

MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, MAY 29, 2007 AT 8:15 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai and Wergeland.  
**Staff:** Tim Wood, Administrator; Chris Nation, Municipal Solicitor; Dave Ward, Fire Chief; Mike Chadwick, Deputy Chief Constable; Margaret Trottier, Deputy Municipal Clerk; and Andrea Park, Senior Committee Clerk.

ADM40  
Fireworks Bylaw

**PROPOSED AMENDMENTS TO THE FIREWORKS AND FIRECRACKER REGULATION BYLAW.**

Report of the Fire Chief dated April 2, 2007 recommending the Saanich Fireworks Bylaw be amended to the same model used in View Royal, Colwood and Langford including a prohibition on the sale of fireworks; that possession or discharge of family fireworks be permitted after completing a compulsory family fireworks program and paying a permit fee of \$10.00; that display fireworks for special functions or events be permitted by permit provided that the applicant holds a pyrotechnic certification permit for special effects fireworks; that Saanich work with other municipalities towards eventually applying the Abbotsford Fireworks bylaw model throughout the Capital Region.

In response to questions from Council, the Fire Chief stated:

- The City of Abbotsford fireworks bylaw is more restrictive than the one proposed for adoption by Saanich Council; there are differences in liability insurance and in the training course required before a permit may be issued.
- Organizations doing display fireworks events could be required to notify the immediate neighbourhood prior to the event.
- It would not be easy to require notification for family fireworks displays.
- The tradition of neighbours pooling resources for a group fireworks evening may continue under the bylaw with one responsible person obtaining a permit and holding the event on his property.

**PUBLIC INPUT:**

Ms. A. Foy, 1585 Hawthorne Street, stated:

- She supports the recommendations before Council.
- She lived previously in Ontario where fireworks controls are similar to the Abbotsford bylaw and found that it works well.

Ms. R. Emery, 3513 Quadra Street, stated:

- She became concerned about the misuse of fireworks during the 2006 Halloween.
- She has submitted a petition from over 200 people who support a ban of fireworks.
- The nuisance and danger of fireworks outweigh their fun value.
- This bylaw is a reasonable compromise and should make access to fireworks more difficult.
- Notifying the immediate neighbourhood of a fireworks event is a good idea.

- Fireworks that make only noise should be banned.

Ms. H. Stibbe, #3-830 Rogers Avenue, stated:

- Her property backs onto Hutchison Park.
- The park is used by youth to set off firecrackers for weeks around Halloween and this disturbs the neighbourhood.
- She cleans up a large quantity of spent fireworks from the park after Halloween.
- The Saanich fireworks bylaw is not being respected now; there is illegal advertising of fireworks for sale.
- Even if Council bans all fireworks she cannot see how this could be enforced.

Mr. D. Phillips, General Manager, Mystical Distributing Co. Ltd., stated:

- They are the largest fireworks company in Canada.
- Fireworks have been manufactured in Canada for over 100 years and sold in Canada for 300 years.
- Many countries and jurisdictions allow fireworks in private backyards.
- There is strong consumer demand for fireworks.
- If you take away the legal supply, the black market in illegal fireworks will grow.
- Their product is tested and approved as safe by the Federal Government.
- The pipe bombs which are known to cause most of the injuries and complaints at Halloween have nothing to do with this industry.
- Halloween fireworks will continue to be safe when distributed through legal vendors who are willing to work with the Fire and Police Departments and through public education.

Mr. D. Kruz, 819 Walker Street, stated:

- He has sold fireworks in Saanich for seven years.
- A ban will only increase the use of illegal fireworks.
- Police should be allowed to seize fireworks from young people.
- Saanich should develop an effective bylaw for the municipality and work with the industry to do so.
- Educating youth in the safe handling of fireworks is important.

Mr. K. Orr, 3454 Tillicum Road, stated:

- He owns Tubbs Ice Cream Parlour and has sold fireworks for 17 years.
- Fireworks are fun and keep families together on Halloween.
- The sale of fireworks helps his business.
- He only sells the Canadian-approved fireworks which are safer than the illegal product.
- Legal fireworks and vendors are not the problem.
- Saanich should work with the vendors to find a compromise rather than taking away their business.
- A minority of citizens are disturbed by fireworks, not the majority.
- The ban of fireworks sales in the west shore communities has not made a difference to fireworks use.

In response to a question from Councillor Wergeland, Mr. Orr stated:

- Although the proposed bylaw allows for family fireworks use, the

permit fee and the course will discourage most families from purchasing family fireworks.

Ms. P. Mack, President, Mt. Tolmie Community Association, stated:

- Family fireworks are a fun family gathering and should be allowed to continue.
- Permits won't make a difference to the problems associated with fireworks at Halloween.
- She does not support this bylaw.

Mr. R. Graham, 3701 Palo Alto, stated:

- He has a one acre property near Horner Park and puts on a big fireworks display for his neighbourhood every Halloween.
- Kids that are too old to Trick or Treat come to his place for the show.
- These events keep families together.
- A permit system will not be useful for the Police and may discourage family events.

Ms. K. Healey, 3513 Quadra Street, stated:

- She supports the bylaw; there is evidence that such bylaws work in other communities.
- It won't stop the illegal sales and mishandling of fireworks.
- The fact that fireworks are readily available creates a culture of acceptability for their widespread use.
- Family fireworks are allowed under this bylaw.

Mr. K. Fagnello, #11-1360 Hillside Drive, stated:

- His family joins in a group fireworks display every Halloween and find it a safe and enjoyable time.
- The low cost, high noise fireworks should be banned.
- Inappropriate use of fireworks is the problem.

Mr. J. Ozard, 1039 Conduit Lane, stated:

- Council should consult with the legal vendors of Canadian fireworks before passing this bylaw.
- He fears that illegal fireworks sales will increase if this bylaw is passed.

Mr. R. Bartnik, 1585 Hawthorne Street, stated:

- He lives adjacent to Majestic Park which experiences Halloween fireworks.
- This bylaw will hopefully reduce problem incidents involving fireworks.
- Family fireworks will continue under this bylaw.
- The internet contributes to and promotes the misuse of fireworks.

Mr. R. Beil, 498 Ker Avenue, stated:

- He is a fireworks vendor.
- Inappropriate use and illegal fireworks will not stop because of this bylaw.
- A better alternative is for Council to consider banning the cheap noisemaker firecrackers.
- His understanding of this proposed bylaw is that it prohibits the sale of fireworks in Saanich but allows the use of fireworks with a permit,

which amounts to a ban.

- The permit requirement will decrease sales since fireworks purchases are largely impulse driven.
- Colwood has banned the sale of fireworks and initiated a permit system like the one Saanich proposes and many Colwood residents bought their fireworks from him.

Mr. B. Mills, 2508 Belmont Avenue, stated:

- He supports family fireworks.
- Council should not ban legal fireworks since it will increase the use of illegal products.

Mr. D. Olette, stated:

- He has been a vendor for 6 years.
- A \$10.00 permit fee is not a problem.
- The pyrotechnics course may be a deterrent.
- Presently vendors are only allowed to sell fireworks eight days out of the year.
- The problems arise from other sources, not the legal vendors.

Mr. L. Underwood, 544 Walter Avenue, stated:

- He has a family fireworks display every year with neighbours contributing.
- A permit system will be discouraging to families.

Mr. D. Ward, Fire Chief, stated:

- The Fire Department plans to run a two hour family fireworks training course on Saturdays leading up to Halloween; there will be a \$10.00 permit fee which will allow residents to purchase and discharge fireworks.
- There is a longer pyrotechnical fireworks course provided by National Resources Canada which costs \$100.00 and occurs infrequently; this qualifies an operator for special events fireworks displays.
- There are presently no criteria in the bylaw for family fireworks permit renewals but it would be reasonable to consider a five year period.
- The Fire Department does visit schools to present safe methods of using fireworks.
- Permit holders must be 18 years of age or older and must take a course prior to purchasing.
- The family fireworks course would be offered in time to facilitate training before Halloween.

Deputy Chief Constable M. Chadwick stated:

- Depending on the timing and weather, the Police Department increases enforcement at Halloween by doubling staff levels.
- They made 2600 fireworks seizures in 2006 and 1600 in 2005.
- Their school liaison officers work with school representatives on Halloween night.
- Roman candles are commonly misused.
- Most of the Police seizures involve homemade fireworks/bombs.
- This bylaw may help reduce access to some of the materials used to make these bombs.

**MOTION:                    MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That:**

- 1) **The Saanich Fireworks Bylaw, 2004, No. 8014, be amended to the same model used in View Royal, Colwood and Langford, including a prohibition on the sale of fireworks;**
- 2) **Possession or discharge of family fireworks be permitted after completing a compulsory Family Fireworks program and paying a permit fee of \$10.00;**
- 3) **Display fireworks for special functions or events be permitted by permit provided that the applicant holds a pyrotechnics certification permit for special effects fireworks; and**
- 4) **That Saanich work with other municipalities towards eventually applying the Abbotsford Fireworks bylaw model throughout the Capital Region."**

Councillor Hunter stated:

- This bylaw limits the availability of fireworks for sale and if adopted throughout the region, may reduce the problems associated with Halloween.
- Education and enforcement are key in concert with this bylaw.
- The vendors could have offered their advice before this point.
- He supports this bylaw.

Councillor Derman stated:

- This bylaw is a step towards managing the problems associated with fireworks at Halloween.
- A consistent policy is needed from the provincial government and a resolution endorsed by the UBCM supporting more controls would be appropriate.
- Saanich is not recommending a complete ban; therefore, family fireworks events may continue.
- This bylaw does affect product availability.
- The record in the USA is much worse than in Canada due to their lack of controls.
- A culture of fireworks use at Halloween has been created.

Councillor Wergeland stated:

- Council did not want to curtail family enjoyment of fireworks and therefore had not rushed to change the bylaw.
- This bylaw will allow continued responsible use of fireworks.

Councillor Gillespie stated:

- He supports this bylaw which does not ban fireworks like the Abbotsford bylaw; family fireworks evenings are allowed but will be subject to a permit and training.
- Unfortunately, information is readily available to those who wish to make bombs from fireworks.

Councillor Brice stated:

- This bylaw offers a reasonable approach to controlling the misuse of fireworks in that only a responsible and trained adult may obtain a permit in order to discharge fireworks.
- It will be a useful tool for Police Department enforcement.
- The permit system should not discourage family firework events.

Councillor Brownoff stated:

- It is hard to bring in such a bylaw without the same bylaw in effect in the Region.
- The permit system for family fireworks is a reasonable system.
- Noisemaker fireworks need to be looked at as they cause the majority of problems at Halloween.
- Education in the region's schools is important.
- She supports this bylaw as a good compromise which is intended to be adopted region-wide.

Councillor Ngai stated:

- She supports this bylaw as it will decrease inappropriate use of fireworks; responsible family fireworks displays will continue.

Mayor Leonard stated:

- There is a need to pass this bylaw to control the misuse of fireworks within this community.
- The municipalities that have such a bylaw in place have experienced fewer problems and municipal staff support it.
- The Halloween tradition is changing and perhaps fireworks displays will become less common.

**The Motion was then PUT and CARRIED**

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:55 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK