

The Fire and Protective Services Amendment Bylaw, 2023

ISSUE

This report submits Bylaw No. 9924, *The Fire and Protective Services Amendment Bylaw, 2023* (“Bylaw”) for City Council’s consideration.

This report also submits a revised version of the “Requirements for the Use and Handling of Fireworks” document, which sellers provide to purchasers of consumer fireworks, for City Council’s information.

RECOMMENDATION

That City Council consider Bylaw No. 9924, *The Fire and Protective Services Amendment Bylaw, 2023*.

BACKGROUND

At its [August 30, 2023 Regular Business Meeting](#), City Council considered two reports of the Saskatoon Fire Department dated August 8, 2023 and August 30, 2023 and resolved:

1. That the City Solicitor be requested to amend Bylaw No. 7990, *The Fire and Protective Services Bylaw, 2001* to add Diwali and Lunar New Year as two additional days where low hazard fireworks are permitted.
2. That the Administration report back regarding the opportunity and implications for requiring the distribution of education material regarding safe and permitted use from fireworks vendors to consumers.

DISCUSSION/ANALYSIS

Resolution 1: The Fire and Protective Services Amendment Bylaw, 2023

In accordance with City Council’s first resolution, we are pleased to submit Bylaw No. 9924, *The Fire and Protective Services Amendment Bylaw, 2023*, for City Council’s consideration.

The third day of Diwali was selected as the date that fireworks are permitted for the purposes of the Diwali festival, since this is the day of the five-day celebration on which fireworks are generally discharged. The hours during which fireworks are permitted on this date mirror the hours that apply to Victoria Day, Canada Day and Labour Day.

Fireworks have been permitted on “Chinese New Year” since the date of this holiday is generally understood and widely accepted, whereas the more general term “Lunar New Year” can refer to a variety of dates and celebrations. The hours during which fireworks are permitted on this date mirror the hours that apply to New Years.

Given the dates of Diwali and Chinese New Year change from year to year and there could potentially be dispute as to the exact dates of these celebrations in any given year, a statement has been included that in the event of uncertainty respecting which dates fireworks are permitted, the determination of the Saskatoon Fire Department is final.

In relation to City Council’s second resolution and as further discussed below, *The Fire and Protective Services Bylaw, 2001* has also been amended to require sellers of consumer fireworks to provide to purchasers any information that the Saskatoon Fire Department requires sellers to provide.

Housekeeping amendments have been made to update references to provisions of *The National Fire Code, 2015*. Additionally, the offence respecting the setting of open-air fires has been reworded for the purposes of improving enforceability.

Resolution 2: Revised “Requirements for the Use and Handling of Fireworks” Document

City Council asked Administration to report back regarding the opportunity and implications for requiring the distribution of education material regarding safe and permitted use from fireworks vendors to purchasers.

The federal *Explosives Regulations, 2013* already require vendors to provide certain information to purchasers respecting the safe and proper handling of fireworks. This information can be found at Appendix 2 – Safety Instructions For Consumers.

As discussed at the August 30 meeting of City Council, the Saskatoon Fire Department already has a document containing additional information that it currently recommends vendors provide to purchasers. For the purposes of educating the public about fireworks requirements that are specific to the City of Saskatoon, it is prudent to move toward requiring vendors to provide this document to purchasers along with the information that they are already required to provide pursuant to federal regulation.

A revised “Requirements for the Use and Handling of Fireworks” document is attached at Appendix 3 for City Council’s information. This document has, in consultation with the Saskatoon Fire Department, been amended in the following ways:

- Formatting changes have been made to emphasize the prohibition against discharging fireworks outside of permitted dates and times;
- The dates and times that fireworks are permitted have been updated to include Chinese New Year and the third day of Diwali;

- A statement has been added that discharging fireworks outside of permitted dates and times, or failure to comply with any other requirements of *The Fire and Protective Services Bylaw, 2001* or federal legislation, may result in prosecution;
- A statement has been added to clarify that discharging fireworks on City property or at school sites is not permitted, unless appropriate consents have been obtained;
- Provisions that mirror the contents of the Safety Instructions For Consumers document, which purchasers receive separately, have been removed to avoid duplication of information;
- Additional requirements have been reflected, including the requirement not to smoke within 8 metres of the site of use of fireworks and the requirement not to discharge fireworks in a manner that would create a danger or nuisance to any person or property;
- Minor housekeeping changes have been made.

NEXT STEPS

The Saskatoon Fire Department will take action to update the “Requirements for the Use and Handling of Fireworks” document in accordance with the revisions shown in Appendix 3. The revised document will be distributed to sellers of fireworks along with a notification that sellers are now required to provide this information to purchasers. The requirement is set to come into force on November 1, 2023, to allow for an opportunity for distribution and notification.

APPENDICES

1. Proposed Bylaw No. 9924, *The Fire and Protective Services Amendment Bylaw, 2023*.
2. Safety Instructions For Consumers.
3. Revised “Requirements for the Use and Handling of Fireworks” document.

Report Approval

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Approved by: Cindy Yelland, City Solicitor