

The following is a consolidated copy of the Regional District's Fireworks Regulation Bylaw and includes the following bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
1971	Regional District Fireworks Regulation Bylaw No. 1971, 1998	June 29, 1998	To regulate the use and sale of fireworks
2233	Regional District Fireworks Regulation Bylaw No. 1971, 1998 Amendment Bylaw No. 1, 1999	December 16, 1999	To permit the sale and use of fireworks in connection with the celebrations of the Millennium <b>NO LONGER APPLICABLE</b>
2326	Regional District Fireworks Regulation Bylaw No. 1971, 1998, Amendment bylaw No. 2, 2000	November 27, 2000	To permit the sale and use of Fireworks in connection with New Years 2001 <b>NO LONGER APPLICABLE</b>
2477	Regional District Fireworks Regulation Bylaw No. 1971, 1998, Amendment Bylaw No. 3, 2002	August 26, 2002	To permit the <b>use</b> of fireworks at any time, but continue to limit the <b>sale</b>
2939	Regional District Fireworks Regulation Bylaw No. 1971, 1998, Amendment Bylaw No. 4	July 31, 2006	To reflect the inclusion of Electoral Area H and to permit the sale of fireworks in Area H three times each year for Canada Day, Halloween and New Years Eve.
81	Regional District Fireworks Regulation Bylaw No. 1971, 1997, Amendment No. 5	November 24, 2009	To reflect current job titles, electoral area coverage and regional district name
493	Regional District Fireworks Regulation Bylaw No. 1971, 1997, Amendment No. 6	September, 19, 2017	To amend the Fireworks Service Regulations to increase fines for ticketable offences and oblige vendors to undertake certain activities

**This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.**

**COMOX VALLEY REGIONAL DISTRICT**

**BYLAW NO. 1971**

**A Bylaw to regulate the Sale and Explosion  
of Fireworks Within a Part of the Regional District**

**WHEREAS** the Comox Valley Regional District operates the Fireworks Regulation Extended Service under Bylaw No. 2002 being “Fireworks Regulation Extended Service Conversion Bylaw No. 2002, 1997”, which converted the authority granted under Supplemental Letters Patent issued on December 1, 1971;

**AND WHEREAS** the CVRD Board is authorized, by bylaw, to regulate or prohibit the exploding of fireworks and to authorize the issuance of a permit to any person or organization for the use of fireworks of any kind and may specify the terms and conditions thereof;

**NOW THEREFORE**, the Board of the Comox Valley Regional District in open meeting assembled enacts as follows:

**Title**

1. This bylaw may be cited for all purposes as the “Regional District Fireworks Regulation Bylaw No. 1971, 1998”.

**Application**

2. This bylaw applies in each of Electoral Areas ‘A’ (Baynes Sound – Denman/Hornby Islands), ‘B’ (Lazo North) and ‘C’ (Puntledge – Black Creek).

**Definitions**

3.

<i>Board</i>	means the board of the Comox Valley Regional District.
<i>Explode</i>	means to detonate, discharge, eject, fire, ignite, light, project, set off or throw.
<i>Family Pack</i>	means six or more fireworks which are packed and intended to be sold as a unit, except that Roman Candles shall constitute of not more than 25% of the total number of fireworks in the packed unit.
<i>Fireworks</i>	means a substance or goods that is made, manufactured or used to produce an explosion or pyrotechnic device, including but not limited to: a) fireworks as defined under the <i>Canada Explosives Act</i> ; b) fireworks as defined under the <i>Fireworks Act</i> .
<i>Manager</i>	means the manager of bylaw compliance and special investigations or any one of the officers of the Comox Valley Regional District as identified in the officers bylaw.
<i>Minor</i>	means a person under the age of 18.
<i>Permit</i>	means a permit approved by the Board and issued under this Bylaw.

<i>Public Display</i>	means a special event, festival or religious or other ceremony sponsored or conducted by a society, religious organization or individual.
<i>Regional District</i>	means the Comox Valley Regional District
<i>Sell</i>	means, but is not limited to sell, offer to sell, advertise for sale, display for sale, barter, dispose, distribute, furnish, give or trade.
<i>Vendor</i>	means a person or business engaged in the act of advertising for sale or selling fireworks.

### **Sales Prohibition**

4. 1) The sale of fireworks in Electoral Areas ‘A’ (Baynes Sound), ‘B’ (Lazo North) and ‘C’ (Puntledge – Black Creek) shall only occur between October 24<sup>th</sup> and November 1<sup>st</sup> (inclusive) in any year.
- 2) No Vendor shall Sell Fireworks in the electoral areas without notifying the Regional District in writing prior to October 1st of each year.
- 3) No Vendor shall Sell Fireworks in the electoral areas without supplying copies of the required Permit at the point of sale.
- 4) A Vendor may only Sell Fireworks, pursuant to all other requirements of this bylaw, on lands in the electoral areas that are zoned for the purpose of retail sales. Fireworks cannot be sold as part of a home occupation, domestic business or domestic industrial use.

### **Prohibition and Permit Requirement**

5. 1) A person may not possess or Explode Fireworks in the Regional District unless the person has a valid permit.
- 2) A person shall not Explode Fireworks on private property without the prior written consent of the owner, nor on Regional District property without the prior written permission of the Board.
- 3) A Minor shall not possess or Explode Fireworks in the Regional District.
- 4) No person shall explode fireworks of Class 7.2.2 of the *Canada Explosives Act* without holding a valid Fireworks Operator Certificate issued by the Explosives Branch of Energy, Mines and Resources, Canada.
- 5) Roman candles shall only be sold or purchased as part of a “family pack”.
- 6) Applications for a permit required under this section shall be made in writing to the manager designate in a form provided by him and shall contain all the information required by the form and any required by the manager as per schedule ‘A’ attached to this bylaw.
- 7) A permit approved by the manager shall be as per schedule ‘B’, attached to this bylaw.

### **Regulations and Requirements**

6. The holder of a permit shall take all steps necessary to ensure the safety and security of the public attending the fireworks display, as well as persons taking part in the display.

### **Penalties**

7. (a) Any person who contravenes a provision of this bylaw, or who allows any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:
  - (i) On summary conviction is liable to a fine of not less than \$500 and not more than \$10,000; or
  - (ii) On conviction of a ticket offence under the Comox Valley Regional District municipal ticket information bylaw.
- (b) If any provision of this Bylaw is found invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

### **Repeal**

8. Bylaw No. 79 cited as “Firecracker Sale and Exploding Prohibition Bylaw 1972” is hereby repealed.

**Schedule "A"**  
**APPLICATION FOR A PERMIT TO EXPLODE FIREWORKS**

Permit Fee: \$10.00

Is application for the exploding of High Hazard Fireworks as defined in Class 7.2.2. of the *Canadian Explosives Act*: Yes: \_\_\_\_\_

OR

Is application for or exploding of Low Hazard Fireworks as defined in Class 7.2.1. of the *Canadian Explosives Act*: Yes: \_\_\_\_\_

Name of applicant: \_\_\_\_\_  
(applicant must be the person supervising the exploding of the fireworks)

Residential Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Fireworks Operators Certificate No. \_\_\_\_\_ Expiry Date: \_\_\_\_\_

**NOTE:** (Only required if Exploding High Hazard Fireworks, Class 7.2.2.)

I hereby Make Application for a Permit to Explode Fireworks on Behalf of:

Myself: \_\_\_\_\_ Or Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Address Where Fireworks Are to Be Exploded:

Same as Applicant: \_\_\_\_\_ Indicate if different from applicant address: \_\_\_\_\_

Name and Signature of Property Owner, Indicating Consent for the Exploding of Fireworks:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Signature)

Date of Display: \_\_\_\_\_ From \_\_\_\_\_ am/pm to \_\_\_\_\_ am/pm

***I hereby acknowledge receipt of the "Safety Guidelines for Fireworks"***

Applicant's Signature: \_\_\_\_\_

***Approved by the Comox Valley Regional District:***

\_\_\_\_\_  
***(Date)***

\_\_\_\_\_  
***(Signature)***

**COMOX VALLEY REGIONAL DISTRICT FIREWORKS BYLAW NO. 1971**

**Schedule "B"**  
**PERMIT TO EXPLODE FIREWORKS**

Authority to explode (check one)

High Hazard Fireworks as defined in Class 7.2.2. of the *Canadian Explosives Act*: \_\_\_\_\_

**Or**

Low Hazard Fireworks as defined in Class 7.2.1. of the *Canadian Explosives Act*: \_\_\_\_\_

is hereby granted to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_ at (address of display) \_\_\_\_\_

\_\_\_\_\_

between the hours of \_\_\_\_\_ am/pm and \_\_\_\_\_ am/pm

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***THE HOLDER OF THIS PERMIT ACKNOWLEDGES THAT THE REGIONAL DISTRICT IS NOT RESPONSIBLE FOR THE SUPERVISING OR INSPECTING THE EXPLODING OF FIREWORKS AUTHORIZED BY THIS PERMIT.***

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Permit Issued By: