

**To: David Creery, Chief Administrative Officer**  
**From: Jeff Slager, Fire Chief**  
**Re: Consumer Fireworks Complaint Enforcement & Bylaw Comparison**

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## **AIM**

The purpose of this staff report is to provide Council with data of recent complaints and associated enforcement actions for non-compliance, and to further provide data on the actions of other municipalities as they address similar non-compliance matters.

## **BACKGROUND**

Under Municipal Code Chapter 802 – Consumer Fireworks, there are multiple citations that may be issued in relation to the non-complaint discharge of fireworks, including:

- Did discharge fireworks on day other than approved holidays.
- Did discharge fireworks other than during permitted time.
- Did discharge fireworks on a highway, public square, or other public place where not approved.

The first two listed above include a set fine of \$125.00 plus court fees, and the third includes a set fine of \$300.00 plus court fees.

The approved holidays identified within the by-law are currently Victoria Day, Canada Day, and Diwali. Fireworks are permitted to be discharged only on the day these holidays occur, and between dusk and 11:00 pm. Council may, from time to time, approve additional days by resolution.

On March 16, 2023, Council directed staff to provide a report addressing enforcement of non-compliance with Municipal Code Chapter 802 – Fireworks with a focus on the discharge of fireworks outside of the approved holidays, and to provide information on actions taken by other municipalities addressing non-compliance, including information on the option of banning the sale and discharge of fireworks outright.

## **COMMENT**

### Complaints/Enforcement

Calls for service related to non-compliance with the discharge of fireworks may be addressed by the City of Woodstock By-law Department (Bylaw), the Woodstock Police Service (WPS), or the Woodstock Fire Department (WFD).

In 2022, calls for service received by each of these agencies were:

- City of Woodstock By-law Department: 0
- Woodstock Police Service: 49
- Woodstock Fire Department: 1

From these calls for service there was one (1) warning issued by WPS and no charges filed.

In 2023 to date, calls for service received by each of these agencies were:

- City of Woodstock By-law Department: 0
- Woodstock Police Service: 22
- Woodstock Fire Department: 9

For the July 1, 2023 weekend, Woodstock Fire Department responded to all fireworks related calls for service. These responses are being reviewed to determine if charges are warranted.

The challenges with response to complaints over discharging fireworks outside of the dates/times permitted is in enforcement staff being able to arrive at the location while the offence is occurring. With respect to the complaint response by WPS, calls of this nature can become lower in the response queue due to higher priority requests, thereby further hindering the time of arrival during the improper discharging.

With respect to incidents of fireworks being discharged in public areas/parks leading to damage of City property/assets, finding the specific person(s) responsible for these discharges is again challenged by a timely response.

### Other Municipal Actions

A review of municipalities both locally and other areas of Ontario show a variety of approaches to both the days of authorized discharge and enforcement options.

Many municipalities permit the discharge of fireworks on multiple days surrounding the approved holiday, either for the weekend of the recognized date (Amherstburg, Kingsville, London, among others) or for up to 3 days before and after the recognized date (Chatham-Kent).

Others are reviewing, or already acted, to reduce the number of discharge days available (Kitchener recently reduced to match Woodstock) or outright ban the sale and discharge of fireworks (Brampton, was also part of Kitchener's discussions).

Within the municipalities researched, there is a range of who provides the enforcement of the bylaw, and the associated fines for infractions.

There are many municipalities that utilize Police, Fire, and Bylaw to enforce their fireworks bylaw; however, not all have short-form wording (to enable the issuance of citations) for the infraction of discharging outside of the approved times/dates/places.

A few municipalities (Brantford & Tillsonburg of note) only utilize their Fire Department to enforce the bylaw, and rather than issue citations, they issue a "truck service fee" for the Department response using the current Ministry of Transportation rates (2023 = \$543.03 per apparatus)

Virtually all municipalities, regardless of the number of discharge days permitted or who is responding to complaints, are having difficulty with enforcement as both the responding staff and the complaint caller have a hard time determining the exact location the fireworks were set off. Furthermore, the persons improperly discharging fireworks tend to have left the area prior to the responding agency's arrival.

In addition to enforcement options, some municipalities have moved toward altering the type of fireworks that are permitted to be discharged during approved days. Brampton, prior to moving to a complete ban, only permitted the use of fireworks that travel less than three meters. These include fountains, wheels, ground spinners, and sparklers. Any rocket-type of firework was banned.

Low-noise, or "silent", fireworks are another approach that has been explored by municipalities. While not truly "silent" these types of fireworks do not typically include the big aerial explosions found in traditional fireworks. There is still the sound of the lift charge (upwards of 95 dB) and the charges used to disperse any stars will be smaller, thereby reducing, but not eliminating, the noise.

Movements to either of these two options have brought varying success as standard fireworks can still be purchased from outside the restricted municipality and discharged within.

## **RECOMMENDATION**

Provided for Council's information and direction.

*Authored by: Jeff Slager, Fire Chief*

*Approved by: David Creery, M.B.A. P. Eng., Chief Administrative Officer*