

SUMMER VILLAGE OF GOLDEN DAYS

BYLAW NO. 276

THE FIREWORKS BYLAW

A BYLAW OF THE SUMMER VILLAGE OF GOLDEN DAYS, IN THE PROVINCE OF ALBERTA, TO PROHIBIT THE USE OF FIREWORKS WITHIN MUNICIPAL LIMITS

WHEREAS the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000, Part 2, Section 7 & 8 and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people and property, and

WHEREAS it is deemed desirable and expedient to prohibit the use of fireworks within the boundaries of the Summer Village of Golden Days for the purposes of public safety and protection of property, and

WHEREAS the Council of the Summer Village of Golden Days considers it desirable and expedient to do so.

NOW THEREFORE the Council of the Summer Village of Golden Days, in the Province of Alberta, duly assembled, enacts as follows:

Section 1 - Name of Bylaw

This Bylaw shall be known as "The Fireworks Bylaw".

Section 2 – Purpose of This Bylaw

The purpose of this Bylaw is to increase safety to the public, wildlife, domestic pets, prevent toxic debris from entering the lake, reduce risk and protect property both private and public.

Section 3 - Definitions

In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:

- a) "Council" means the Council of the Summer Village of Golden Days.
- b) "Firecrackers" are defined as small fireworks with entwined fuses used as noisemakers.
- c) "Fireworks" are as defined in the Alberta Fire Code.

- d) "Peace Officer" means a member of the Royal Canadian Mounted Police; a Special Constable; or a Bylaw Enforcement Officer or a Peace Officer employed by the Summer Village of Golden Days
- e) "Summer Village" means the Summer Village of Golden Days.

Section 4 – Restrictions

- a) No person shall sell fireworks within the municipal limits of the Summer Village.
- b) No person shall fire or set off any fireworks within the municipal limits of the Summer Village.
- c) Persons or groups firing or setting off fireworks within the municipal limits of the Summer Village, in contravention of this Bylaw, shall be responsible for all liabilities and damage incurred by the use of fireworks.

Note 1 Firecrackers, as opposed to "fireworks" are not allowed to be sold, given away or otherwise distributed, discharged, fired or set off in the Province of Alberta without a ministerial exemption.

Note 2: Nothing in this Bylaw is intended to be in conflict with the Alberta Fire Code and the Alberta Safety Codes Act.

Section 5 – Severability

- a) Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw are declared invalid all other provisions shall remain valid and enforceable.

Section 6 - Enforcement

- a) A Peace Officer authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act*, being Chapter M-26, Revised Statutes of Alberta 2000, as amended, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where this tag is not paid by the offender a Part 2 violation tag may be issued under the *Provincial Offences Procedures Act*, being Chapter P-34 of the Revised Statutes of Alberta 2000, to that person for the full fine.
- b) Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties or the rights of the Village pursuant to the *Municipal Government Act* or at common law to seek an entry order, order for compliance, injunction or any other order to

obtain compliance with this Bylaw.

- c) The levying and payment of any fine for any period pursuant to this Bylaw does not relieve any *person* from paying any fees, charges, or costs for which that *person* is liable under the provisions of this Bylaw, any other Bylaw or any *enactment*.
- d) Any person who contravenes the provisions of this Bylaw shall be guilty of an offense and liable on summary conviction to the penalty as set out in Schedule "A".

Section 7 - Repeal

Upon passing of this bylaw, Golden Days Bylaw No. 239 is hereby repealed.

Section 8 – Effective Date

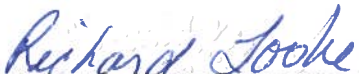
This bylaw shall come into effect upon the date of third and final reading

READ a first time this 4th day of May, 2022, A.D.

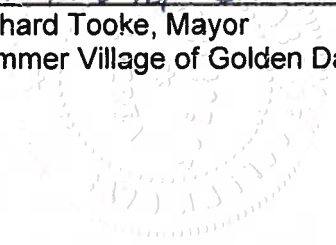
READ a second time this 4th day of May, 2022, A.D.

Given unanimous consent to proceed to third reading this 4th day of May, 2022, A.D.

READ a third time and finally passed this 4th day of May, 2022, A.D.


Richard Tooke, Mayor
Summer Village of Golden Days


Sylvia Roy, Chief Administrative Officer
Summer Village of Golden Days



Schedule "A" to Bylaw No. 276 – Summer Village of Golden Days**Penalties**

<u>Offense</u>	<u>Section</u>	<u>Fine</u>
1. Sale of fireworks within the municipal limits of the Summer Village of Golden Days		
First Offence	4a)	\$500.
Second and Subsequent Offense	4a)	\$1000
2. Discharge, fire or set off any fireworks within the municipal limits of the Summer Village of Golden Days.		
First Offence	4b)	\$500.
Second and Subsequent Offense	4b)	\$1000
