

## **BY-LAW NO. 18/08**

### **A By-law of the Town of Lamont In The Province of Alberta**

A By-law of the Town of Lamont for the purpose of controlling Fireworks in the Town of Lamont.

WHEREAS The Municipal Government Act, Chapter M26, RSA 2000, Part 1, Section 3 authorizes such things, that in the opinion of Council, are necessary or desirable for all or part of the Municipality and to develop and maintain safe and viable communities;

AND WHEREAS The Council of the Town of Lamont deems it desirable and in the public interest to exercise and control the use of Fireworks in the Town of Lamont;

NOW THEREFORE the Municipal Council of the Town of Lamont in the Province of Alberta duly assembled as follows:

This By-law shall be cited as the Town of Lamont Fireworks By-law.

Specific Provisions

#### **Section One: Definitions**

1. "Fireworks" include all fireworks, except display fireworks, Christmas crackers, sparklers, and caps for toy guns. Further, "Fireworks" shall be divided into two distinct categories- 'Low hazard' and "High hazard".
2. "Low Hazard Fireworks" means fireworks generally used for personal display, such as; showers, fountains, golden rain, lawn lights, pin wheels, volcanoes and sparklers and fall into the category of Class 7.2.1 of the Explosive Regulations of the Explosives Act, R.S.C. 1985, C.E. 17.
3. "High Hazard Fireworks" means fireworks generally used for public or commercial displays, such as; rockets, serpents, shell, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, mines, fountains and all similar fireworks that fall into the category of Class 7.2.2 of the Explosive Regulations of the Explosives Act, R.S.C. 1985, C.E. 17.
4. "Peace Officer" means a member of the Royal Canadian Mounted Police, a By-law Enforcement Officer or Special Constable appointed pursuant to the provisions of Section 38 of the Police Act, Revised Statutes of Alberta, 1980, Chapter P-12 and all amendments and successors thereto.
5. "Fireworks" permit" means the express written permission granting authorization to discharge, ignite, or fire fireworks.
6. "Town of Lamont" means anywhere within and up to the edge of the Corporate Limits of the Town of Lamont as identified by signage.

#### **Section Two: Prohibitions**

7. No person or organization shall:
  - a) discharge, ignite, or fire any fireworks or explosives of any type within the Town of Lamont, without gaining an approved Fireworks Permit from the Town CAO or his/her designate.

#### **Section Three: Offence**

8. Failure to comply with this By-law is an Offence. Any person or organization who is found contravening the provisions of this By-law is guilty of an offence and is liable:
  - a. Upon first offence, a penalty not to exceed \$100.00.
  - b. Upon second offence, or where mischievous intent was present, a penalty not to exceed \$250.00.

- c. Upon third offence, or where deemed malicious intent was present, a penalty not to exceed Five Hundred Dollars (\$500.00).

**Section Four: Power of Peace Officers**

- 9. A Peace Officer is here-by authorized and empowered to issue a Violation tag to any and all person(s) or organization(s) who the Peace Officer has reasonable and probable grounds to believe has contravened this By-law.

THAT this By-law shall remain in force from the time of passing until amended or rescinded.

THAT the Mayor and Chief Administrative Officer are hereby authorized to sign this By-law.

Read this first time this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

Read this second time this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

With unanimous consent of all members present this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Read a third and final time and passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer