

# The Corporation of the City of Kawartha Lakes

## By-Law 2021-

### A By-Law to Amend By-Law 2007-236, being A By-Law Respecting the Sale and the Setting Off of Fireworks within the City of Kawartha Lakes

#### Recitals

1. By-Law 2007-236, being a by-law respecting the sale and the setting off of fireworks within the City of Kawartha Lakes, was adopted by Council on October 30, 2007.
2. At the September 15, 2020 Regular Council Meeting Council approved Resolution CR2020-263 directing that specific by-law amendments respecting the sale of fireworks be brought forward to Council for adoption.
3. This by-law amends By-Law 2007-236 to reflect that direction.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-      .**

#### **Section 1.00: Definitions and Interpretation**

##### 1.01 **Definitions:** In this by-law,

All defined terms in the amending By-Law take their meaning from City of Kawartha Lakes By-Law 2007-236, as amended.

##### 1.02 **Interpretation Rules:**

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### 1.03 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

#### **Section 2.00: Amendment Details**

##### 2.01 **Section 1.01: Definitions**

That the definition of “municipal law enforcement officer” within Section 1.01 of By-law 2007-236 be deleted in its entirety and be replaced with the following:

**“municipal law enforcement officer”** means a person appointed by Council under section 15 of the Police Services Act, R.S.O. 1990, c.P.15 to enforce the by-laws of the City and reports to the Manager of Municipal Law Enforcement and Licensing

**2.02 Section 1.01: Definitions**

That the following definition be added to Section 1.01 of By-law 2007-236:

**"special event"** or **"event"** means any cultural, recreational or educational event of limited duration, including an exhibition, show, display, concert, festival, race, competition, public entertainment, parade and any other organized public amusement, whether free or for a fee.

**2.03 Section 6.00: Use of Consumer Fireworks**

That Section 6.00 of By-Law 2007-236 be amended to include the following as Section 6.01, and that the subsequent subsections of Section 6:00 be renumbered to accommodate the addition of 6.01:

6.01: No person shall discharge Consumer Fireworks except between dusk and 11:00 PM on the day of, or within the 1 day preceding or the 1 day following the days set for observance of Victoria Day, Canada Day, Family Day, Indigenous Peoples Day, Labour Day or New Years Eve, or pursuant to a Permit for a special event.

**2.04 Section 8:00: Permits and Fees:**

That Section 8.00 of By-Law 2007-236 be amended to include the following as Sections 8.02 and 8.03, and that the subsequent subsections of Section 8.00 be renumbered to accommodate the addition of 8.02 and 8.03:

8.02 No person shall discharge fireworks without a Discharge Permit other than listed in 8.03.

8.03 No Discharge Permit shall be required to discharge Consumer Fireworks on, or the 1 day preceding or the 1 day following:

- a) Victoria Day
- b) Canada Day
- c) Family Day
- d) Indigenous Peoples Day
- e) Labour Day
- f) New Years Eve

**2.05 Section 8:00 Permits and Fees:**

That Section 8.20 of By-Law 2007-236 be deleted in its entirety and replaced with the following:

8.20 Where any holder of any permit issued under any section of this by-law fails or refuses to comply with a term or condition to which the permit is subject, the Fire Chief or Municipal Law Enforcement Officer shall immediately revoke the permit and the Fire Chief shall forthwith send a written notice of that revocation to the permit holder.

### **Section 3.00: Administration and Effective Date**

3.01 **Administration of the By-law:** The Fire Chief and City Clerk are responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 18 day of May, 2021.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk