



PUBLIC NOTICE

NOTICE OF INTENT TO CONSIDER PROPOSED:

- Fireworks Regulation Bylaw No. 5269, 2023; and
- Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023; and
- Bylaw Notice Enforcement Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023.

Public Notice is hereby given pursuant to section 59(2)(a) of the *Community Charter* that it is the intent of the District of West Vancouver Council to consider proposed: Fireworks Regulation Bylaw No. 5269, 2023; Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023; and Bylaw Notice Enforcement Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023 at the October 16, 2023 regular Council meeting, which will be held at 7 p.m. in the Municipal Hall Council Chamber, 750 17th Street, West Vancouver BC, and via electronic communication facilities.

Proposed Fireworks Regulation Bylaw No. 5269, 2023 amends existing Fire Rescue Bylaw No. 5163, 2021, prohibiting consumer use and sale of fireworks. This ban would align West Vancouver with neighbouring municipalities that have banned consumer fireworks and addresses the concerns of the community as well as our changing climate and environment.

The proposed bylaws and report will be available for viewing from October 3 to 16, 2023:

- at Municipal Hall, 750 17th Street, West Vancouver BC,
(Monday to Friday, excluding statutory holidays, 8:30 a.m. to 4:30 p.m.); and
- on the District's website at westvancouver.ca.

Persons who wish to make representations regarding the proposed bylaws will be given an opportunity to be heard and to present written submissions at the October 16, 2023 Council meeting.

ENQUIRIES: Fire & Rescue Services | 604-925-7392

FIRE & RESCUE SERVICES

760 16th Street, West Vancouver BC V7V 3S1 | 604-925-7370 | westvancouver.ca


westvancouver

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District of West Vancouver

**Proposed: Fireworks Regulation Bylaw No. 5269, 2023;
Fees and Charges Bylaw No. 5199, 2022,
Amendment Bylaw No. 5272, 2023; and Bylaw Notice Enforcement
Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023
(to Prohibit the Use and Sale of Consumer Fireworks)**

**Scheduled for Public Consideration at the
October 16, 2023 Council Meeting**

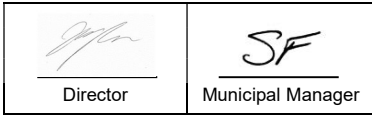
File: 1610-20-5269/5272/5273

REPORTS TO COUNCIL			
REPORT TITLE	REPORT DATED	RECEIVED AT COUNCIL MEETING	#
Fireworks Regulation Bylaw No. 5269, 2023, to Prohibit the Use and Sales of Consumer Fireworks	September 14, 2023	September 25, 2023	R-1

WRITTEN SUBMISSIONS		
SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	September 24, 2023	C-1
Redacted	September 27, 2023	C-2

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DISTRICT OF WEST VANCOUVER
 750 17TH STREET, WEST VANCOUVER BC V7V 3T3

R-1

COUNCIL REPORT

Date:	September 14, 2023
From:	Jeremy Calder – Assistant Chief – Fire Prevention
Subject:	Fireworks Regulation Bylaw No. 5269, 2023, to Prohibit the Use and Sales of Consumer Fireworks
File:	1610-20-5269/5272/5273

RECOMMENDATION

THAT

1. proposed “Fireworks Regulation Bylaw No. 5269, 2023” be read a first, second, and third time;
2. proposed "Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023” be read a first, second, and third time; and
3. proposed “Bylaw Notice Enforcement Bylaw No. 4368, 2004 Amendment Bylaw No. 5273, 2023” be read a first, second, and third time.

1.0 Purpose

Staff have been directed to prepare a draft bylaw to ban retail sales and use of consumer fireworks. Our current Fire Rescue Bylaw No. 5163, 2021 provides for the issuance of a permit to a person over the age of eighteen (18) to sell, purchase, possess, or discharge consumer fireworks.

The proposed Fireworks Regulation Bylaw No. 5269, 2023 and subsequent Amendment Bylaws would prohibit consumer use and sale of fireworks while continuing to enable fireworks events conducted by a person certified as a Display Fireworks Supervisor issued by Natural Resources Canada-Explosives Regulatory Branch (NRCan) regulated by the Explosives Act and Regulations.

This ban would align West Vancouver (WV) with neighbouring municipalities that have banned fireworks and address the concerns of the community as well as our changing climate and environment.

In order to facilitate the timely delivery of this report to the Council, some of the data presented is a direct reflection of the data provided in the 2021 District of North Vancouver (DNV) report to the DNV Council. Updates regarding relevant aspects have been undertaken where the information could be readily accessed within the timeframe provided.

2.0 Executive Summary

The issuance of permits by the District for the sale and discharge of commercial fireworks is a historical practice that is no longer in line with our changing environment and wildfire risk. Nuisance calls and fires caused by fireworks draw emergency resources away from other community emergencies. Residents consistently call for a ban on fireworks citing the noise, disruption to pets and wildlife, contribution to poor air quality, litter, damage to property, and threat to public safety.

This bylaw is an opportunity for our District to ban the selling and discharge of consumer fireworks. The Squamish Nation and the City of Vancouver have banned consumer fireworks over the last two years. The DNV is contemplating its own bylaw to ban fireworks before its Council. This bylaw would align WV in a manner consistent with these communities as well as the City of North Vancouver (CNV) and other communities across the lower mainland and Province.

3.0 Legislation/Bylaw/Policy

- *Natural Resources Canada Explosives Act*
- *Natural Resources Canada Explosives Regulations*
- *BC Fireworks Act*
- *Community Charter*
- *West Vancouver Fire Rescue Bylaw No. 5163, 2021*
- *Fees and Charges Bylaw No. 5199, 2022*
- *Bylaw Notice Enforcement Bylaw No. 4368, 2004*

4.0 Council Strategic Objective(s)/Official Community Plan

Council objective 3.0 Protect our natural environment, reduce our impact on it, and adapt to climate change is supported by the enactment of this bylaw. Through a responsible change in District practices to address the threat of wildfires caused by fireworks, the District is adapting to climate change.

This bylaw also supports Council objective 6.9 Strengthen relationships with First Nations based on respect, equality and meaningful engagement. As the Squamish Nation banned fireworks in 2022, the enactment of this bylaw aligns our communities' fireworks regulation bylaws supporting a unified approach to fireworks across the North Shore.

5.0 Financial Implications

Revenue created from the issuance of permits averages \$300 per year. Requirements to manage the permitting process far exceed the revenue created.

6.0 Background

The council continues to receive concerns from residents negatively impacted by fireworks. Concerns for public safety, risks of fires in the increasingly dry climate, and the significant detrimental effects on the environment, including poor air quality, disturbance to wildlife and pets from noise and pollution, litter, property damage, and damage to municipal infrastructure are topics of concern. Most municipalities in the lower mainland currently prohibit the use and sale of fireworks.

The DNV has advised of its intention to consider prohibiting consumer sale and discharge of fireworks, similar to the CNV bylaw adopted in 2005. Following the City of Vancouver's ban in 2020, the Squamish Nation banned the sale and use of fireworks on Squamish Territory last year and the Tsleil-Waututh Nation (TWN) is considering a bylaw regulating the sale and use of fireworks on TWN lands.

Public concerns and the necessity to evolve our practices to adapt to changing environmental conditions necessitate considering a similar approach. This bylaw would align the District with the other North Shore municipalities and most other municipalities in the Lower Mainland and BC.

6.1 Previous Decisions

Effective December 13, 2021, Fire Rescue Bylaw No. 5163, 2021 was enacted by the Council. Part 13 – Fireworks, of this bylaw was retained from the Fire Protection and Emergency Response Bylaw No. 4366, adopted in 2004.

6.2 History

The existing Fire Rescue Bylaw No. 5163, 2021 provides for the issuance of a permit to a person over the age of eighteen (18) to sell, purchase, possess, or discharge consumer fireworks.

- Sale of Fireworks of any class or description are permitted between the twenty-fifth (25th) day of October and the thirty-first (31st) day of October each year.

- Fireworks may be discharged on October thirty-first (31st) between the hours of 5:00 p.m. and 10:00 p.m.

WV has no records of issuing vendor permits for the sale of fireworks. The number of permits issued from all North Shore Districts to vendors has steadily decreased each year from seven in 2015 to just one last year.

Consumers can currently obtain a Halloween Fireworks Permit to discharge consumer fireworks in WV via email or in person at Fire Station # 1 from October 24 to 28 and on October 31, for a \$5 fee. This permit process provides education on safe discharge, and information on the District's bylaws as well as provides the District with a record of the proposed location of discharge. There is no verification process within this system. Even with internet purchases of fireworks increasing, the total number of District permits has declined to 50 permits issued last year for a revenue of \$250.

Prohibiting storefront sales to consumers and not issuing permits for use will not completely stop problematic activity, particularly with the growth of online sales, but prohibiting consumer possession and discharge will enable staff and police to enforce against illegal possession or use in the District and cease the District's condoning of these dangerous activities.

7.0 Analysis

7.1 Discussion

Annually, In the weeks preceding and following Halloween, a high volume of complaints are received by West Vancouver's emergency services. The most common complaints are:

- Fireworks discharged outside of the permissible hours.
- Excessive noise to humans, including sounds triggering PTSD.
- Shots Fired.
- Disturbances that affect wildlife.
- Fear and anxiety of household pets.
- Litter and chemical debris left on roads and neighboring properties.
- Fire damage directly caused by fireworks discharge.
- Contribution to poor air quality and environmental pollution by chemical properties of fireworks.

Common violations resulting from Halloween complaints include:

- Dangerous use of fireworks.
- Possession and discharge of illegal fireworks.
- Discharge of fireworks on roadways, parks, and school grounds.

- Use of fireworks by under-age youth.
- Failure to have a firework permit.

Enforcement:

West Vancouver Police Department crime statistics indicate:

- 29 files involving fireworks in 2022 and 6 to date in 2023.
- The nature of files involving fireworks reported to police were noise complaints, shots fired, liquor consumption, assistance for public or unwanted guests, suspicious persons, mischief, and disturbance.
- The majority of incidents took place at schools, in parks, or on the open roadway.
- 11 were confirmed youth related.
- 18 were attended by WVPD but individuals had left the scene.
- 5 had property damage.
- 10 complaints were from private residences' fireworks displays - out of the ten occurring only one had a valid firework permit.

Fireworks-related enforcement is challenging due to the high number of parks and public spaces located throughout the District. In many instances, by the time staff arrive after reports of unpermitted fireworks, the fireworks have concluded, and individuals have left the scene.

Fire Incidents and Property Damage:

Damage caused by fireworks discharge must receive a fire investigation by WVFR members and be reported to the Provincial Office of the Fire Commissioner. The following is a summary of WVFR incidents since 2018:

- 12 incidents reported.
- 2 structure fires caused by fireworks.
- 1 instance of fireworks and compressed gas cylinders on fire against a high school.
- 1 newspaper box set on fire with fireworks.
- 3 instances of fireworks set off in commercial interior stairwells.
- 3 calls for smoke in an area from fireworks.
- 2 calls for dangerous use of fireworks.

This is not an exhaustive list of damage due to fireworks in the District. Many instances are suspected unreported, such as damage to park facilities and field damages. Park infrastructure such as washrooms may

be damaged by firecrackers and turf fields may be burned and potholes created, requiring resources to replace or repair them.

The draw on local emergency resources to respond to the aforementioned incidents increases our District's vulnerability and risk as resources are unavailable for other emergencies.

Injuries Resulting from Fireworks:

Injuries are tracked nationwide by the Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP) includes statistics from BC Children's Hospital. While this does not represent all injuries, CHIRPP reports in 2011-2019 that teenagers and adolescents represent the largest proportion of the injuries. Head injuries - burns and eye injuries are the most common, followed by fingers and hands, with 73% needing medical treatment and 11% requiring being admitted to hospital for treatment of the injuries.

Alternatives to neighbourhood fireworks:

There are many alternative ways to create a fun neighbourhood gathering that do not involve fireworks. Ideas such as hosting an outdoor movie night, setting up a LED laser light projector, providing coloured glow sticks, installing string lights, and disco balls, or providing LED sparklers, fiber optic wands, coloured bubble soap and wands, biodegradable confetti air-powered cannons, or hanging a piñata. More ideas can be found at local libraries or online.

7.2 Climate Change & Sustainability

Global warming has created greater drought conditions and longer dry seasons which substantially increases the risk of fires ignited by fireworks within the community. The District has received increased communication from the public expressing anxiety regarding the potential for fires and the readiness for fire response.

On October 14, 2022, a Joint statement from North Shore Fire Departments regarding fireworks permits was issued. This statement advised North Shore residents of the contemplation not to authorize any fireworks use or sale permits in order to protect the safety of our trees, properties, and residents due to the lack of rain and warmer-than-average temperatures. The fire danger rating was high, and risk remained elevated as was evidenced by the Eagle Lake Wildfire.

On October 14, 2022, the two-hectare Eagle Lake Wildfire ignited requiring a total of 33 firefighters, 25 from the province and eight from the District, to fight the fire on the ground with six helicopters providing air support from BC Wildfire Service. In a different year, West Vancouver may not have had access to these resources due to ongoing Provincial wildfires.

On August 31, 2023, the Province of B.C. extended the Provincial State of Emergency until Sept. 14, 2023. This extension supports ongoing response and recovery efforts caused by wildfires in the province.

Issuing permits and condoning the use of fireworks that potentially may cause a wildfire is a liability for our municipality and the Province. Condoning an activity that ties up valuable local and potentially provincial resources is no longer acceptable.

7.3 Public Engagement and Outreach

If the Council resolves to ban consumer fireworks sales and use, staff will prepare a robust communication strategy to educate the public across all platforms. Staff will continue to work collaboratively with our neighbouring communities.

The *Community Charter* requires that public notice be published regarding any proposed changes to a business regulation prior to bylaw adoption. An open Council meeting will be required to provide an opportunity for those who consider that they are affected by the bylaw changes to make representation to the Council. If the proposed bylaw receives three readings, a notice will be published in a local newspaper to invite written submissions for the Council to consider prior to adoption. The bylaw will then return to the Council for consideration of adoption.

7.4 Other Communication, Consultation, and Research

Provincial Actions:

UBCM: The Union of BC Municipalities has made multiple attempts for a Provincial-wide approach to the regulation of fireworks between 1988 and 2010. The Province enacted the Fireworks Act in 1996 and responded that further firework concerns be addressed at a local level. No further action by the Province has been taken.

BC Association of Chiefs of Police: In 2006, BCACP passed a motion calling for a Provincial-wide ban except for community events by licenced persons, citing police and fire personnel efforts to deal with illegal activities, injuries, and damage caused by consumer fireworks. This was supported by the Fire Chiefs' Association of BC.

Other Community's Bylaws:

Since 2005, the City of North Vancouver has banned the sale, purchase, possession, or discharge of fireworks except by those who hold a Public Fireworks Display permit and requires a person certified under the Federal Explosives Act to supervise the discharge of fireworks at that public display.

Figure 1 below shows the regulatory approach to fireworks in the 21 municipalities and one Treaty First Nation in the Metro Vancouver partnership in 2021.

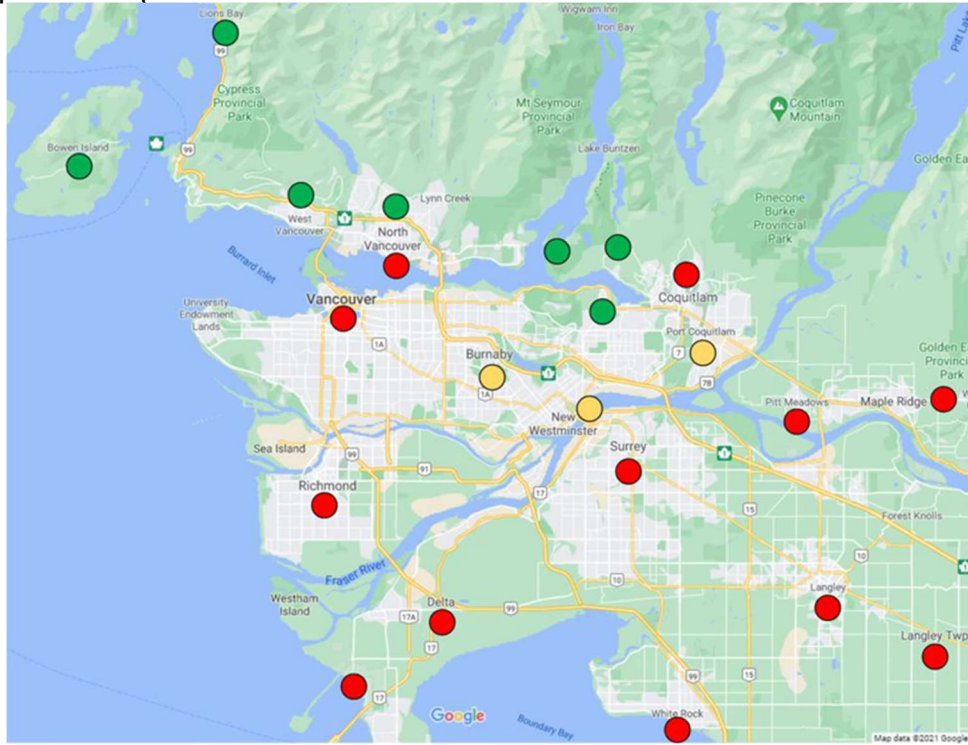


Figure 1 (Since the creation of Figure 1, Port Moody has banned the sale of fireworks)

Legend for Figure 1 above and Table 3 below

Approach by Community in Metro Vancouver and Population

	Both consumer firework discharge and sales prohibited
	Consumer firework discharge permitted with sales prohibited
	Consumer firework discharge and sales permitted

Table 3 below is the survey of communities in Metro Vancouver and comparable communities throughout the Province.

	Community	Approach	Region
1.	City of Abbotsford	●	BC
2.	Bowen Island Municipality	●	Metro Vancouver
3.	City of Burnaby	●	Metro Vancouver
4.	City of Coquitlam	●	Metro Vancouver
5.	City of Delta	●	Metro Vancouver
6.	City of Langley	●	Metro Vancouver
7.	City of Maple Ridge	●	Metro Vancouver
8.	City of New Westminster	●	Metro Vancouver
9.	City of North Vancouver	●	Metro Vancouver
10.	City of Pitt Meadows	●	Metro Vancouver
11.	City of Port Coquitlam	●	Metro Vancouver
12.	City of Richmond	●	Metro Vancouver
13.	City of Surrey	●	Metro Vancouver
14.	City of Vancouver	●	Metro Vancouver
15.	City of White Rock	●	Metro Vancouver
16.	District of North Vancouver	●	Metro Vancouver
17.	District of West Vancouver	●	Metro Vancouver
18.	City of Kamloops	●	BC

	Community	Approach	Region
19.	City of Kelowna	●	BC
20.	City of Nanaimo	●	BC
21.	City of Port Moody	●	Metro Vancouver
22.	District of Saanich	●	BC
23.	Township of Langley	●	Metro Vancouver
24.	Tsawwassen First Nation	●	Metro Vancouver
25.	City of Victoria	●	BC
26.	Village of Anmore	●	Metro Vancouver
27.	Village of Belcarra	●	Metro Vancouver
28.	Village of Lions Bay	●	Metro Vancouver

Table 3

8.0 Options

8.1 Recommended Option

Adopt the following Resolution to ban consumer fireworks:

THAT Fireworks Regulation Bylaw No. 5269, 2023, and associated Amendment Bylaws, be given First, Second, and Third Readings.

8.2 Considered Options

1. Refer the matter back to staff, or
2. Abandon the bylaw.

9.0 Conclusion

Global warming is changing our environment. Our actions must evolve to protect our community and reduce our vulnerability to wildfires. This bylaw is an opportunity for our District to stop condoning actions that increase our community's risk of these devastating events. Celebration with fireworks must be balanced against the negative impact these events have on our community and their draw on emergency services. Noise, disruption to pets and wildlife, contribution to poor air quality, litter, damage to property, and threat to public safety continue to be of serious concern for many residents. This bylaw is an opportunity for our District to ban the selling and discharge of consumer fireworks in a manner consistent with communities across the lower mainland and province.

Date: September 14, 2023
From: Jeremy Calder – Assistant Chief – Fire Prevention
Subject: Fireworks Regulation Bylaw No. 5269, 2023, to Prohibit the Use and Sales of Consumer Fireworks

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Author: Jeremy Calder – Assistant Chief – Fire Prevention



Appendices:

- Appendix A: Proposed Fireworks Regulation Bylaw No. 5269, 2023
- Appendix B: Proposed Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023
- Appendix C: Proposed Bylaw Notice Enforcement Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023

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District of West Vancouver

Fireworks Regulation Bylaw No. 5269, 2023

Effective Date:

District of West Vancouver

Fireworks Regulation Bylaw No. 5269, 2023

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District of West Vancouver

Fireworks Regulation Bylaw No. 5269, 2023

A bylaw to regulate the sale, purchase, possession, disposal and discharging of fireworks in the District of West Vancouver pursuant to sections 8(3)(d) and 264 of the *Community Charter* (SBC 2003, c.26).

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for regulation of the sale, purchase, possession, disposal and discharging of fireworks in the District of West Vancouver;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

1.1 This bylaw may be cited as Fireworks Regulation Bylaw No. 5269, 2023.

Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Previous Bylaw Repeal

3.1 “Fire Rescue Bylaw No. 5163, 2021” is amended by:

3.1.1 deleting ‘Part 13 Fireworks’ in its entirety and renumbering subsequent Parts accordingly, and

3.1.2 amending the table of designated expressions for Municipal Ticket Information in section 12.20 by deleting all of the Part 13

violations and re-numbering the violation of section 14.1 as section 13.1.

Part 4 Definitions

4.1 In this bylaw:

“Exploding Animal Deterrent Devices” means a special purpose explosive designed for use in wilderness encounters with animals; these include but are not limited to bear bangers, air bangers, and seal bombs. They are usually discharged from launching devices such as pen launchers and .22 calibre or 12 gauge launchers, and they travel between 20 to 100 meters before letting out an explosive bang.

“Business day” means Monday through Friday, except where such day falls on a statutory holiday.

“Display Event Permit” means a permit issued under section 10.16 of the Fire Bylaw by the Fire Chief authorizing the purchase, possession and discharge of Fireworks for Special Effects, Special Events or any event involving pyrotechnics.

“District” means the District of West Vancouver.

“Explosion” means a rapid release of energy that may or may not be preceded or followed by a fire which produces a pressure wave or shock wave in air and is usually accompanied by a loud noise.

“Explosives Act” means the *Explosives Act*, RSC 1985, c. E-17, as amended or replaced, and includes all regulations under that Act.

“Fire Bylaw” means Fire Rescue Bylaw No. 5163, 2021, as amended or replaced.

“Fire Chief” means the person appointed as the Chief of the Fire Department of the District or an authorized designate.

“Firecracker” means a small explosive charge and a fuse in a heavy paper casing, exploded to make noise, but having little or no pyrotechnic effect.

“Fire Inspector” means a local assistant to the Fire Commissioner as appointed or authorized by the Fire Chief.

“Fireworks” means a substance that is made, manufactured, or used to produce an explosion, detonation, or pyrotechnic effect and includes

fireworks, composition, and manufactured fireworks as defined in the *Explosives Act* and any substance defined as fireworks under the *Fireworks Act*, as amended or replaced, but does not include sparklers, Christmas crackers, caps for toy guns, model rocket engines as specified in the Explosives Regulation, 2018 (SOR/2013-211) or highway flares or other small distress signals used exclusively for that purpose.

"Fireworks Act" means the *Fireworks Act*, RSBC 1996, c. 146, as amended or replaced, and includes all regulations under that Act.

"Fireworks Supervisor" means a person certified as a Fireworks Supervisor and possessing either a valid certificate for a Level 1 Supervisor or Level 2 Supervisor (not an Apprentice Certificate) issued under the *Explosives Act*.

"Special Effects" means images and/or sounds used to represent real or imaginary spectacles in a television or movie production or other similar activity, including but not limited to an Explosion or fire.

"Special Event" means any exhibit, market, outdoor concert, fair display, trade show, vehicle display, outdoor event, or other similar event.

Part 5 Interpretation

5.1 Words and Phrases

Unless specifically defined herein, words and phrases used in this bylaw shall be construed in accordance with the meanings assigned to them by the *Fireworks Act* of British Columbia and the *Explosives Act* of Canada and its associated regulations, all as may be amended or replaced, as the context and circumstances require.

5.2 Conflict

In the event of a conflict, discrepancy, variation or inconsistency between any provision of this bylaw and the *Fireworks Act*, the *Explosives Act* or the Natural Resources Canada, "Display Fireworks Manual", the provisions of the *Fireworks Act*, the *Explosives Act* or the Natural Resources Canada, "Display Fireworks Manual", as the case may be, shall prevail over the provisions of this bylaw to the extent of any conflict, discrepancy, variation or inconsistency.

5.3 Application

The provisions of the *Fireworks Act* of British Columbia and the *Explosives Act* of Canada and its associated regulations and the Natural Resources

Canada, "Display Fireworks Manual" shall apply within the District of West Vancouver.

5.4 Duty of Care

This bylaw does not create any duty of care whatsoever on the District or its elected officials, officers, employees or agents in respect of enforcement or failure to enforce this bylaw. Neither the failure to administer or enforce, nor the incomplete or inadequate administration or enforcement of this bylaw or inspections made by the Fire Chief or Fire Inspector gives rise to a cause of action in favour of any person.

Part 6 Regulation of Sale of Fireworks

- 6.1 A person must not sell, offer for sale, give or otherwise distribute Fireworks unless the seller has a valid business licence issued by the District.
- 6.2 A person may only sell Fireworks to a person who is 18 years of age or over, is a Fireworks Supervisor, and holds a valid Display Event Permit.

Part 7 Firecrackers Prohibited

- 7.1 No person shall possess, fire, set off or discharge firecrackers.

Part 8 Regulation of Discharge of Fireworks

- 8.1 A person must not purchase, possess, set off or discharge Fireworks unless the person is a Fireworks Display Supervisor and is in possession of a Display Event Permit in respect of such discharge.
- 8.2 A Fireworks Display Supervisor may apply for a Display Event Permit in the form required by the Fire Chief. The application must be submitted with the following at least ten Business Days prior to the proposed Fireworks event:
 - 8.2.1 a completed application form,
 - 8.2.2 an authorization signed by the property owner or owner's agent(s) where the event related to the Display Event Permit is occurring on property not owned by the applicant,
 - 8.2.3 proof of Fireworks Display Supervisor or Pyrotechnician certification issued to the applicant by the Explosives Regulatory

Division of Natural Resources Canada (or a successor body),
and

- 8.2.4 a certificate of insurance evidencing that the applicant has comprehensive general liability insurance with a coverage limit of not less than \$5 million per occurrence, names the District as an additional named insured, contains a waiver of subrogation, and has a deductible of not more than \$5,000 (unless the District consents in writing to a higher deductible).
- 8.3 Where the Fire Chief issues a Display Event Permit pursuant to section 10.16 of the Fire Bylaw, authorizing the Display Event Permit holder to ignite, explode, set off or detonate Fireworks in accordance with the terms of the Display Event Permit, the Fire Chief may attach conditions to the Display Event Permit, including, but not limited to, conditions regarding:
 - 8.3.1 the location and method of safe storage of the Fireworks,
 - 8.3.2 the time, location, and manner of discharge of the Fireworks, and
 - 8.3.3 fire safety precautions to be employed for the Display Event.
- 8.4 The Display Event Permit holder must:
 - 8.4.1 comply with all of the terms and conditions specified in the Display Event Permit, the manufacturer's approved instructions and the requirements of this Bylaw, all other bylaws of the District, and all applicable provincial and federal legislation, and
 - 8.4.2 ensure that the Fireworks display authorized by the Display Event Permit is directly supervised at all times by a Fireworks Display Supervisor.
- 8.5 A Display Event Permit is:
 - 8.5.1 valid only for the location and during the times specified in the Display Event Permit,
 - 8.5.2 not transferable, and
 - 8.5.3 in the event a Display Event Permit is denied, revoked, cancelled or suspended, the application fee is non-refundable.
- 8.6 The Fire Chief or an employee or officer of the District of West Vancouver Fire and Rescue Services may revoke, cancel or suspend a Display Event Permit where:

- 8.6.1 the holder of the Display Event Permit has violated the terms and conditions of the Display Event Permit or any applicable provincial or federal legislation,
- 8.6.2 the holder has acted in such a manner as to endanger property or public safety, or
- 8.6.3 environmental or weather conditions are such that the use of Fireworks would endanger property or public safety.

Part 9 Dangerous Use of Fireworks

- 9.1 No person may point, direct or throw Fireworks at any person, animal, building or motor vehicle where such Fireworks are being discharged.
- 9.2 No Fireworks may be discharged within 30m of a location where flammable materials are stored, e.g., gas stations, propane tanks, or lumber yards.
- 9.3 No person shall discharge Animal-Detering Explosives in the District of West Vancouver for purposes other than for bear or wildlife deterrent.

Part 10 Enforcement

10.1 Designation of the Bylaw

Pursuant to section 264 of the Community Charter, this bylaw is designated as a bylaw that may be enforced by means of seizure of Fireworks and a ticket in the form prescribed and Fire Chief, Local Assistants to the Fire Commissioner, West Vancouver Police and Bylaw Enforcement Officers are designated to enforce this bylaw.

10.2 Obstruction

A person must not interfere with, delay, obstruct or impede any person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

10.3 Ticketing (Municipal Ticket Information)

Pursuant to sections 264(1)(c) and 265(1)(a) of the Community Charter, this bylaw is designated as a bylaw that may be enforced by means of seizure of Fireworks and a ticket in the form prescribed and Fire Chief, Local Assistants to the Fire Commissioner, and Bylaw Enforcement Officers are designated to enforce this bylaw and the table below sets out

the designated expressions for offences under this bylaw with the corresponding bylaw section number and fine amount:

Section number	Designated Expression (Short-Form Description)	Fine \$
6.1	Sell Fireworks without Business Licence	\$300
6.2	Sell Fireworks to unauthorized person	\$300
7.1	Discharge Firecrackers	\$300
8.1	Unauthorized purchase, possession or discharge of Fireworks	\$500
8.4.1	Fail to comply with Display Event Permit	\$500
8.4.2	Fail to have Fireworks Supervisor	\$500
9.1	Throw Fireworks at building	\$500
9.2	Discharge Fireworks near flammable material	\$500
9.3	Discharge Animal-Deterring Explosives	\$500
10.2	Obstruction	\$500

Part 11 Offence and Penalty

- 11.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable to the penalties imposed under this bylaw, and is guilty of a separate offence each day that a violation continues to exist.
- 11.2 Every person who commits an offence is liable on summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the *Offence Act*.

READ A FIRST TIME on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

NOTICE given under Section 59 of the *Community Charter* on [Date]

OPPORTUNITY for representations to Council provided in accordance with Section 59 of the *Community Charter* on [Date].

ADOPTED by the Council on [Date].

Mayor

Corporate Officer



District of West Vancouver

**Fees and Charges Bylaw No. 5199, 2022,
Amendment Bylaw No. 5272, 2023**

Effective Date:

District of West Vancouver

Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023

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District of West Vancouver

Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023

A bylaw to amend Fees and Charges Bylaw 5199, 2022.

Previous amendments: Amendment bylaw 5225, 5233, 5247, and 5249

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for fees and charges for fireworks permits;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Fees and Charges Bylaw No. 5199, 2022, Amendment Bylaw No. 5272, 2023.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amends Schedule F

- 3.1 Fees and Charges Bylaw No. 5199, 2022 is amended by:

- 3.1.1 In Schedule F – Protective Services under “Fireworks Permit” delete the following fees:

Special Events Pyrotechnics	\$175.00	Must be accompanied by a Municipal Special Events permit
Residential Fireworks	\$150.00	Must be accompanied by a Municipal Noise Exemption Permit
Halloween Fireworks	\$5.00	Only available for the period October 25 – October 31

And substitute with the following fee:

Display Event Permit	\$175.00	Must be accompanied by a Municipal Special Events permit
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READ A FIRST TIME on

READ A SECOND TIME on

READ A THIRD TIME on

ADOPTED by the Council on.

Corporate Officer



District of West Vancouver

**Bylaw Notice Enforcement
Bylaw No. 4368, 2004
Amendment Bylaw No. 5273, 2023**

Effective Date:

District of West Vancouver

**Bylaw Notice Enforcement
Bylaw No. 4368, 2004
Amendment Bylaw No. 5273, 2023**

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District of West Vancouver

Bylaw Notice Enforcement Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023

A bylaw to Amend Bylaw Notice Enforcement
Bylaw No. 4368, 2004, as amended;

Previous amendments: *Amendment Bylaw 4416, 4429, 4448, 4481, 4482, 4501, 4521, 4536, 4559, 4583, 4681, 4700, 4718, 4725, 4762, 4862, 4868, 4872, 4893, 4910, 4976, 4983, 5049, 5063, 5086, 5096, 5099, 5102, 5116, 5121, 5124, 5138, 5146, and 5166.*

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to amend Bylaw Notice Enforcement Bylaw No. 4368, 2004, as amended;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Bylaw Notice Enforcement Bylaw No. 4368, 2004, Amendment Bylaw No. 5273, 2023.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Repeal and Replacement

- 3.1 The portion of Schedule A of Bylaw Notice Enforcement Bylaw No. 4368, 2004, titled "Fire Rescue Bylaw No. 5163, 2021" is hereby amended by deleting all of the violations for section 13.1 through to and including section 13.20 and by renumbering section 14.1 to section 13.1.

3.2 Schedule A of Bylaw Notice Enforcement Bylaw No. 4368, 2004 is amended by adding the following new section entitled “Fireworks Regulation Bylaw No. 5269, 2023” immediately following the section entitled Fire Rescue Bylaw No. 5163, 2021:

Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available <small>(*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as “Yes”)</small>
Fireworks Regulation Bylaw 5269, 2023					
6.1	Sell Fireworks without Business Licence	\$300			NO
6.2	Sell Fireworks to unauthorized person	\$300			NO
7.1	Discharge Firecracker	\$300			NO
8.1	Unauthorized purchase, possession or discharge of Fireworks	\$500			NO
8.4.1	Fail to comply with Display Event Permit	\$500			NO
8.4.2	Fail to have Fireworks Supervisor	\$500			NO
9.1	Throw Fireworks at building	\$500			NO
9.2	Discharge Fireworks near flammable material	\$500			NO
9.3	Discharge Animal-Deterring Explosives	\$500			NO
10.2	Obstruction	\$500			NO

READ A FIRST TIME on

READ A SECOND TIME on

READ A THIRD TIME on

ADOPTED by the Council on.

Mayor

Corporate Officer

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From: [REDACTED] s. 22(1)
Sent: Sunday, September 24, 2023 10:50 PM
To: correspondence
Cc: Mark Sager; Christine Cassidy; Nora Gambioli; Peter Lambur; Sharon Thompson; Scott Snider; Linda Watt
Subject: Please adopt the Resolution to ban consumer fireworks in West Vancouver.

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Dear Mayor Sager and Council:

I would like to thank WVFR Assistant Fire Chief, Jeremy Calder for his report on the proposed Fireworks Regulation Bylaw No. 5269, 2023, to prohibit the use and sale of consumer fireworks in the District. I now hope that the Council will adopt the resolution to ban consumer fireworks in West Vancouver.

As Assistant Fire Chief Calder has pointed out, the discharge of fireworks negatively impacts our community, our pets, wildlife, and the environment in many significant ways. It has also become a drain on staff's time and resources and appears to be a financial burden on the District.

Considering these issues and hazards, it is now time for West Vancouver to join the many other municipalities in Metro Vancouver that have a fireworks ban in place. We need to make the necessary changes to protect people, animals, and the environment from fireworks.

Thank you for your time and consideration.

Regards,

[REDACTED] s. 22(1)

West Vancouver



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From: [REDACTED] s. 22(1)
Sent: Wednesday, September 27, 2023 1:04 PM
To: correspondence
Subject: Fireworks

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Good afternoon,

Can you kindly advise when this item is coming back to Council?

Best Regards,

[REDACTED] s. 22(1)

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