

Bylaw 19004

Amendment to the Public Places Bylaw 14614

Purpose

To amend Bylaw 14614 - Public Places Bylaw to align with an updated *National Fire Code - 2019 Alberta Edition* and to introduce new provisions for managing safe firework displays.

Readings

Bylaw 19004 is ready for three readings.

Position of Administration

Administration supports this Bylaw.

Report Summary

Due to changes to the *National Fire Code - 2019 Alberta Edition*, effective December 1, 2019, an amendment to Bylaw 14614 - Public Places Bylaw is required to allow the City to continue to issue firework display permits.

Report

The Government of Canada released the *National Fire Code - 2019 Alberta Edition*, which takes effect on December 1, 2019. The updated code removes requirements related to consumer fireworks. Specifically, the City will no longer be able to regulate the discharge of consumer fireworks in Edmonton.

Fireworks, including low hazard fireworks often referred to as consumer fireworks, are regulated by the federal *Explosives Act*. The *Explosives Act* deals with the manufacture, import, sale, and use of all fireworks and pyrotechnics utilizing explosives. The *Explosives Act* does not speak to the discharge of fireworks in a public place, an aspect that has traditionally been dealt with by the *Alberta Fire Code 2014*.

Administration is recommending an amendment to Bylaw 14614 - Public Places Bylaw to introduce new provisions for managing safe firework displays and to allow Administration to continue issuing firework display permits. The absence of a permitting process may result in unsafe firework displays due to lack of understanding of regulations. This amendment would allow Administration to issue permits pursuant to the bylaw and to establish terms and conditions and criteria to be met for a permit.

Administration would continue to use the current permit conditions, which exceed the minimum safety standard referenced in the *National Fire Code - 2019 Alberta Edition*.

If the bylaw amendment is not supported, the general public would need to meet the requirements under the federal *Explosives Act*. Given the general public's lack of awareness of the Act, this may pose a significant danger to the public or result in property loss due to mishandling.

The Canadian National Fireworks Association, Edmonton Police Service and Administration support continued regulation of this activity to manage safe firework setup, display and post display cleanup. The amendment would also provide the opportunity to include noise bylaw requirements in the permitting criteria. In addition, the Edmonton Police Service would be notified of all fireworks permits, which may reduce the frequency of gunshot complaints or at minimum may provide an alternate cause to investigate. This practice is currently in place and would not be possible without the permit process.

Corporate Outcomes and Performance Management

Corporate Outcome: Edmonton is a safe city.			
Outcome	Measure	Result	Target
Edmonton is a safe city.	Percent of respondents that agree that Edmonton is a safe city, according to the Citizen Perception Survey.	2017: 66 percent	2018: 68 percent

Public Engagement

Public engagement was not completed for this bylaw amendment because of time sensitivity due to the *National Fire Code - 2019 Alberta Edition* taking effect on December 1, 2019.

From the public's perspective, there is no substantive change. Currently, it is mandatory to obtain a permit from a municipality before discharging fireworks within the municipality. This bylaw amendment would allow this process to continue.

Attachments

1. Bylaw 19004
2. City of Edmonton firework permit conditions

Others Reviewing this Report

- A. Laughlin, Acting Deputy City Manager, Financial and Corporate Services
- C. Owen, Deputy City Manager, Communications and Engagement
- B. Andriachuk, City Solicitor