

## THE CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

### BY-LAW. 07- 60

**BEING** a by-law to regulate and prohibit the sale of fireworks and the setting off of fireworks.

**WHEREAS** section 121 of the Municipal Act, S.O. 2001, c.25, as amended, provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks and that such a by-law may prohibit the activities described therein unless a permit is obtained from the Municipality for those activities and such a by-law may impose conditions for obtaining, continuing to hold, and renewing the permit including requiring the submission of plans;

**NOW THEREFORE** the Council of the Corporation of the Town of Mississippi Mills **ENACTS AS FOLLOWS:**

1. In this by-law,
  - (a) "firecracker" means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion; and
    - (i) includes those devices commonly known as Chinese firecrackers, but
    - (ii) does not include paper caps containing not in excess of an average of twenty-five one-hundredths of a grain of explosive used per cap, or device for use with such caps;
  - (b) "fireworks" includes firework shower, fountain, golden ran, lawn light, pin wheel, Roman candle, sparkler and other pyrotechnic devices producing quantities or effects of light, sound or smoke by the combustion of explosive or flammable composition but does not include firecracker.
2. No person shall, within the Town of Mississippi Mills, sell or offer for sale any firecrackers or fireworks to any person under the age of 18 years.
3. No person shall, within the Town of Mississippi Mills, set off any firecracker or fireworks in such a way that endangers them, another person, animal or property.
4. No person shall, within the Town of Mississippi Mills, sell or offer for sale any fireworks except:
  - (a) during the seven (7) days immediately preceding the day fixed by Proclamation of the Governor General of Canada for the celebration of Victoria Day;
  - (b) during the seven (7) days immediately preceding Canada Day.
5. No person or organization, within the Town of Mississippi Mills, shall sponsor or hold any fireworks display without first obtaining a permit from the Fire Chief of the Town of Mississippi Mills or his/her designate and no such permit shall be granted unless the conditions imposed by the Fire Chief are carried out under the inspection of the Fire Chief or his/her designate.

## **EXEMPTION**

6. No permit will be required for a person who holds a fireworks display on his/her own property.

## **OFFENCE**

7. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

## **SEVERABILITY**

8. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
9. **THAT** By-law 02-70 is hereby repealed.
10. **THAT** this By-law shall come into force and take effect on the day of passing.

**BY-LAW READ** a first and second time this 17<sup>th</sup> day of September, 2007

**BY-LAW READ** a third time, passed, signed and sealed in open Council this 17<sup>th</sup> day of September, 2007

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J.A. (Al) Lunney, Mayor

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Cynthia Halcrow, Town Clerk