



## The Corporation of the Town of Tecumseh

Legislative & Clerk Services

**To:** Mayor and Members of Council

**From:** Robert Auger, Director Legislative Services & Clerk

**Date to Council:** May 9, 2023

**Report Number:** LCS-2023-16

**Subject:** Town of Tecumseh New Fireworks By-Law

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### Recommendations

It is recommended:

**That** Report LCS-2023-16 entitled “Town of Tecumseh New Fireworks By-Law” **be received; and**

**That** proposed By-Law 2023-045 as revised and attached hereto and being a by-law to prohibit and regulate the sale and setting off of fireworks in the Town of Tecumseh **be given consideration for** a first, second and third and final reading.

### Background

At the April 11, 2023 Policies & Priorities Committee meeting (Committee meeting), Council received [Report LCS 2023-12](#) entitled Town of Tecumseh New Fireworks By-Law. At this meeting, Administration reviewed with Council proposed By-Law 2013-50, being a by-law to regulate the sale and the use of fireworks in the Town of Tecumseh and provided a summary of the proposed by-law whose intent is to update the current by-law to provide for a safer and more effective approach to the regulations relating to the sale and use of fireworks in the Town. The proposed by-law was then placed on the April 25, 2023 Regular Council Meeting agenda for Council’s consideration. Just prior to the April 25 meeting, Administration was contacted by a local major stakeholder company in the Fireworks industry and was asked if they could still have an opportunity to meet with Administration to provide their support and feedback on the proposed by-

law. Accordingly, Council agreed to defer its consideration of the by-law to the May 9, 2023 Regular Council Meeting. The purpose of this report is to summarize the revisions to the proposed by-law which arose because of the feedback received from that major local stakeholder and to now recommend the by-law as revised for adoption by Council.

## Comments

Victor Anber is the owner and operator of a locally based fireworks distributing business which has over 25 years of experience in the industry. Mr. Anber advises that over the years he has consulted and continues to consult with various municipalities on their fireworks regulations to provide feedback and/or seek clarification on such by-laws with the goal being to ensure his customers are informed of local requirements and safety protocols.

To that end, Town staff met with Mr. Anber on May 2, 2023 and the following was addressed:

1. It was agreed to provide further definitions in the by-law of such terms as “Fireworks Supervisor” and “Assistant” to be more consistent with federal regulations and terminology.
2. The Town confirmed that any type of Aerial Fireworks would require a permit.
3. The Town confirmed that a Permit to Sell would be required under the by-law but that it would be a one-time requirement for permanent businesses looking to sell fireworks as opposed to pop-up or transient vendors that would require a permit each and every time they propose to sell fireworks in the Town of Tecumseh.
4. The Town confirmed that the by-law gives the Fire Chief the discretion to allow the setting off of consumer fireworks on days other than those stated so as to provide diversity to the range of events/holidays wishing to be celebrated with the setting off of fireworks.
5. In section 4.10 of the by-law the requirements for a fire extinguisher were revised to be more consistent with federal recommendations.
6. Section 7.3 of the by-law was revised to provide clarity that no person other than a federally licensed pyrotechnician shall set off Pyrotechnic Special Effect Fireworks.

A revised copy of the proposed by-law indicating the revisions in red line is attached hereto as Attachment 1.

Overall, the feedback the Town received was supportive of the by-law and it was felt that this by-law together with public education on Firework Safety will help address any concerns the Town may have regarding the setting off of Fireworks in the Town of

Tecumseh. In addition, since the April 25 Regular Council Meeting, Administration further received a letter of support in Attachment 2 for the new by-law from the Windsor/Essex County Humane Society who expressed the opinion that the proposed by-law is a great step forward in addressing some of the noted concerns with fireworks from an animal protection and environmental aspect.

Administration recommends that Council give consideration to the adoption of By-law 2023-045 as revised and attached to the By-laws section of the Agenda.

## **Consultations**

Community Safety

## **Financial Implications**

For every application processed, the Fire Chief or designates must process the application, ensuring all the requirements are attached which may include a site visit, when and if required. It is therefore recommended that Council consider the imposition of a standard fee to be charged for the processing of Applications for Fireworks Display.

Current By-law 2013-50 provides that permit applications are at the fee of \$50.00 but it is recommended that, given the updated by-law and the enhanced regulations required therein that the current fee be reviewed and if necessary amended through the 2024 budget deliberations.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Robert Auger, LL.B.  
Director Legislative Services & Clerk

Reviewed by:

Wade Bondy  
Director Community Safety & Fire Chief

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Revised By-law 2023-045 with Tracked Changes
2	Letter from the Windsor Essex Humane Society