

Township of Lucan Biddulph

BY-LAW NO. 30-2026

Being a by-law to provide for the regulation of the display, sale and discharge of fireworks in the Township of Lucan Biddulph

WHEREAS Section 121(1) of the Municipal Act, R.S.O. 2001, c.25 (the “**Act**”) authorizes municipalities to enact by-laws to prohibit and regulate the sale of fireworks and the setting off fireworks;

AND WHEREAS Section 121(2) of the Act authorizes a municipality to require that a permit be obtained for the setting off of fireworks and that a Municipality may impose conditions for obtaining, continuing to hold and renewing the permit including requiring the submission of plans;

AND WHEREAS Section 7.1(1) of the Fire Protection and Prevention Act, 1997, S.O. c.4, as amended, provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading fires;

AND WHEREAS Section 5(3) of the Act provides that the powers of a municipality shall be exercised by by-law;

AND WHEREAS Section 128 of the Municipal Act, 2001, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Subsection 425(1) of the Municipal Act, 2001, provides that a Municipality may pass by-laws providing that a person who contravenes a by-law of a Municipality passed under this act is guilty of an offence;

AND WHEREAS Section 429 of the Municipal Act, 2001, grants the municipality the authority to establish a system of fines for offences under a by-law of the municipality passed under the Act;

AND WHEREAS Subsection 436(1) of the Municipal Act, 2001, grants the municipality the authority to enforce by-laws and enter properties for inspection purposes, ensuring compliance with a by-law passed under the Act;

AND WHEREAS Subsection 436(2) of the Municipal Act, 2001, provides that a by-law passed under section 436(1) of the Act may provide for the powers of inspection of the municipality that can be exercised for the purposes of an inspection;

AND WHEREAS Section 444 of the Municipal Act, 2001, provides that a municipality may issue an order to discontinue a contravention of a by-law passed under the Act; and

AND WHEREAS The Council deems it necessary to regulate possession, sale, and the location of the discharge of fireworks, for the health and safety of its residents and for the control of nuisance by noise.

NOW THEREFORE the Council of The Corporation of the Township of Lucan Biddulph enacts as follows:

1. DEFINITIONS

1.2 “**Authorized Person**” means, as the context requires; (a) in the case of

display fireworks, those persons certified under the Explosives Act working under the direct supervision of the Fireworks Supervisor; and (b) in the case of special effect pyrotechnics, working under the direct supervision of the pyro technician.

1.2.1 **“Building”** means:

- (i) a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto;
- (ii) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto;
- (iii) structures designated in the building code as defined in the Building Code Act, 1992, S.O. 1992, c. 23, as amended;

1.3 **“Consumer Fireworks”** means low hazard fireworks generally used for recreation, which may be classified as type F.1 explosives under the Explosives Act, including showers, golden rain, lawn lights, pinwheels, roman candles, and volcanoes, but does not include Christmas crackers or sparklers containing less than 2 mg of explosive substance.

1.4 **“Council”** means the Council of the Township of Lucan Biddulph.

1.5 **“Discharge”** means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words “discharged” and “discharging” have a similar meaning.

1.6 **“Display Fireworks”** means high hazard fireworks generally used for a public display, which may be classified as type F.2 explosives under the Explosives Act, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, waterfalls fountains, batteries, illumination, set pieces and pigeons, but does not include firecrackers.

1.7 **“Display of Display Fireworks”** means a display of display fireworks, which may include consumer fireworks.

1.7.1 **“Explosives Act”** means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitution therefore.

1.8 **“Fire Chief”** means the person that Council has appointed to the position of Chief of Fire Services or their designate.

1.10 **“Firecracker”** means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion. For the purpose of this by-law, Christmas crackers and caps used in cap pistols shall not be deemed as firecrackers.

1.11 **“Fireworks”** means display fireworks, pyrotechnic special effects fireworks, and consumer fireworks but does not include sparklers.

1.12 **“Flying Lantern”** means a small hot air balloon made of paper, with an opening at the bottom where a small fire is suspended. Also known as a “sky lantern”

1.13 **“Minor”** means a person who is under 18 years of age.

1.14 **“Officer”** means a Police Officer or a By-Law Enforcement Officer so designated by Council.

- 1.15 **“Owner”** includes:
- (i) The registered owner of the Property;
 - (ii) The Person, for the time being, managing or receiving the rent from a Building on the Property, whether on the Person’s own account or as agent or trustee of any other Person, or who would receive the rent if the Building on the Property were let; and,
 - (iii) A lessee or Occupant of a Building on the Property who, under the terms of a lease, is required to repair and maintain the Property in accordance with the standards set out in this by-law.
- 1.16 **“Person”** means an association, corporation, firm, individual, partnership, trust organization, trustee or agent and the heirs, executors, administrators and other legal representatives of a person to whom the context can apply according to law;
- 1.17 **“Prohibited Fireworks”** includes trick fireworks such as cigarette loads or plugs, dancing crackers, exploding golf balls, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and cracking balls, stink bombs and smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle sky rockets, and fake firecrackers;
- 1.18 **“Property”** means a Building or structure or part of a Building or structure, and includes the Lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant Land;
- 1.19 **“Pyrotechnician”** means a person who is certified under the Explosives Act as a theatrical user, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of pyrotechnic special effect fireworks under the Explosives Act.
- 1.20 **“Special Effect Pyrotechnic Firework”** means a high hazard firework including: explosives used to produce a special effect in a film or television production or a performance before a live audience; explosives which may be classified as type F.3 in the Explosives Act; fireworks accessories which may be classified as type F.4 in the Explosives Act; black powder and hazard category PE 1 black powder substitutes; smokeless black powder and hazard category PE 3 black powder substitutes; initiation systems classified as type I under the Act such as blasting accessories; and detonating cord classified as type E.1 under the Explosives Act;
- 1.21 **“Sale”** includes offer for sale, to cause or permit to be sold and to possess for the purpose of sale and the words “sell”, “selling” and “sold” have a similar meaning
- 1.22 **“Temporary Sales Establishment”** means a tent, trailer, shipping container or other temporary shelter intended for the use of retail sales.

2. SALE OF FIREWORKS

- 2.1 No person shall display, offer for sale, or sell Consumer Fireworks within the geographic boundaries of the Township of Lucan Biddulph, except on Victoria Day, Canada Day, or another day previously approved by the Fire Chief, for a period of 14 days prior to each of the above listed holidays or other pre-approved days.
- 2.2 No person shall sell firecrackers, prohibited fireworks, flying lanterns or sky

lanterns.

- 2.3 No person shall sell or cause or permit to be sold, Fireworks to a person who is a minor.
- 2.4 No person shall sell special effect pyrotechnics or display fireworks unless the person holds a license to do so under the Explosives Act (Canada).
- 2.5 No person shall sell consumer fireworks in a building unless the provisions of the Ontario Fire Code and all other applicable acts and regulations are complied with. When fireworks are displayed for sale within any building, the fireworks vendor shall ensure no lot, bin or bundle of fireworks exceed a weight of 25 kilograms.
- 2.6 Where the total stock of fireworks on a site exceeds a weight of 100 kilograms, the fireworks vendor shall require a license from the Explosives Division, Department of Energy, Mines and Resources.
- 2.7 No person shall display in any store or temporary sales establishment fireworks other than in a package, glass case or other suitable receptacle, away from any other flammable goods, and without exposure to direct sunlight or excess heat.
- 2.8 Any fireworks to be displayed inside a building shall maintain a minimum clearance of 3 meters from any window, cooking or heating of any food or beverage area or heat source.
- 2.9 No person who offers for sale or sells fireworks shall fail to post the location the fireworks are stored or displayed as a "No Smoking Area".
- 2.10 Notwithstanding the provisions of this Section, the retail sale of consumer fireworks may be permitted from a detached storage unit or a tractor-trailer unit located outside of a building, which shall be considered a temporary sales establishment, provided that the following conditions are met:
 - a) 6 meters from any combustible material:
 - b) 6 meters from any building or temporary retail outlet;
 - c) 6 meters from any fuel dispensers, above ground storage tanks for flammable substances and any related dispensing facilities; and
 - d) With the prior approval of the Fire Chief, for the location.
- 2.11 Every fireworks vendor shall ensure that all Fireworks that remain unsold at the expiration of the selling period specified in section 2.1 of this by-law are immediately stored in a cool, dry place remote from any flammable materials and inaccessible to the public.
- 2.12 Every fireworks vendor selling fireworks from a temporary sales establishment shall ensure that the fireworks are attended at all times.

3. DISCHARGING CONSUMER FIREWORKS

- 3.1 No person shall discharge consumer fireworks except on Victoria Day, Canada Day, or on another day pre-approved by the Fire Chief. In the event that weather conditions make it impractical and/or unsafe to discharge fireworks, the next day following Victoria Day, Canada Day, or another day previously approved by the Fire Chief shall be the designated day.
- 3.2 No person shall discharge fireworks on designated days as prescribed in this by-law except from dusk to 11:00 p.m. local time.

- 3.3 Only a person over the age of eighteen (18) years shall be in charge of the discharge of consumer fireworks.
- 3.4 No minor shall set off any fireworks, other than a sparkler and only where the minor is under the direct supervision and control of an adult.
- 3.5 Property damage or injury as the result of consumer fireworks shall be the responsibility of the person discharging the fireworks and the person in charge of the discharge of the fireworks.
- 3.6 Every person shall only discharge consumer fireworks on private property.
- 3.7 No person shall discharge fireworks from any property of which he or she is not the owner, without obtaining the prior written permission of the owner to do so.
- 3.8 No person shall discharge any consumer fireworks in such a manner as might create danger or constitute a nuisance to any person or property, or to do cause or allow any unsafe act or omission at the time and place for the discharge of any fireworks.
- 3.9 No person shall discharge any consumer fireworks in, on, or into any building, doorway, or automobile.
- 3.10 No person shall discharge any consumer fireworks in, on, or into any park, highway, street, lane, square, or other place, unless under a display fireworks permit to do so issued by the Fire Chief.
- 3.11 No person shall set off flying lanterns in the Township of Lucan Biddulph.
- 3.12 No person shall discharge any prohibited fireworks.

4. DISPLAY FIREWORKS

- 4.1 No person shall discharge display fireworks in the Township of Lucan Biddulph unless they have applied for and been granted a permit to do so by the Fire Chief in accordance with the provisions of this by-law. The permit application is attached hereto as Schedule "A".
- 4.2 No person shall discharge display fireworks in the Township of Lucan Biddulph except on Victoria Day or Canada Day, subject to Section 4.1. In the event that weather conditions make it impractical and/or unsafe the Fire Chief may schedule an alternate day and time.
- 4.3 For the celebration of a special event or community event in the Township of Lucan Biddulph, the Fire Chief may approve the discharge of display fireworks on a day other than Victoria Day, Canada Day, subject to the provisions of this by-law and Section 4.1.
- 4.4 A complete permit application to discharge display fireworks shall be submitted to the Fire Chief in accordance with this by-law at least thirty (30) calendar days prior to the holding of the display of display fireworks. The Fire Chief may grant a permit for the discharge of display fireworks in a manner acceptable to the regulations and all applicable by-laws of the Township of Lucan Biddulph. The applicant shall include with its permit application a statement of the safety measures implemented and a current and up to date site plan of the property where the discharge of display fireworks shall occur with dimensions showing:
 - a) The location of the proposed discharge of display fireworks,
 - b) The access provided for fire and emergency vehicles,

- c) The free zone area of clear distance between the point of discharge and an occupied area.
- 4.5 The Fire Chief may require additional information of the permit applicant to ensure the public's safety and may impose additional conditions on the issuance of a permit, as he/she deems advisable in the particular circumstances of the application and in their sole discretion.
- 4.6 Each display firework permit and application for same shall state the name of the person, corporation, club, association, or group to whom it is issued, and the location, date, and time at which the display **of display** fireworks event will be held. The permit shall also specify the kind and type of display fireworks to be discharged.

The application shall include the name of the person responsible for supervising the discharge of display fireworks, the location where the display fireworks will be stored prior to the scheduled event, and any additional information as may be required by the Fire Chief.

Each permit may include any special conditions imposed by the Fire Chief to promote the health and safety of the public.
- 4.7 Any display firework permit may be suspended or revoked by the Fire Chief if the conditions of the permit are not met or it would be unsafe to allow the discharge of display of fireworks.
- 4.8 Every applicant of a display firework permit shall provide with the application proof of commercial general liability insurance with a minimum coverage of five million Canadian dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name The Corporation of the Township of Lucan Biddulph as an additional insured thereunder. Such insurance shall include coverage for displays of display fireworks and/or consumer fireworks. Such insurance policy shall contain an endorsement to provide the Township of Lucan Biddulph within thirty (30) calendar days prior written notice of cancellation or of a material change that would diminish coverage, and a standard Certificate of Insurance evidencing such insurance coverage shall be provided to the Township of Lucan Biddulph prior to the issuance of a permit.
- 4.9 Every person to whom a permit issued under this section shall:
 - a) Provide and maintain approved operational fire extinguishing equipment ready for immediate use, throughout the time while the display fireworks is being discharged and for a reasonable time thereafter at the location or site of the discharge area.
 - b) Produce the permit on demand by the Fire Department or to any police officer, or any person authorized to enforce this by-law.
 - c) Permit the inspection of any site where the display fireworks may be stored, discharged or displayed and the fireworks themselves together with all associated equipment, by the fire department or anyone authorized to enforce this by-law, forthwith, upon demand.
 - d) comply at all times with the provisions of the Act, Explosives Act, Fire Protection and Prevention Act and the Display Fireworks Manual published by Natural Resources Canada or any successor publication.
 - e) not discharge display fireworks or consumer fireworks except in accordance with the conditions of the permit.
- 4.10 Every person to whom a permit issued under this section shall immediately after the conclusion of the discharge or holding of a display fireworks, carry

out a site inspection and shall:

- a) Remove all unused or partly used fireworks from the site.
 - b) Remove all fireworks detonated but did not ignite after a 30-minute waiting period.
 - c) Gather and remove all debris remaining after using or partial use of the display fireworks.
 - d) Return the site to the condition it was prior to the discharge or holding of the display.
- 4.11 The act of discharging consumer fireworks in the Township of Lucan Biddulph on private property by the owner, tenant or authorized person on Victoria Day, Canada Day, for their own personal display shall not be deemed a display fireworks.
- 4.12 The applicant for a permit shall indemnify and save harmless the Township of Lucan Biddulph from any and all claims, demands, causes of action, loss, costs or damages that the Township of Lucan Biddulph may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

5. DISCHARGING OF DISPLAY FIREWORKS

- 5.1 No person shall set off display fireworks in the Township of Lucan Biddulph without first receiving a permit from the Fire Chief.
- 5.2 Display fireworks may only be discharged under the supervision of a person who is qualified for such purpose to the satisfaction of the Fire Chief. The person providing the supervision of the discharge of display fireworks shall supply the Fire Chief with a copy of their valid Supervisor Pyrotechnical Certificate and number.
- 5.3 No person shall use any display fireworks other than those authorized pursuant to the Explosives Act including applicable regulations thereto and that of the ministry of natural resources. Every person having control of any fireworks used in a fireworks display shall ensure that such fireworks are stored in a cool, dry place remote from flammable materials and inaccessible to the public.
- 5.4 Every person that conducts a fireworks display shall ensure that all fireworks that failed to discharge or that are defective are disposed of in a safe manner having regard to the particular type of fireworks involved in accordance with the Explosives Act.
- 5.5 Every person that conducts a fireworks display shall ensure that any undischarged fireworks are subsequently stored in accordance with section 2.11 of this by-law.
- 5.6 Conditions set out in the permit as well as legislative requirements at all levels of Government shall be adhered to.
- 5.7 Property damage or injury resulting from display fireworks shall be the responsibility of the person discharging the fireworks and the person discharging the fireworks shall indemnify the Township of Lucan Biddulph in accordance with Section 4.12 above.
- 5.8 No person shall discharge any fireworks except between the hours of dusk and 11:00 pm local time on the day such discharge is permitted.

6. SPECIAL EFFECTS PYROTECHNICS FIREWORKS

- 6.1 No person shall hold a display or discharge any special effect pyrotechnic fireworks in the Township of Lucan Biddulph without first obtaining a permit to do so issued by the Fire Chief authorizing the pyrotechnic special effect fireworks. The permit application is attached hereto as Schedule "A".
- 6.2 The Fire Chief may require any additional information of the applicant to ensure the public's safety and may impose additional conditions on the issuance of a permit, as the Fire Chief deems advisable in the particular circumstances of the application in his or her sole discretion.
- 6.3 The special effect pyrotechnic fireworks shall only be discharged by an authorized person..
- 6.4 If in the opinion of the Fire Chief, it is necessary for a firefighter or firefighters to be present at the discharge of the special effect pyrotechnic fireworks, the presence of such firefighter(s) shall be a condition of the permit. The firefighter(s) shall have the right to enter any premises to ensure public safety and shall not be hindered or obstructed in any way whatsoever. Such firefighter(s) shall also have the authority to require any precautions for the prevention of fire, which in the firefighter(s) opinion deemed necessary before any special effect pyrotechnic fireworks are discharged pursuant to the permit issued by the Fire Chief.
- 6.5 Proof of written consent of the owner of the property to the discharge of special effect pyrotechnics fireworks, if neither the applicant or authorized person is the owner of the property.
- 6.6 Every application for a permit pursuant to Section 6.1 shall be made to the Fire Chief a minimum of fifteen (15) calendar days prior to the event where the proposed discharge of special effect pyrotechnics fireworks is to occur.
- 6.7 Every application for a permit shall be submitted by the pyrotechnician and shall include:
 - a) a description of the event including, a site plan of the facility and room capacity, the stage and the special effect pyrotechnics storage and handling area; a list of all special effect pyrotechnics to be employed; location of all special effect pyrotechnics; height, range of effect, fallout and duration of the display of special effect pyrotechnics; sequence of firing; location of the audience and all exits; date and time of the proposed event using special effect pyrotechnics; the number of authorized persons on site during the event to handle and discharge the special effect pyrotechnics fireworks.
 - b) description of fire emergency procedures and the methods to control a fire emergency safely and efficiently;
 - c) name and address of the applicant, authorized person, and the sponsoring business or organization, if applicable and the names, addresses and telephone numbers of persons to be contacted in case of fire during non-operating hours;
 - d) proof of certification of the authorized person as a pyrotechnician;
 - e) proof of insurance and indemnification in accordance with Sections 4.8 and 4.12;
 - f) proof of written consent of the owner of the property to the discharge of special effect pyrotechnics if the applicant or authorized person is not the owner of the property;

g) such other information as required by the Fire Chief.

- 6.8 A permit will not be issued pursuant to Section 6.1 where the permit application is incomplete, the authorized person is not a licensed pyrotechnician under the Explosives Act, and/or where there are reasonable grounds for belief that the holding the display of special effects pyrotechnics fireworks will result in a breach of this or any other by-law of the Township of Lucan Biddulph, the County of Middlesex, the Fire Prevention and Protection Act or the Explosives Act, and any regulations made pursuant to any noted legislation, as amended or replaced from time to time.

7. SEVERABILITY/CONFLICT

- 7.1 If any section, subsection, part or parts of this by-law is declared by any court of law to be bad, illegal or ultra vires, such section, subsection, part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- 7.2 Nothing in this by-law relieves any person from complying with any provision of any Federal or Provincial legislation or any other by-law of the Township of Lucan Biddulph or County of Middlesex.
- 7.3 Where a provision of this by-law conflicts with the provision of another by-law in force in the Township of Lucan Biddulph, the provision that establishes the higher standard to protect the health, safety and welfare of the public shall prevail.

8. ENFORCEMENT

- 8.1 The provisions of this by-law may be enforced by an Officer, Fire Chief and any other persons appointed by Council to enforce this by-law.
- 8.2 An Officer, Fire Chief or any other persons appointed by Council to enforce this by-law may, at any reasonable time, without a warrant, enter and inspect any lands within the geographic boundary of the Township to determine whether this by-law, an order under this by-law, or a court order made under section 431 of the Act or an order of a court pursuant to a conviction under this by-law is being breached or complied with.
- 8.3 For the purposes of an inspection under this by-law, an Officer, Fire Chief or any other persons appointed by Council to enforce this by-law may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection including his or her name and address; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 8.4 A receipt shall be provided for any document or thing removed under subsection 8.3(b) of this by-law and the document or thing shall be promptly returned after the copies or extracts are made.
- 8.5 Copies of or extracts from documents and things removed under this section and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

9. ORDERS

Order to Discontinue

- 9.1 Where an Officer, Fire Chief or any other persons appointed by Council to enforce this by-law is satisfied that a contravention of this by-law has occurred, the Officer, Fire Chief or any other persons appointed by Council to enforce this by-law may issue an order requiring the Person who contravened the by-law or who caused or permitted the contravention of the by-law to discontinue the contravention. The Order to Discontinue may be served in accordance with the service provisions contained in this by-law.

Work Order

- 9.2 Where an Officer, Fire Chief or any other persons appointed by Council to enforce this by-law is satisfied that a contravention of this by-law has occurred, the Officer, Fire Chief or any other persons appointed by Council to enforce this by-law may issue a Work Order requiring the Person who contravened the by-law or caused or permitted the contravention of this by-law as well as the Owner of the Property on which the contravention occurred to do work to correct the contravention. The Work Order may be served in accordance with the service provisions contained in this by-law.
- 9.3 A Work Order issued under this by-law shall:
- (a) set out the reasonable particulars of the contravention adequate to identify the contravention;
 - (b) identify the location on the Property on which the contravention occurred;
 - (c) specify the work to be done to bring the Property into compliance with this by-law; and
 - (d) state the date by which there must be compliance with the Order.

10. SERVICE

- 10.1 An Order issued under this by-law may be served personally, to an email address known for receiving email communication, or by sending it by regular mail to the last known address of:
- (a) The Person to whom the order is directed; and
 - (b) The Owner of the Property upon which the contravention was committed.
- 10.2 Where service of an Order is made by:
- (a) regular mail, service shall be deemed to have been effected on the fifth day after the Order is mailed; or
 - (b) email, service shall be deemed to have been effected on the day that the Person to whom the email communication was sent provides a written response to the email.
- 10.3 In addition to serving an Order as per subsection 10.1 of this by-law, an Officer may also place a placard containing the terms of the order in a conspicuous place on the Property.
- 10.4 Where service cannot be carried out under subsection 10.1 of this by-law, the Officer shall place a placard containing the terms of the Order in a

conspicuous place on the Property where the contravention of the by-law has occurred, and the placing of the placard shall be deemed to be sufficient service of the Order on the Person or Persons to whom the Order is directed.

11. OFFENCES

- 11.1 Any Person who contravenes any provisions of this by-law or fails to comply with an Order issued under this by-law or fails to comply with any court order is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.
- 11.2 No Person shall, either directly or indirectly, hinder or obstruct or attempt to hinder or obstruct an Officer, Fire Chief or any other persons appointed by Council to enforce this by-law who is exercising a power or performing a duty under this by-law.
- 11.3 If a corporation has contravened any provision of this by-law or fails to comply with an Order issued under this by-law, or fails to comply with a court order, every director and officer who knowingly concurred in such a contravention is guilty of an offence.
- 11.4 Every Person who is guilty of an offence under this by-law shall be subject to the following penalties:
 - (a) upon a first conviction, to a fine of not less than the amount established and posted by the Township at the time of the offence;
 - (b) upon a second or subsequent conviction for the same offence, to a fine of not less than \$1,000.00;
 - (c) upon conviction for a continuing offence, to a fine of not less than \$1,000.00 for each day or part of a day that the offence continues. The total of the daily fines may exceed \$10,000.
- 11.5 If an Order has been issued under this by-law, or an order has been made by a court, and the Order or order of the court has not been complied with, the contravention of the Order or order of the court shall be deemed to be a continuing offence for each day or part of a day that the Order or order of the court is not complied with.
- 11.6 In addition to any penalty imposed and any other remedy, the court in which the conviction had been entered and any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the violation by the Person convicted.

12. REBUTTABLE PRESUMPTION

- 12.1 An Owner shall be presumed to have contravened or caused or permitted the contravention of this by-law or contravened or caused or permitted the contravention of the terms or conditions of an Order issued under this by-law which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

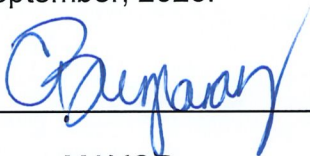
13. GENERAL PROVISIONS

- 13.1 The requirements of and the obligations imposed by this by-law are in addition to the requirements and obligations contained in any other applicable by-laws of the Township or applicable provincial or federal statutes or regulations.
- 13.2 Specific references to statutes, regulations or by-laws are meant to refer to the current statutes, regulations or by-laws in force at the time that this

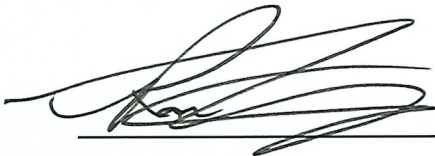
by-law was enacted and shall be interpreted to include amendments, restatements and successor legislation.

- 13.3 If there is a conflict between a provision of this by-law and any other by-law of the Township or a provincial or federal statute or regulation, the most restrictive in relation to the regulation of Refuse or Debris shall apply.
- 13.4 In this by-law, wherever the singular is used, it is intended to include the plural.
- 13.5 This by-law shall come into full force and effect on September 8, 2026.

Read a FIRST, SECOND and THIRD time and FINALLY PASSED this 8th of September, 2026.



MAYOR



CLERK



TOWNSHIP OF LUCAN BIDDULPH

BY-LAW 30-2026

SCHEDULE "A"

APPLICATION FOR DISCHARGE OF FIREWORKS

DATE OF EVENT: _____ ALTERNATE DATE: _____

PERMIT FOR HIGH HAZARD DISPLAY: ☐ YES ☐ NO

REQUEST FOR EXEMPTION: ☐ YES ☐ NO

TIME AND DURATION OF EVENT: _____

LOCATION OF EVENT: _____

PROOF OF PERMISSION OF PROPERTY OWNER (MUST BE ATTACHED): ☐ YES

SPONSORING ORGANIZATION: _____

ADDRESS OF ORGANIZATION: _____

CONTACT NAME: _____

TELEPHONE: _____ EMAIL: _____

SUPERVISOR OF EVENT: _____

SUPERVISOR'S PYROTECHNICAL CERTIFICATE #: _____

NUMBER OF CREW MEMBERS INCLUDING SUPERVISOR: _____

TYPE OF FIREWORKS TO BE DISCHARGED: ☐ HIGH HAZARD ☐ LOW HAZARD

DISCHARGE METHOD: ☐ ELECTRICAL

☐ HAND FIRED

☐ COMBINATION OF ELECTRICAL & HAND FIRED

DISPOSAL OF UNUSED FIREWORKS: _____

SECURITY BARRIERS: _____

SITE PLAN (MUST BE ATTACHED): ☐ LOCATION OF DETONATION

☐ LOCATION OF AUDIENCE



TOWNSHIP OF LUCAN BIDDULPH

**PART 1 PROVINCIAL OFFENCES ACT
SET FINES**

FIREWORKS BY-LAW NO. 30-2026

Item	Column 1 Short form wording	Column 2 Provision creating or defining offence	Column 4 Set Fine
1	Display or fireworks on prohibited day.	Section 2.1	\$300.00
2	Sale of prohibited fireworks, flying lantern or sky lantern.	Section 2.2	\$300.00
3	Sale of fireworks to a minor.	Section 2.3	\$300.00
4	Fail to have license under Explosives Act (Canada).	Section 2.4	\$300.00
5	Display of fireworks over 25 kilograms.	Section 2.5	\$300.00
6	Fail to have explosives license.	Section 2.6	\$300.00
7	Display of fireworks near a heat source.	Section 2.8	\$300.00
8	Fail to display "No smoking sign".	Section 2.9	\$300.00
9	No person shall display consumer fireworks in an inappropriate receptacle.	Section 2.10	\$300.00
10	Improper storage of fireworks.	Section 2.11	\$300.00
11	Discharge of fireworks during prohibited date.	Section 3.1	\$300.00
12	Discharge fireworks during prohibited times.	Section 3.2	\$300.00
13	Discharge of fireworks by a minor	Section 3.4	\$300.00
14	Discharge consumer fireworks on property other than private property.	Section 3.6	\$300.00
15	Discharge consumer fireworks creating a danger or nuisance to the public.	Section 3.8	\$300.00
16	Discharge consumer fireworks in, on, or into a building.	Section 3.9	\$300.00
17	Discharge of fireworks on municipal property without consent.	Section 3.10	\$300.00
18	Discharge or set off flying lantern or sky lantern.	Section 3.11	\$300.00
19	Discharge or prohibited fireworks	Section 3.12	\$300.00
20	Discharge of fireworks without a permit	Section 4.1	\$300.00

THE PENALTY PROVISION FOR THE OFFENCES CITED ABOVE IS SECTION 11 OF BY-LAW NUMBER 30-2026, A CERTIFIED COPY OF WHICH HAS BEEN FILED.