



# MISSISSAUGA

## THE CORPORATION OF THE CITY OF MISSISSAUGA FIREWORKS BY LAW 0293-2001

(amended by 268-15, 222-16, 105-18, 108-20, 143-20)

**WHEREAS** the Council of The Corporation of the City of Mississauga enacted By-law 243-88, as amended, pursuant to the authority under the *Municipal Act*, R.S.O. 1980, (the “Act”) respecting the sale and setting off of Fireworks;

**AND WHEREAS** the Council of The Corporation of the City of Mississauga deems it advisable to repeal By-law 243-88, as amended, and to enact a new by-law in order to more effectively regulate the setting off of Fireworks within the limits of the City of Mississauga;

**AND WHEREAS** subsection 210 (37) of the *Municipal Act*, R.S.O. 1990, c. M.45, provides that Council may regulate the sale of fireworks;

**NOW THEREFORE** the Council of The Corporation of the City of Mississauga enacts the following:

### **DEFINITIONS**

1. In this By-law:

“*Chinese New Year*” means the first day of the Chinese calendar; (268-15, 222-16)

“*Class 7 Division 2 Fireworks*” comprises manufactured Fireworks and has five (5) subdivisions, as defined in the Explosive Regulations made pursuant to The *Explosives Act*, R. S., c. E-15,s.1, as amended (“Explosives Act”);

“*COVID-19 Emergency*” (108-20, 143-20) REPEALED BY 0143-2020

“*Diwali*” means the day(s) during the Indian festival of lights where fireworks will be permitted, the day(s) of which will be confirmed by the Fire Chief each year; (268-15, 222-16)

“*Fire Chief*” means the Chief of the municipality's Fire and Emergency Services Division and includes any staff official acting on their behalf;

“*Firecracker*” means any class of Fireworks that explodes when ignited and does not make any significant display or visible effect after the explosion but does not include caps for toy guns;

“*Fireworks*” means a pyrotechnic device or a substance that is made, manufactured or used to produce an explosion or detonation or and includes Fireworks composition and

manufactured Fireworks as defined in the *Explosives Regulations* made pursuant to *The Explosives Act*;

“**Holiday**” means: (268-15, 105-18)

(a) the following statutory holidays: Canada Day and Victoria Day; and

(b) other days; Diwali and Chinese New Year;

“**Person**” includes a corporation and its directors and officers, and their heirs, executors, assignees and administrators or other legal representatives of an individual and their respective successors and assignees;

“**Public Fireworks Display**” means an exhibition of low or high hazard recreational Fireworks in an open air assembly, occupancy to which the public is invited or admitted, with or without a fee being charged.

2. No person shall set off any Fireworks on any public street or roadway within the City of Mississauga at any time.
3.
  - (1) No Person shall fire or set off any Subdivision I of Class 7 Fireworks within the limits of the City of Mississauga except: (268-15)
    - (a) On a Holiday; or
    - (b) Any other day for which a permit has been issued by the Fire Chief according to this By-law.
  - (2) A Person permitted to fire or set off any Subdivision I of Class 7 Fireworks according to subsection 3(1) of this By-law shall only do so on their property. (268-15)
  - (3) In the event of rain on a Holiday in such amount that it is impractical to fire or set off the Fireworks, the next day following a Holiday, as the case may be, shall be considered to be the Holiday. (268-15)
4. No person shall fire or set off any Subdivision 2 of Class 7, Division 2 Fireworks within the limits of the City of Mississauga unless:
  - (1) they are currently certified as a Fireworks Supervisor Level 1 or Level 11 by the Explosion Regulatory Division of Natural Resources Canada.
  - (2) they have received a permit issued by the Fire Chief;
  - (3) they fire or set off the Fireworks only on the day or days specified on the permit; and
  - (4) they fire or set off the Fireworks only at the location specified on the permit.
5. No person shall hold a public Fireworks display at any time unless:

- (1) they are currently certified as a Fireworks Supervisor Level I or Level II by the Explosion Regulatory Division of Natural Resources Canada; and
  - (2) they have received a permit for such public display issued by the Fire Chief;
6. Any person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, and/or the property owner where the fireworks were set off is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00, exclusive of costs.
7. If a court of competent jurisdiction declares any section or part of a section of this By-law invalid, it is the intention of Council that the remainder of the By-law continue in force.
8.
  - (1) Words importing the singular number or the masculine gender only include more persons, parties or things of the same kind than one, and females as well as males and the converse.
  - (2) A word interpreted in the singular number has a corresponding meaning when used in the plural.
9. By-law 243-88, as amended, is hereby repealed.
10. REPEALED BY 143-20 (108-20, 143-20)

**Enacted and Passed this 13<sup>th</sup> day of June, 2001.**

**Signed by: Frank Dale, Acting Mayor and Arthur Grannum, City Clerk**