

SMOKY LAKE COUNTY



Title: Fireworks Permit Agreement		Policy No.: 22-02
Section: 02	Code: P - R	Page No.: 1 of 5 E

Legislation Reference:	Municipal Government Act and Alberta Fire Code – Safety Codes Act
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Purpose:	To monitor the discharge of Low-Hazard or Consumer Fireworks.
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Policy Statement and Guidelines:	
1. STATEMENT:	
1.1	Fireworks are a safety issue that can result in harm to individuals and property.
1.2	Fireworks are primarily regulated under the Alberta Fire Code – Part 5, Section 5.7, which forms part of the <i>Safety Codes Act</i> .
1.3	Within Smoky Lake County, fireworks classified as Low-Hazard or Consumer will be regulated by permit issued by the County Fire Chief.
2. DEFINITIONS	
2.1	Alberta Fire Code: means the most current version of fire safety regulations adopted by the Province of Alberta and legislated under the <i>Safety Codes Act</i> .
2.2	County Fire Chief: means the individual who is appointed Fire Chief of the County, or his or her delegate authorized to act in this place as Fire Guardian.
2.3	Low-Hazard or Consumer Fireworks: means those types of fireworks which are regulated for storage, sale and discharge under the Alberta Fire Code, but do not require certifications for handling, transporting or discharge. Commonly referred to as Shop Grade or Family Fireworks.

Title: Fireworks Permit Agreement		Policy No.: 22-02
Section: 02	Code: P - R	Page No.: 2 of 5

E

Policy Statement and Guidelines:	
<p>3. GUIDELINES</p> <p>3.1 No person shall discharge Low-Hazard or Consumer Fireworks within Smoky Lake County unless he/she holds a valid permit for that purpose issued by the County Fire Chief or his/her delegate as Fire Guardian.</p> <p>3.2 Valid Permit is the application, as per <i>Schedule "A": Permit to Display / Discharge Low-Hazard or Consumer Fireworks</i>, approved by the County Fire Chief or his/her delegate as Fire Guardian.</p> <p>3.3 Persons who discharge Low-Hazard or Consumer Fireworks within Smoky Lake County must comply with the regulations as stated in the most current version of the Alberta Fire Code.</p> <p>3.4 Permit issued under this Policy is not transferable.</p> <p>3.5 Low-Hazard or Consumer Fireworks Permit are required all year round.</p> <p>3.6 The County Fire Chief may refuse a permit application or cancel any permit. In the event a permit is cancelled, the permit holder shall be notified by the County of the cancellation and the reason for the cancellation, as soon as is practicable.</p> <p>3.7 Low-Hazard or Consumer Fireworks shall not be discharged during times of fire advisory or fire ban, as referenced in Smoky Lake County Fire Protection Services Bylaw</p>	

	Date	Resolution Number
Approved	October 20, 2011	# 48-11 - Page # 9862
Amended	September 4, 2015	#968-15 - Page #11931
Amended		
Amended		



SCHEDULE "A"

PERMIT TO DISPLAY / DISCHARGE LOW-HAZARD OR CONSUMER FIREWORKS

THIS PERMIT IS ONLY VALID IN SMOKY LAKE COUNTY to Discharge Low-Hazard or Consumer Fireworks

This Permit authorizes: _____
Applicant's Name

of Address _____
Box City or Town Postal Code

Phone: _____ Cellular: _____

- Owner
- Occupant
- I have received Permission Authorized from Landowner/Occupant on the land from which I shall discharge fireworks

Location of Display / Discharge: _____

Date and Time of Discharge: _____

Special Conditions: _____

The Applicant acknowledges the risks of using Fireworks and understands the conditions of display/discharge as outlined in the Alberta Fire Code excerpts and special conditions shown below and furthermore understands that this permit may be subject to cancellations.

I have read and understand all the conditions and accept full responsibility.

Permit Holder: _____ Date: _____

Countersigned by: _____
Fire Chief / Fire Guardian Print Name

NOTE: THIS PERMIT IS NOT VALID UNLESS COUNTERSIGNED AND MAY BE CANCELLED AT ANY TIME.

CONDITIONS:

1. Any person must have a valid Fireworks Permit issued by Smoky Lake County. **Fire Permits are required year round** and can only be obtained and approved by a County Fire Chief or Guardian. **ALL APPROVED LOW-HAZARD FIREWORKS BY PERMIT, ARE SUBJECT TO PROVINCIAL OR LOCAL REGULATIONS.**
2. Smoky Lake County may charge any fire suppression response cost to person responsible or the owner or occupancy of the property where a fire occurred from the use of fireworks.

EXCERPTS FROM THE

ALBERTA FIRE CODE – SECTION 5.7 FIREWORKS
FOR REFERENCE ONLY: To be considered as best practices.

Individuals are responsible for attaining the most recent version of the
Alberta Fire Code for accurate reference.

Section 5.7.1.3 DISCHARGE

- (1) No person shall discharge fireworks from, on or over
- (a) public land as defined in the Public Lands Act, or
 - (b) a forest protection area designated under the Forest and Prairie Protection Act.

Section 5.7.1.4 PROHIBITED

- (1) No person shall have in his possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off
- (a) firecrackers, or
 - (b) unless approved, any other pyrotechnic device.

Section 5.7.1.5 ACTIVITIES

- (1) No person shall discharge, fire or set off fireworks
- (a) in a place or in a manner that creates a danger or constitutes a nuisance to any person or property.
 - (b) on a highway, road allowance, public beach or park unless he first obtains written permission from the Fire Guardian.
 - (c) on privately owned land unless he
 - (i) first obtains the written consent of the owner or occupant of that land and the owner or occupant of neighbouring land on which debris might reasonably be expected to fall, and
 - (ii) provide a copy of the consent required in Subclause (i) together with the application for a permit under this Section to the Fire Guardian.
 - (d) in a building or place, unless
 - (i) the fireworks are specifically designed and clearly marked by the manufacturer for such use, and
 - (ii) the building is accepted.
 - (e) within 10 m of any building, tent, trailer, canvas shelter or motor vehicle.
 - (f) within 200 m of any place where explosives or flammable or combustible liquids or substances are manufactured or stored.

- (g) within 250 m of a correctional institution as defined in the Corrections Act, a facility as defined in the Mental Health Act, a nursing home within the meaning of the Nursing Homes Act, a social care facility as defined in the Social Care Facilities Licensing Act, a hospital as defined in the Hospitals Act, an educational institution or a church, unless acceptable to the authority having jurisdiction, or
 - (h) when the wind velocity exceeds 45 km/h or when, in the opinion of the authority having jurisdiction, weather conditions create an undue fire hazard.
- (2) The authority having jurisdiction may order a person to cease the discharging, firing, or setting off of fireworks when it is considered necessary to do so for reasons of safety.

Section 5.7.1.6 AUTHORITY

- (1) The authority having jurisdiction or forest officer in the forest protection area may seize, take, remove, or cause to be seized, taken or removed any fireworks offered or exposure for sale or being held or used contrary to
- (a) this Section or

Section 5.7.1.7 PERMIT

- (2) (a) a permit issued in accordance with this section
- (b) Permits may contain any other terms and conditions the authority having jurisdiction or forest officer considers necessary to ensure the sale use of fireworks.

Section 5.7.1.9 AGE REQUIREMENT

No person who is under 18 years of age shall purchase, possess, handle, discharge, fire or set off fireworks.