

CITY OF BURNABY

BYLAW NO. 11987

**A BYLAW to regulate the sale of Roman candles
and noisemakers.**

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY FIRE SERVICES BYLAW, 2004, AMENDMENT BYLAW, 2005.**
2. Section 2 of Burnaby Fire Services Bylaw, 2004 is amended by adding thereto:
 - (a) after the definition "Department", the following:

"'family pack' means a pre-packaged assortment of low hazard fireworks of which Roman candles and noisemakers together shall not comprise more than thirty (30%) percent of the total number of fireworks in the package;"
 - (b) after the definition "member", the following:

"'noisemaker' means a low hazard firework designed or altered to produce on detonation an auditory blast, screech, whistle, or other loud noise, and includes fireworks commonly known as screechers, bottle rockets, air bombs, sound shells, and thunderflashes;" and
 - (c) after the definition "public building", the following:

"'Roman candle' means a low hazard firework that is capable of projecting or discharging a charge or series of charges or pyrotechnical effects a distance of more than three (3) metres;"

3. Section 42 of the said Bylaw is repealed and the following substituted:

"42.(1) It shall be unlawful for any person to sell or offer for sale low hazard fireworks except:

(a) during the period commencing on the 25th day of October and ending on the 31st day of October in each year;

(b) to a person who is at least eighteen (18) years of age;

(c) with a valid business license.

(2) No person shall sell or offer for sale a Roman candle or a noisemaker except as part of a family pack.

(3) Except as provided in subsection (5), fireworks shall not be set off, detonated or discharged at any time except on the 31st day of October.

(4) It shall be lawful for a person who is at least eighteen (18) years of age to use, set off or discharge low hazard fireworks on private property with the consent of the owner of the property.

(5) The Fire Chief may issue a permit to a person who is at least eighteen (18) years of age to use, detonate or discharge low hazard fireworks for a special occasion at any time of the year other than the date specified in subsection (3) on such terms and conditions as the Fire Chief may specify.

(6) No person shall set off or discharge fireworks on public property without a permit from the Fire Chief.

- (7) No person shall point or direct a firework at any person, animal, motor vehicle, building or improvement where such firework is in the process of exploding or detonating, and where the firework is capable of projecting or discharging a charge or pyrotechnical effect.
- (8) No person shall discharge a firework within thirty (30) meters of a gas station or service station, lumber yard, propane tank, or other location where flammable materials are stored.
- (9) A local assistant under the Fire Services Act or a Peace Officer who observes any contravention of the requirements of subsection (1), (2), (3), (4), (6), (7), or (8) may confiscate the fireworks."

Read a first time this 3RD day of OCTOBER 2005

Read a second time this 3RD day of OCTOBER 2005

Read a third time this 3RD day of OCTOBER 2005

Reconsidered and adopted this 17TH day of OCTOBER 2005


MAYOR



CLERK