

Bylaw 19580

Amendments to the Fire Rescue Services Bylaw 15309

Recommendation

That Community and Public Services Committee recommend to City Council:
That Bylaw 19580 be given the appropriate readings.

Previous Council/Committee Action

At the February 17, 2021, Community and Public Services Committee meeting, the following motion was passed:

That the February 17, 2021, Citizen Services report CS00153, be referred to the March 3, 2021, Community and Public Services Committee meeting.

Purpose

To amend the Fire Rescue Services Bylaw 15309.

Readings

Bylaw 19580 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 19580 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

In August 2020, the Government of Alberta required storage tank registration be managed by the accredited municipality in which the tank is located. The City of Edmonton is an accredited municipality and is responsible for creating and maintaining

a registration process for storage tanks within its jurisdiction. The proposed amendments update Schedule B to reflect the fees charged for storage tank registration.

Changes to the *National Fire Code - 2019 Alberta Edition* removed requirements related to fireworks, including regulations for selling pyrotechnic devices. An amendment to Bylaw 15309 Fire Rescue Services Bylaw is required to continue to issue vendor permits for consumer fireworks.

Report

Storage Tank Registration

As per the *National Fire Code - 2019 Alberta Edition*, all businesses or organizations with storage tanks 2500 litres or more must obtain an annual operating permit to use a storage tank which includes removing, installing or altering fuel tanks, and receiving or dispensing fuel. Registration of storage tanks is mandatory for businesses and organizations that use fuel tanks and allows them to conduct regular activities. Most common products such as gasoline and diesel fuel fall within this classification system. The majority of these tanks are owned by large oil companies and they are responsible for the permit application and fees.

This program (Attachment 2) provides the City of Edmonton with oversight on storage tanks and the potential environmental impacts pertaining to the storage and transferring of fuel. Potential impacts include contamination to soil, groundwater, surface water and infrastructure including drainage systems and adverse repercussions on public and environmental health. City inspections are used to monitor environmental compliance, pollution prevention and to ensure the integrity and maintenance of storage tanks.

The fee for registration would be \$75, the same as when Petroleum Tank Management Association of Alberta administered the program.

Vendor Permits to Sell Fireworks

Administration is recommending the introduction of vendor permits for those selling fireworks in Edmonton (Attachment 3). This permit will ensure vendors follow the federal regulations, including providing critical safety information to the consumer, advising on the proper products that can be safely discharged in the space available and ensuring the purchaser is at least 18 years old. Vendors must also comply with current versions of federal and provincial regulations which includes safe storage and product displays. Vendors must also complete the Fireworks Sellers Course offered by the Canadian National Fireworks Association.

Edmonton is the only large city in Alberta that allows for the sale of fireworks. Some smaller municipalities, such as Strathcona County and Parkland County, allow the sale of fireworks and require a vendor permit.

In 2020, Administration received 77 applications for Tier I permits, of those, 62 were declined. Applications were declined mainly because applicants were sold products that do not meet the federally-mandated space requirements or they did not meet the application requirements.

Without vendor permits, the City of Edmonton would be assuming significant risk, including damage to property and injury or death, as there would be no monitoring or enforcement action for vendors. Without the bylaw, Administration cannot enforce violations, including Part 16 of the Explosives Regulations, which provides vendor safety requirements for storage and sales of fireworks.

Bylaw 19580 promotes public safety and aligns with the legal requirements of the Federal Explosives Act. It requires anybody issued a permit to sell fireworks to comply with all conditions of the issued permit.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmonton is a safe city			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Edmonton is a safe city.	Percent of business license inspections completed within requisite timelines (Fireworks Vendors)	Q1 2020 : 0 percent Q2 2020 : 100 percent Q3 2020 : 0 percent	100 percent

Public Engagement

Storage Tank Registration

Public engagement was not conducted related to the registration of storage tanks as it impacts only specific businesses and organizations.

Vendor Permits to Sell Fireworks

Public and stakeholder engagement was conducted on the permit conditions for Tier I, Tier II and vendor permits throughout 2019 and 2020. The engagement included two stakeholder workshops, an Edmonton Insight Community survey, community survey and followup, and stakeholder interviews. Stakeholders included retailers, manufacturers, Edmonton Police Service and community leagues.

The main themes of input heard include:

- The majority of stakeholders support Tier I, Tier II and vendor permit conditions. They believe the regulations are critical to ensure safety of citizens and property.
- The majority of respondents in the Edmonton Insight Community Survey:

- have not witnessed a dangerous situation when attending a fireworks show in Edmonton
- support fireworks as long as the fireworks are for a professional show, like a community league event
- do not support discharge of fireworks on private residential property
- Community leagues expressed concern about permit fees; however, Administration determined that leagues have been receiving misinformation regarding permit changes.
 - Administration followed up with concerned community leagues to provide accurate information about the fee structure for permits and leagues expressed no further concerns.
- The majority of firework show providers are satisfied with the permit conditions and suggest imposing further safety conditions within the permit.

Based on the feedback received, the Administration refined the permit conditions for Tier I, Tier II and vendor permits.

Budget/Financial Implications

The new registration fee for storage tanks will be set at \$75, with potential revenue of \$145,000 annually.

The current annual fee for a permit for the sale of fireworks and pyrotechnic devices is \$99 as outlined in Schedule B of Bylaw 15309. This would remain unchanged at this time. As such, there are no financial implications.

Attachments

1. Bylaw 19580
2. Storage Tank Registration Project Proposal
3. Vendor Permit Conditions
4. 2020 Application Statistics for Tier I Permits (Private Property)

Others Reviewing this Report

- B. Andriachuk, City Solicitor, Office of the City Manager
- C. Owen, Deputy City Manager, Communications and Engagement
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- M. Persson, Chief Financial Officer and Deputy City Manager, Financial and Corporate Services