

**Topic: Fireworks Bylaw****Introduction**

Council has requested administration redevelop the Fireworks Bylaw and bring forward a bylaw that will set standards for the use of fireworks in Parkland County. This administrative report addresses the draft Fireworks Bylaw for Parkland County. This draft bylaw has been developed by Fire Services in close consultation with a number of internal departments and has received legal review.

**Facts (Background Information)**

At the October 20, 2015, Committee of the Whole meeting, Community Services provided information regarding Fire permit Bylaw No. 22-2012. It was discovered that in 2012, outside of the some proposed technical amendments to the original Bylaw No. 06-2011 that Council passed, the Bylaw was inadvertently altered changing the requirements on the fireworks. These unintended changes altered Council's original intent for this bylaw. During the Committee of the Whole meeting, additional concerns regarding the Fire Permit Bylaw were raised, including fire pit size, oversize fire pits and smoke irritants on adjacent properties.

At the November 24, 2015 Council meeting, a motion was passed that directed administration to bring forward a bylaw authorizing the prevention and control of fires, and a second bylaw to authorize and control the use of fireworks in Parkland County.

The current Bylaw # 22-2012 regulates both fire permits and the use of fireworks. Rescinding this bylaw prior to passing both Bylaw #2016-08 and Bylaw #2016-09 would result in Parkland County having no regulations for whichever bylaw was not passed.

**Analysis**

Administration has developed a draft Fireworks Bylaw which reflects the concerns of Council and the fireworks retailers.

This draft bylaw as written will:

- Allow the safe and responsible discharge of consumer fireworks with a permit any day of the year,
- Allow a certified professional to discharge display fireworks and pyrotechnics devices with a permit any day of the year,
- Allow retailers to sell consumer fireworks to those customers who have a valid fireworks permit.
- Ensure retailers store fireworks in a safe and secure manner,
- Allow retailers to issue consumer firework permits at the point of sale,

- Allow Parkland County to provide violation tickets to those who do not comply with the Alberta Fire Code and to those who are irresponsible and who create undue risk and/or danger.

### Permitting Process

Moving forward, Fire Services, in conjunction with Information Services, aims to make the permit application process more streamlined and easier to provide an enhanced level of customer service.

One of the objectives is to automate fireworks permits so they can be approved immediately with little to no County staff interaction. Currently Fireworks permits require the approval by County Staff. Fire Services is moving toward approving fireworks permits automatically with a new online process. It is the goal to integrate this process with the new County website in 2016. At this time administration is unable to provide a timeline or financial impact of providing enhanced permit application and permit holder services. In the interim, we will continue to utilize our current fireworks permit system but administration is cautious of the remaining lifespan of our current system.

### Public Engagement Strategy

A public engagement strategy has been developed by our Communications Coordinator and has been attached for Council's review and comment.

## Alternatives

1. Make amendments to the Bylaw.
2. Provide administration with further direction to re-draft the bylaw to reflect new course from Council.
3. Maintain Fire Permit Bylaw No. 22-2012 as the requirements in Parkland County.

## Conclusion/Summary

Administration supports that the Fireworks Bylaw be passed only for first reading. Community Services will begin the public engagement process for this bylaw and bring forward public feedback and potential amendments prior to second reading.

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## BYLAW COMPARISON OF IMPORTANT CHANGES

Current Bylaw	Proposed Bylaw	Rational
Fire Guardians have the authority to issue fireworks permits. Fire Guardians are approved by Council each Spring.	<p>Fire Services may authorize a person or business to issue consumer fireworks permits.</p> <p>Fire Services retains the ability to approve high hazards firework displays (display fireworks and pyrotechnic). This will not be delegated.</p>	<p>The Alberta Fire Code grants Municipal Fire Services the ability to designate who they approve to issue permits.</p> <p>The current bylaw treats fireworks permits as fire permits issued under the authority of the <i>Forest Prairie and Protection Act</i> which requires Fire Guardians to issue permits. This requires annual approval from Council.</p> <p>The proposed bylaw utilizes the Alberta Fire Code rather than the <i>Forest Prairie and Protection Act</i>. This will streamline Fire Services' ability to designate people and business to issue fireworks permits.</p> <p>This grants retailers, who comply with the Fire Services process, the ability to issue a permit at the point of sale. Fire Services process is in need of development and will be established in consultation with the retailers.</p>
No person shall sell Consumer "low hazard" fireworks within Parkland County, except on the 7 days immediately preceding New Year's Day, Canada Day and Labour Day.	<p>No date restrictions on sales.</p> <p>Retailers must:</p> <ol style="list-style-type: none"> <li>(1) obtain a Consumer Fireworks Sale Permit from the County,</li> <li>(2) comply with all Alberta Fire Code requirements applicable to their place of business and Alberta Fire Code requirements for Fireworks.</li> <li>(3) The County may, at any time, cancel a Consumer Fireworks Sale Permit in the event the Retailer fails to remain in compliance with the conditions of the Alberta Fire Code and/or the requirements of this bylaw.</li> </ol>	<p>This aligns with Council original intent of the 2011 bylaw and the concerns voiced by the retailers while ensuring that retailers are conducting their business in a safe and responsible manner.</p> <p>The 2011 version of the Bylaw permitted a retailer the ability to sell fireworks anytime of the year.</p>
<p>No person shall discharge Consumer "low hazard" recreational fireworks within Parkland County except as follows:</p> <ul style="list-style-type: none"> <li>• New Years: 20:00 hours December 31 – 01:00</li> </ul>	<p>No restrictions on dates or on land parcel types.</p> <p>A Fireworks Permit may be obtained to discharge consumer Fireworks any day of the year.</p>	<p>This aligns with Council's feedback on loosening the restrictions on fireworks.</p> <p>The 2011 version of the Bylaw allowed fireworks to be</p>

<p>hours January 1</p> <ul style="list-style-type: none"> <li>• Canada Day: 20:00 hours – 23:59 hours July 1</li> <li>• Labour Day: 20:00 hours – 23:59 hours on the first Monday of September</li> </ul>		<p>discharge:</p> <ul style="list-style-type: none"> <li>• any day of the year for those for those on parcels larger the 10 acres and not in a subdivision,</li> <li>• only on New Years, Canada Day and Labour Day for those on parcels under 10 acres or in a multi parcel subdivision</li> </ul> <p>An alternative could be to restrict fireworks on land less than 10 acres to long weekends or to specific holidays similar to the 2011 version of the bylaw.</p>
No content on the requirements of the Alberta Fire Code	<p>The bylaw makes clear reference to ensure that retailers are in compliance with the Alberta Fire Code.</p> <p>Violation Tickets may be issued for those who are not in compliance with fireworks regulations in the Alberta Fire Code.</p>	Referencing the Alberta Fire Code allows Parkland County's Fireworks Bylaw to be a more concise and smaller document. This aligns with Council's feedback to rely on the Provincial regulations rather than establishing more restrictive requirements.
No content on pyrotechnics special effects.	Pyrotechnics special effects are regulated as Display Fireworks	Previous to this proposed bylaw, Parkland County did not have ability/direction to issue permits for the use of pyrotechnic devices. This will now provide administration with proper authority to issue permits.
A Display Fireworks Supervisor shall apply for a permit in writing to the Fire Chiefs Office at least 14 days before the intended date of the fireworks display.	Applications for a Fireworks Permit for Display Fireworks and/or Pyrotechnic Special Effects shall be made in writing to the County forty five (30) days in advance of the proposed Discharge Date.	<p>The extension to 30 days is to provide adequate time for an organization, agency and/or person to complete Fire Services Application Process. A new formal process is to be developed which will includes such items as:</p> <ul style="list-style-type: none"> <li>• A Noise Impact Assessment in accordance with the County's Community Standards Bylaw</li> <li>• An Agriculture Impact Assessment (impact on animal husbandry or other agricultural</li> <li>• Development of impact mitigation plan</li> <li>• Safety and Security Plan, and</li> <li>• Insurance Requirements</li> </ul> <p>This new process will be established as a means for reducing the number of complaints and last minute concerns that Fire Services receives about a Display Fireworks show.</p>

# Public Engagement Plan

**Project:** Fireworks Bylaw  
**Department:** Fire Services  
**Prepared By:** Communications Services

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## Public Engagement Activities:

The public engagement activities are developed to enable multiple audiences to provide input. Different activities and/or tools are planned to meet the needs of specific audiences, as well as to elicit the type of input required at different stages of the project.

1. **Public Notification of Bylaw Review – March 23, 2016**
2. **Survey (online and in-person) – March 25 to April 22, 2016**
3. **Two (2) Open Houses - To be held in April, 2016**
4. **Public Hearing – May 10, 2016**

A high level summary of each of the engagement activities follows:

1. Public Notification of Bylaw Review

The public will be informed that the County has given first reading to a new bylaw. Notification methods include the County website and newspaper ads.

2. Survey (Online and In Person)

A survey with 10-12 questions will be made available both online and in person at the public open houses for those who do not have adequate Internet access. The purpose of the survey is to obtain high level information regarding resident opinions on the proposed changes to the bylaws.

3. Two Open Houses

Two public open houses will be held at two different locations deemed most convenient for Parkland County residents. Changes to the bylaws will be outlined on graphic display panels and representatives from Fire Services will be available to answer resident questions regarding the changes, as well as to record feedback. Paper copies of the survey will be made available here as well.

#### 4. Public Hearing

Although not required, Administration is recommending Council hold a public hearing to give the public a formal opportunity to address Council on the proposed bylaws.

#### **Communication Methods**

A wide range of tools will be used to promote the key messages above, including:

- Weekly newspaper ads
- Social Media posts
- County website page
- County Centre digital board ads