

Terms and Conditions for Consumer Fireworks Permits

Recommendation

That the June 22, 2020, Citizen Services report CR_7801, be received for information.

Previous Council/Committee Action

At the November 20, 2019, Community and Public Services Committee meeting, the following motion was passed:

That Administration work with industry and stakeholders to refine the terms, conditions and criteria for the permits, and provide a report to Committee with the outcome.

Executive Summary

In November 2019, City Council approved an amendment to Bylaw 14614 - Public Places Bylaw, allowing Administration to continue issuing firework display permits. Conditions for permits to purchase and discharge for public shows conducted by certified professionals (Tier II) were put into place following approval of the bylaw and with the support of stakeholders. Conditions for permits for private shows on residential property by non-certified individuals (Tier I) required additional refinement.

Administration, in consultation with key stakeholders, refined the terms and conditions for Tier I permits. Administration also conducted an Insight Survey and jurisdictional scan of surrounding municipalities to inform this work.

Key findings:

- The majority of stakeholders agree to the new Tier I permit conditions. Administration has committed to re-evaluating the permit conditions with stakeholders after adequate testing time.
- A jurisdictional scan showed that Edmonton is the only urban jurisdiction in Alberta that allows consumer fireworks to be discharged on residential property. Restricted rural use is permitted in some counties.

Based on the consultation and research, Administration reviewed and updated the process and conditions for Tier I permits to purchase and discharge. Some of the improvements made include moving the permit application process online, enabling an

automatic response for approval on the permit to purchase, flexibility to change discharge date by phone and removing all permit fees for Tier I permits.

Report

Fireworks, including consumer fireworks, are regulated by the federal *Explosives Act*. The *Act* deals with the manufacture, import, sale and use of all fireworks and pyrotechnical devices utilizing explosives.

The Government of Canada's *National Fire Code - 2019 Alberta Edition*, which took effect on December 1, 2019, removed requirements related to consumer fireworks. Specifically, the City was no longer able to utilize the fire code to regulate the discharge of consumer fireworks in Edmonton.

In November 2019, City Council approved an amendment to Bylaw 14614 - Public Places Bylaw, allowing Administration to issue permits in relation to fireworks subject to terms and conditions by Administration.

Permit Condition Review Process

Since consumer fireworks can be discharged without a certified professional, establishing regulatory conditions helps to encourage safer handling and usage. In addition, the Edmonton Police Services has reported most of the recent improvised explosive devices it has encountered are made with modified fireworks. Previously, a permit to purchase was only required if the purchaser was going to discharge in Edmonton. Now, a permit to purchase is required for every purchase. This will provide Edmonton Police Services additional enforcement measures.

- Stakeholder sessions: Administration held three sessions with representatives from the National Fireworks Association, manufacturers and retailers. Stakeholders came to a consensus that there needs to be a permit to sell, a permit to purchase, and a permit to discharge consumer fireworks. Permit conditions and the process for applying for permits will be re-evaluated in consultation with the stakeholder group after a trial period.
- Edmonton Insight Survey: In the January 2020 Insight Community Mixed Topic Survey, participants were asked for their views on fireworks. There were 3,134 responses and more than 4,300 open-ended comments. Respondents were asked if Edmontonians should be allowed to discharge fireworks on private residential property within City limits, provided all permit requirements are met, to which 51 percent disagreed (somewhat or strongly) and 38 percent agreed (somewhat or strongly).
- Jurisdictional Scan (Attachment 1): Administration reviewed practices in several municipalities surrounding Edmonton. The municipalities reviewed either do not allow the discharge of consumer fireworks on residential property or have

restrictive permit requirements (e.g., only on specific holiday dates, written permission from neighbours, time restrictions).

Permit Types

Based on the consultation and research, Administration reviewed and updated the process and conditions for Tier I permits to purchase and discharge (Attachment 2).

Permit to Purchase

The permit to purchase provides a record of who is buying consumer fireworks and the estimated quantity. It also informs the purchaser about safety practices, verifies they are 18 years of age or older, and ensures applicants understand that different jurisdictions have different discharge rules.

Administration has simplified the application process for the permit to purchase by providing an online form available on the City's website, which takes approximately five minutes to complete. The form can be completed prior to purchasing consumer fireworks or at the point of purchase. Applicants will receive an automated message immediately after completing the form, which will act as proof of permit.

Previously, to obtain a permit, the purchaser was required to:

1. Go to the retailer to verify which products they wanted to purchase.
2. Go to the Fire Prevention Office during business hours, to receive the permit to purchase and discharge.
3. Return to the retailer to purchase the consumer fireworks, with the permit.

Permit to Discharge

The permit to discharge ensures the applicant has the correct product and space allowances to prevent injuries or damage to property.

As outlined above, individuals previously had to apply for a permit to discharge in person at the fire prevention office. Administration has updated the process with an online form requiring applicants to provide product information and a site map. This form takes approximately 20 minutes to complete. Once the applicant submits the required information, Administration will review and provide approval by email within five working days, which acts as the permit.

Next Steps

Administration will monitor the permit process and will review and/or refine permit conditions after an adequate testing period, in consultation with the stakeholder group already established.

Corporate Outcomes and Performance Management

Corporate Outcome: Edmonton is a safe city.			
Outcome	Measure	Result	Target
Edmonton is a safe city.	Percentage of fires deemed accidental	Q4 2019: 42 percent Q1 2020: 40 percent	2020: Less than or equal to 50 percent

Attachments

1. Jurisdictional Scan of Firework Regulations
2. Tier I Permits to Purchase and Discharge - Terms and Conditions

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- B. Andriachuk, City Solicitor