

ATTACHMENT NUMBER 2:

SAFETY CODE ACT/ALBERTA FIRE CODE COMPLIANCE

PART 3 INDOOR AND OUTDOOR STORAGE

3.2.10. Indoor Storage of Fireworks

3.2.10.1. Application

- 1) Except as provided in Sentence (2), this Subsection shall apply to the indoor storage of *fireworks*.
- 2) This Subsection shall not apply to the storage of *fireworks* commonly used as distress flares.

3.2.10.2. Dwelling Units

- 1) *High-hazard fireworks* shall not be stored in a *dwelling unit*.
- 2) Not more than 10 kg gross weight of *low-hazard fireworks* obtained in accordance with Part 5 shall be stored in a *dwelling unit*.
- 3) If *low-hazard fireworks* are stored in a *dwelling unit*, they shall be stored
 - a) in a secure container,
 - b) in a cool, dry area, and
 - c) away from
 - i) an open flame,
 - ii) excessive heat, or
 - iii) spark-producing equipment or tools.

3.2.10.3. Ignition Sources

- 1) Smoking or the use of open-flame devices or spark-producing equipment shall not be permitted in any place, site or *building* used for the sale, storage or retail display of *fireworks*.
- 2) Signs reading "FIREWORKS - NO SMOKING or OPEN FLAME" in letters at least 100 mm high shall be posted in locations acceptable to the municipal fire department in areas described in Sentence (1).

3.2.10.4. Storage

- 1) *Fireworks* shall not be stored or displayed for sale in a *building* or place unless the *building* or place is acceptable to the municipal fire department in accordance with Part 5.
- 2) Explosives, other than small arms ammunition, shall not be stored in the same *building* in which *fireworks* are stored.
- 3) The total quantity of *low-hazard fireworks* and *high-hazard fireworks* in storage shall be made available to the *authority having jurisdiction* and form a component part of the facility fire safety plan in accordance with Article 3.2.2.5.

3.2.10.6. High-Hazard Storage

- 1) Where *high-hazard fireworks* that exceed 25 kg gross weight are stored, they shall be stored in a container meeting the requirements of the Explosives Act and its Regulations, published by Natural Resources Canada.

2) Where *high-hazard fireworks* that exceed 125 kg gross weight are stored, they shall be in a separate store or warehouse meeting the requirements of the Explosives Act and its Regulations, published by Natural Resources Canada.

3) *High-hazard fireworks* obtained for immediate use are permitted to be stored in quantities that exceed those specified in this Section if the storage place is

- a) situated in a location acceptable to the municipal fire department,
- b) secured to prevent unauthorized entry,
- c) clean and adequately ventilated,
- d) not used for the storage of any other flammable, combustible or explosive substance, and
- e) identified with conspicuously posted signs warning of the explosive contents and the danger from open flames, smoking and the use of spark-producing tools or other objects in the storage place.

3.2.10.7. Portable Extinguishers

1) Portable extinguishers shall be provided in all *buildings* and areas where *fireworks* are stored.

PART 5 HAZARDOUS PROCESSES AND OPERATIONS

Alberta Fire Code: 5.7.1.7 Written Permission

(See Appendix A.)

1) No person shall

- a) distribute, sell, purchase, possess, handle, discharge, fire or set off *fireworks* unless written permission issued by the municipal fire department for that purpose has been obtained, or
- b) discharge, fire or set off *fireworks* in a forest protection area during the fire season, unless a fire permit under the Alberta Forest and Prairie Protection Act, issued by a *forest officer* for that purpose, has been obtained.

2) Written permission issued under Sentence (1)

- a) shall specify the date, time and location on which the *fireworks* are expected to be discharged, and
- b) may contain any other terms and conditions the municipal fire department or *forest officer* considers necessary to ensure the safe use of the *fireworks*.

3) Permission shall not be granted under this Section in respect of *high-hazard fireworks* unless the applicant possesses a valid *fireworks* supervisor card issued pursuant to NRCan R.S.C., 1985, c. E-17, "Explosives Act" and its Regulations.

Appendix A Statement:

A-5.7.1.7. Due to the fact that fireworks can be purchased in one municipality and discharged in another, individuals must ensure that written permission is obtained from all of the appropriate authorities if this is the case.

Alberta Fire Code: 5.7.1.8. Fireworks Sales and Distribution

- 1) No person shall sell, offer for sale or store for the purpose of sale, *fireworks* unless
- a) these activities are authorized within the municipality in accordance with **Article 2.2.3.4. of Division C**,

Division C – Article 2.2.3.4. Municipal Authorization of Low-Hazard Fireworks

1) The sale, offering for sale, storage for the purpose of sale, storage, possession, purchase, handling, discharge, use, firing, and setting off of *low-hazard fireworks* within a municipality's boundaries is allowed when the municipal fire department provides written permission for such activities. (See Appendix A.)

Appendix A Statement:

A-2.2.3.4.(1) Municipalities have the authority to allow low-hazard fireworks within their jurisdiction under the Municipal Government Act. Municipalities can use the Municipal Government Act to establish a fireworks permit bylaw allowing the municipality to permit low-hazard activities.

Due to the fact that fireworks can be purchased in one municipality and discharged in another, individuals must ensure that written permission is obtained from all of the appropriate authorities if this is the case.

- b) permission is obtained from the municipal fire department for the sale and storage, and
 - c) the *building* or place used for the sale or storage conforms to Part 3.
- 2) Unless *approved* under **Article 2.2.3.3. of Division C**, no person shall distribute *fireworks*
- a) by mail, telephone or online ordering and through direct delivery to the general public, or
 - b) by direct delivery to retail outlets.

Division C. – Article 2.2.3.3. Distribution of Low-Hazard Fireworks

- 1) Only persons *approved* by the *Chief Fire Administrator* are permitted to sell, supply, or distribute *low-hazard fireworks* to retail outlets in Alberta by any means.
- 2) With the exception of retail stores operating with municipal fire department permission in accordance with **Article 2.2.3.4.**, all persons selling *low-hazard fireworks* to consumers shall be *approved* by the *Chief Fire Administrator*.
- 3) Persons *approved* in Sentences (1) and (2) may have their approval withdrawn by the *Chief Fire Administrator* for failure to comply with the provisions of Section 5.7. of Division B.

- 3) A request for permission under Sentence (1) shall be accompanied by a copy of the applicant's current business licence, where applicable, issued by the municipality in which the applicant carries on business.
- 4) A person who sells *fireworks* or offers them for sale shall ensure that
- a) the manufacturer's instructions on the safe use of *fireworks* are provided with each sale,

- b) notices acceptable to the municipal fire department are posted at the sales outlet outlining the instructions referred to in Clause (a),
- c) a record of each sale is kept on the premises where the sale occurs for a period of not less than two years following the date of the sale, and
- d) a record referred to in Clause (c) shows
 - i) the date of the sale,
 - ii) the name, address and phone number of the purchaser,
 - iii) the quantity and type of the *fireworks* sold,
 - iv) the date and time the *fireworks* are expected to be discharged, and
 - v) the location and a description of the site where the *fireworks* will be discharged.

5) A person who sells *fireworks* or offers them for sale shall make available the record referred to in Clause (4)(c) in conformance with [Article 2.2.1.2. of Division C](#).

Division C – Article 2.2.1.2. Records	
1)	Where this Code that plans be provided, or that tests, inspections, maintenance or operational procedures be performed, records shall be made and the original or a copy shall be retained at the premises for examination by the <i>authority having jurisdiction</i> .
2)	The initial verification or test reports for each system shall be retained throughout the life of the systems.
3)	Records of tests, inspections, maintenance or operational procedures undertaken after the initial tests referred to in Sentence (2) shall be retained so that at least the current and the immediately preceding records are available.
4)	Notwithstanding the conditions stated in Sentence (3), no record shall be destroyed within two years of having been prepared.