored, set off or displayed and the Fireworks themselves, together with all the associated equipment, by the Fire Department, an Enforcement Officer, forthwith and upon demand.
- 8.7 Every Person to whom a Fireworks Permit is issued under this section shall:
  - a) immediately, after the conclusion of the setting off or holding of an Event, carry out a site inspection; and shall
  - b) remove all unused or partly used Fireworks from the site;
  - c) remove all debris remaining after using or partial use of Fireworks; and
  - d) return the site to the condition it was prior to the setting off or holding of the Event.
- 8.8 Every Person who fires or sets off Fireworks shall take all steps reasonably necessary, as would a reasonable and prudent person, to ensure there is no risk of harm to persons or property damage.
- 8.9 During a fire ban imposed by the Village or other regulatory authority, having jurisdiction, all Fireworks Permits will be suspended until such time as the fire ban is lifted. The rescheduled date for the permit will be provided by the Village in writing to the applicant.

**9. ENFORCEMENT**

- 9.1 A person who contravenes or fails to comply with a provision of this bylaw constitutes an offence.
- 9.2 If an offence is of a continuing nature, each day or part thereof that a person fails to comply with the requirements of this bylaw constitutes a new offence.

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- 9.3 Any person who interferes with or obstructs an Enforcement Officer in the execution of the Enforcement Officer's duties under this bylaw is guilty of an offence.
- 9.4 The onus of proving a person has a valid and subsisting permit is on the person alleging its existence.

**10. ENFORCEMENT MEASURES**

- 10.1 Nothing in this bylaw precludes an Enforcement Officer taking any enforcement measures available in another bylaw or enactment in addition to issuing a Municipal Tag or Violation Ticket for an offence.
- 10.2 An Enforcement Officer is a designated officer of the Village with the power to conduct inspections, take enforcement action, and order any person to remedy a contravention pursuant to the Municipal Government Act, or as provided for and in accordance with any other enactment or bylaw.

**11. MUNICIPAL TAG**

- 11.1 An Enforcement Officer may issue and serve a Municipal Tag on any person that the Enforcement Officer has reasonable and probable grounds to believe has contravened a provision of this or any other bylaw or enactment by:
- a) personally serving the Municipal Tag on the person; or
  - b) mailing a copy of the Municipal Tag by pre-paid post to the address provided on the permit holder's permit application, or to the person's last known postal address.
- 11.2 A Municipal Tag shall be in a form approved by the CAO and shall state:
- a) the name of the person to whom the Municipal Tag is issued;
  - b) particulars of the contravention under this bylaw;
  - c) the specified penalty for the offence as set out in Schedule "A";
  - d) that the specified penalty must be paid within 10 days of the issuance of the Municipal Tag in order to avoid prosecution; and
  - e) any other information as may be required by the CAO.

**12. VIOLATION TICKET**

- 12.1 If a Municipal Tag has been issued and the specified penalty on the Municipal Tag has not been paid within the prescribed time, an Enforcement Officer may issue a Violation Ticket to the person whom the Municipal Tag was issued.
- 12.2 An Enforcement Officer may, in the Officer's sole discretion, elect to issue and serve a Violation Ticket without first issuing a Municipal Tag.
- 12.3 An Enforcement Officer is authorized to issue a Violation Ticket, to any person the Enforcement Officer believes on reasonable and probable grounds has committed an offence under this bylaw, under Part 2 or Part 3 of the *Provincial Offences Procedure Act*
- 12.4 A Violation Ticket shall be in the prescribed form and shall:
- a) state the specific penalty for the offence as set out in Schedule "A"; or
  - b) require a person to appear in Provincial Court with or without the alternative of making a voluntary payment.

**13. PENALTIES**

- 13.1 A person guilty of an offence under this bylaw is liable upon summary conviction to a penalty in an amount not less than the amount specified in Schedule "A" of this bylaw, or if not prescribed in Schedule

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“A”, not more than \$10,000.00, and any other penalties prescribed in default of payment in relation to proceedings taken under Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

**14. SEVERABILITY**

14.1 Should any provision of this bylaw be declared invalid by a court of competent jurisdiction, then the invalid provision shall be severed, and the remainder of the bylaw shall remain in effect.

**15. GENERAL**

12.3 Nothing in this bylaw invalidates any action taken, license or permit granted or revoked, or offence proceedings commenced under or pursuant to any other enactment or bylaw.

**16. EFFECTIVE DATE**

17.1 This bylaw shall come into force and effect upon it receiving third and final reading by COUNCIL.

**READ A FIRST TIME this 13<sup>th</sup> day of May, 2024**  
**READ A SECOND TIME this 27<sup>th</sup> day of May, 2024**  
**READ A THIRD TIME AND FINAL TIME this 24<sup>TH</sup> day of June, 2024**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

	<b>SCHEDULE “A” SPECIFIED PENALTIES</b>	
<b>SECTION</b>	<b>VIOLATION</b>	<b>PENALTY</b>
4(4.1)	Unauthorized display or sale of Fireworks	\$1500.00

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5(5.1)	Possessing, Handling or Discharging Fireworks without a Valid Fireworks Permit	\$ 700.00
5(5.2)	Possessing, Handling or Discharging Fireworks contrary to the terms and conditions of a Fireworks Permit	\$1300.00
5(5.3)	Failure to obtain permission of property owner and providing the written permission to the Village prior to discharging of fireworks	\$ 500.00
5(5.4)	Storage, Handling or Discharge of Consumer Fireworks in an unsafe manner or a manner that creates a nuisance	\$ 500.00
5(5.5)	Failure to ensure Fireworks are not accessible to a minor	\$ 500.00
6(6.1)	Possession, Handling or Discharge of Firecrackers	\$ 700.00
6(6.2)	Display, Offer for Sale or Selling of Firecrackers	\$1300.00
7(7.1)	Failure to obtain a Fireworks Permit	\$ 700.00
7(7.2)	Store/Discharge of Consumer Fireworks within the Village	\$ 700.00
7(7.4)	Making a false/misleading statement/information to obtain a Fireworks Permit	\$ 700.00
8(8.2)	Discharge Fireworks from a building, motor vehicle or a highway	\$1300.00
8(8.4)	Discharge of Display/Special Effects Fireworks on privately-owned property in an area that is designated for residential use as per the Municipality's Land Use Bylaw	\$ 1300.00
8.6(a)	Failure to have fully operational fire extinguishing equipment at the event	\$ 700.00
8.6(b)	Failure to produce a valid Fireworks Permit upon demand	\$ 700.00
8.6(c)	Obstruct an inspection upon demand	\$1000.00
8.7(a)	Fail to carry out site inspection immediately after event	\$1200.00
8.7(b)	Remove unused or partly used Fireworks from the site	\$500.00
8.7(c)	Remove all debris from site	\$500.00
8.7(d)	Fail to ensure site has been returned to the condition it was prior to event	\$500.00
8.8	Fail to take reasonable steps to ensure no harm to persons or property damage	\$ 700.00
9.3	Interfere with or obstructs an Enforcement Officer in the execution of the Enforcement Officer's duties	\$1300.00

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**SCHEDULE "A"  
FIREWORKS PERMIT APPLICATION**

**Date:** \_\_\_\_\_ **Permit Fee Received (Date/Receipt#)** \_\_\_\_\_

In accordance with the Village of Beiseker Fireworks Bylaw, Fireworks Permits will only be issued for Display or Special Effect Pyrotechnics Fireworks. Consumer Fireworks are not permitted to be stored, discharged or set off in the Village.

**Applicant Name:** \_\_\_\_\_ **Company Name (if applicable):** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_ **Alt. Phone Number:** \_\_\_\_\_

**Applicant Mailing Address:** \_\_\_\_\_

**Display Fireworks Supervisor (DSF) Name (if different from Applicant):**

**Note: Attach information for each Supervisor/Technician onsite**

**Email:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_ **Alt. Phone Number:** \_\_\_\_\_

**DSF Mailing Address:** \_\_\_\_\_

**DSF Certification Number:** \_\_\_\_\_ **DSF Certification Date of Expiry:** \_\_\_\_\_

**FIREWORKS DISPLAY INFORMATION:**

**Event Name:** \_\_\_\_\_ **Event Location:** \_\_\_\_\_

**Fireworks Storage Address:** \_\_\_\_\_

**Event Date:** \_\_\_\_\_ **Event hours:** \_\_\_\_\_

**FIREWORKS PERMIT REQUIREMENTS**

- a) Copy of Display Fireworks Supervisor AND Technician Certificate (back and front) for onsite supervisor.
- b) Written permission from Landowner, lessee or agent for the property to allow the performance or display to take place.
- c) Certificate of Liability Insurance in the amount not less than \$5,000,000.00 (showing the Village of Beiseker as an additional insured).
- d) Drawing or map depicting physical access for fire/emergency vehicles at the event AND free zone clear distance between point of launch and occupied area at the event.
- e) Emergency Response Plan that includes:
  - a. Details and procedures for dealing with an emergency (large and small)
  - b. Materials and equipment onsite for fire extinguishment
  - c. Hot zone security details and site plan
  - d. Details for cool down, dismantling of show, clean up and disposal of debris and fallout
  - e. Signage for public notification onsite and adjacent public areas
  - f. Details for following day inspection
  - g. Product list including manufacturer, type, size and quantity of fireworks to be used during event.



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**FIREWORKS PERMIT CONDITONS**

- a) No Fireworks Permit will be issued to a Minor
- b) A Fireworks Permit may be revoked:
  - a. for reasons of non-compliance with the *Alberta Fire Code*, the *Explosives Act*, Village of Beiseker Fireworks Bylaw, or any other act or legislation, or non-compliance with the terms and conditions of the Fireworks Permit; or
  - b. due to changes in environmental conditions; or
  - c. for any reasons relating to safety to Persons or property.
- c) Permit Holder must confirm no fire ban or advisory is in place on the day of the display. Fire ban/advisory status can be found at [albertafirebans.ca](http://albertafirebans.ca).
- d) A site inspection may be required prior to and the day after the display
- e) The Permit Holder must have certification and permit available during the event.

**Please complete and submit this form, other requirements and fee at least three weeks prior to the Event Date to allow for sufficient processing and inspections if required.**

**AUTHORIZATION:**

*I CERTIFY THAT THE INFORMATION GIVEN ON THIS FORM IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND ACKNOWLEDGE MY AUTHORIZATION OF THE INFORMATION TO BE USED FOR THE PURPOSES IDENTIFIED BELOW.*

**SIGNATURE:**

**DATE:**

\_\_\_\_\_  
**Applicant**

\_\_\_\_\_  
**Display Fireworks Supervisor**

**APPROVALS**

**A COPY OF THE APPROVED APPLICATION WILL SERVE AS A FIREWORKS PERMIT:**

**SIGNATURE:**

**DATE:**

\_\_\_\_\_  
**Fire Chief, Village of Beiseker**

\_\_\_\_\_  
**Chief Administrative Officer, Village of Beiseker**

*The personal information requested on this form is being collected under the authority of Section 33 (c ) of the Freedom of Information and Privacy (FOIP) Act. The information collected will be used to provide a record of fireworks permits issued by the Village of Beiseker. If you have any questions about the collection or use of your personal information, contact the Village of Beiseker FOIP Coordinator at 700 1<sup>st</sup> Avenue, Beiseker AB T0M 0G0, [beiseker@beiseker.com](mailto:beiseker@beiseker.com) 403-947-3774*