

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 2019

A Bylaw to regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives

WHEREAS the Council of the District of Central Saanich has the authority under the *Community Charter* to, by bylaw, regulate, prohibit and impose requirements in relation to firecrackers, fireworks and explosives;

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NOW THEREFORE, the Council of the District of Central Saanich, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited for all purposes as the **“Central Saanich Fireworks Regulation Bylaw No. 2019, 2019”**.

Definitions

2. In this Bylaw:
 - (a) **“Certification Card”** means documented proof of the completion of either the Fireworks Supervisor Level 1 or 2 training course conducted by the Explosives Regulatory Division;

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- (b) **“Display Fireworks”** means high hazard fireworks defined in Class 7, Division 2, Subdivision 2 of the Federal Regulations (generally described as large fireworks used for public fireworks displays) but excluding Firecrackers and Entertainment Industry Pyrotechnics;
 - (c) **“District”** means the District of Central Saanich;
 - (d) **“Enforcement Officer”** means a person employed as Fire Chief by the Fire Department of the District of Central Saanich, or any person employed by the District of Central Saanich as a Bylaw Enforcement Officer, or any member of the District of Central Saanich Police Department;
 - (e) **“Entertainment Industry Pyrotechnics”** means explosive articles and explosive substances used in the performing arts to create pyrotechnic special effects;
 - (f) **“Explosives Regulatory Division”** means the Explosives Regulatory Division of the Explosives Branch of the Minerals and Metals Sector of Natural Resources Canada;
 - (g) **“Family Fireworks”** means low hazard fireworks generally used for recreation but excluding Christmas crackers, sparklers and caps for toy guns;
 - (h) **“Federal Regulations”** means the Explosives Regulations enacted under the *Explosives Act*, R.S.C., 1985, c. E-17, as amended from time to time;
 - (i) **“Fire Chief”** means a person appointed by the Council to be in charge of the Fire Department, and includes all Fire Officers and any other person authorized to act on behalf of the Fire Chief;
 - (j) **“Firecrackers”** means a small paper cylinder charged with an explosive used as a noisemaker;
 - (k) **“Fire Safety Plan”** means a plan dealing with the procedures to follow to protect public safety when firing, setting off or exploding Entertainment Industry Pyrotechnics, approved by the Fire Chief;
 - (l) **“Fireworks”** means Display Fireworks and Family Fireworks;
 - (m) **“Fireworks Event”** means the observance or celebration of a special event or festival where Fireworks are desired to be fired, set-off or exploded;
 - (n) **“Fireworks Permit”** means a current and valid permit in the form attached as Schedule “A-1” or “A-2” to this Bylaw authorizing a person to fire, set-off or explode Family Fireworks or Display Fireworks;
 - (o) **“Pyrotechnics Event”** means the observance or performance of a production where

Entertainment Industry Pyrotechnics are desired to be fired, set-off or exploded;

- (p) **“Pyrotechnics Permit”** means a current and valid permit in the form attached as Schedule “E” to this Bylaw authorizing a person to fire, set-off or explode Entertainment Industry Pyrotechnics.

3. Prohibitions

1. No person may sell, offer to sell, trade or otherwise dispose of Fireworks, Entertainment Industry Pyrotechnics or Firecrackers to any other person.
2. No person may store, hold, possess, fire, set-off or explode Fireworks without a Fireworks Permit.
3. No Fireworks Permit holder may store, hold, possess, fire, set-off, explode or otherwise use Fireworks in contravention of a Fireworks Permit.
4. No person may store, hold, possess, fire, set-off or explode Entertainment Industry Pyrotechnics without a Pyrotechnics Permit.
5. No Entertainment Industry Pyrotechnics Permit holder may store, hold, possess, fire, set-off, explode or otherwise use Entertainment Industry Pyrotechnics in contravention of a Pyrotechnics Permit.
6. No person may store, hold, possess, fire, set-off, explode or otherwise use Fireworks or Entertainment Industry Pyrotechnics in a manner that increases the risk of physical injury to any person or damage to any public or private property.
7. No person may store, hold, possess, fire, set-off or explode Firecrackers.

4. Exemptions

1. This Bylaw does not prohibit or regulate the use of torpedoes, flares, fuzzes or similar pyrotechnic devices by motorists, mariners, police or other agencies for signalling purposes or illumination.

5. Family Fireworks or Display Fireworks Permits

1. Any person eighteen (18) years of age or older may apply for a Fireworks Permit to fire, set-off or explode Family Fireworks or Display Fireworks by submitting to the Fire Chief, at least fourteen (14) days prior to the date upon which the Fireworks Event is to occur:
 - (a) A completed application in the applicable form attached as Schedule “A-1” or “A-2”;

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- (b) A written agreement from the property owner in the form attached as Schedule “C” if the Fireworks Event is to occur on property that is not owned by the applicant or is owned or controlled by the District;
 - (c) A written agreement from the person organizing or sponsoring the Fireworks Event in the form attached as Schedule “D” if the Fireworks Event is being organized or sponsored by any person other than the applicant;
 - (d) In the case of Display Fireworks, proof acceptable to the Fire Chief that the applicant is a Certification Card holder; and,
 - (e) The applicable Fireworks Permit application fee set-out in in the *Fees and Charges Bylaw*.
2. The Fire Chief shall consider each application for a Fireworks Permit and issue a Fireworks Permit to the applicant if:
- (a) The property upon which the Fireworks Event is to occur is available for such use on the date and time set-out in the application;
 - (b) The Fire Chief considers the Fireworks Event will not create a public safety risk or risk to public or private property; and,
 - (c) The applicant meets all the requirements of this Bylaw and all other applicable Bylaws of the District.

6. Entertainment Industry Pyrotechnics Permit

1. Any person eighteen (18) years of age or older may apply for a Pyrotechnics Permit to fire, set-off or explode Entertainment Industry Pyrotechnics by submitting to the Fire Chief, at least fourteen (14) days prior to the date upon which the Pyrotechnics Event is to occur:
- (a) A completed application in the form attached as Schedule “E”;
 - (b) A written agreement from the property owner in the form attached as Schedule “C” if the Fireworks Event is to occur on property that is not owned by the applicant or is owned or controlled by the District;
 - (c) A written agreement from the person organizing or sponsoring the Fireworks Event in the form attached as Schedule “D” if the Fireworks Event is being organized or sponsored by any person other than the applicant;
 - (d) A copy of the Explosives Regulatory Division’s approval of the Pyrotechnic Event;

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- (e) A Fire Safety Plan approved by the Fire Chief after the Fire Chief has visited the location for the Pyrotechnics Event and determined the amount of fire protection required;
 - (f) A site plan drawn to scale with the direction of firing, separation distances, position of ramps and mortars, any significant ground features, right-of-ways, buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans, and location of emergency vehicles;
 - (g) An event description which should include a time schedule of the event, attendance estimates, lists of fireworks or explosives or flammable and/or combustible products to be used, firing procedures, emergency response procedures, and a list of crew members;
 - (h) A Fireworks Permit if Family Fireworks or Display Fireworks are used in the Pyrotechnic Event;
 - (i) Proof acceptable to the Fire Chief that the applicant holds either a valid Level 1 Certification Card or, for unconventional sites as defined by the Explosives Regulatory Division, a valid Level 2 Certification Card;
 - (j) The Pyrotechnics Permit application fee set-out in the *Fees and Charges Bylaw*.
 - (k) The Fire Safety Plan review fee set-out in the *Fees and Charges Bylaw*.
2. The Fire Chief shall consider each application for a Pyrotechnics Permit and issue a Pyrotechnics Permit to the applicant if:
- (a) The property upon which the Pyrotechnics Event is to occur is available for such use on the date and time set out in the application;
 - (b) The Fire Chief considers the Pyrotechnics Event will not create a public safety risk or risk to public or private property; and,
 - (c) The applicant meets all the requirements of this Bylaw and all other applicable bylaws of the District.

7. Fireworks Permit and Pyrotechnics Permit Conditions

1. The Fire Chief in issuing a Fireworks Permit or Pyrotechnic Permit may impose such terms and conditions that the Fire Chief considers reasonable relating to the following:
- (a) The days and the hours during which Fireworks or Entertainment Industry Pyrotechnics may be fired, set-off, exploded or otherwise used;

- (b) The location to which Fireworks or Entertainment Industry Pyrotechnics may be fired, set-off, exploded or otherwise used;
 - (c) The type of Fireworks or Entertainment Industry Pyrotechnics that may be fired, set-off, exploded or otherwise used; and,
 - (d) The safety and convenience of the public.
2. At the time of issuance of the Display Fireworks Permit or the Pyrotechnics Permit, the Display Fireworks Permit or Pyrotechnics Permit Holder shall provide to the Fire Chief a certificate of insurance that meets the Insurance Requirements as set out in Schedule "B".

8. Permit Holder Requirements

1. Every Fireworks Permit or Pyrotechnics Permit Holder shall:
- (a) Fire, set-off, explode or use only those Fireworks or Entertainment Industry Pyrotechnics specified in the Fireworks Permit or Pyrotechnics Permit;
 - (b) Fire, set-off, explode or use Fireworks or Entertainment Industry Pyrotechnics only in accordance with the terms and conditions of the Fireworks Permit or Pyrotechnics Permit;
 - (c) Fire, set-off, explode or use the Entertainment Industry Pyrotechnics only in accordance with the Fire Safety Plan;
 - (d) Ensure that the Fireworks or Entertainment Industry Pyrotechnics are only fired, set-off, exploded or used under the Fireworks Permit or Pyrotechnics Permit Holder's direct supervision and responsibility; and,
 - (e) Ensure that the use, handling, discharge, possession, and storage of the Fireworks or Entertainment Industry Pyrotechnics conforms in every respect to the *Explosives Act* (Canada) and regulations, the Display Fireworks manual as published by the Explosives Regulatory Division, and this Bylaw.

9. Revocation of Permit

1. The Fire Chief may revoke a Fireworks Permit or Pyrotechnics Permit at any time if the Fireworks Permit or Pyrotechnics Permit Holder:
- (a) Fails to comply with any term or condition of the Fireworks Permit or Pyrotechnic Permit; or,
 - (b) Violates or breaches any of the provisions of this Bylaw.

10. Cost Recovery Fees

1. Every Pyrotechnics Permit Holder shall pay for any fire protection services provided by the District for the Pyrotechnics Event. The fees shall be calculated in accordance the *Fees and Charges Bylaw*.
2. Every Fireworks Permit or Pyrotechnics Permit Holder shall pay all costs and expenses of any fire protection services, materials or resources expended or incurred by the District as a result of a fire caused by a Special Event or Pyrotechnics Event. The fee shall be calculated in accordance with the *Fees and Charges Bylaw*.

11. Enforcement

1. No person shall obstruct an Enforcement Officer engaged in the administration or enforcement of this Bylaw.
2. Every person who contravenes a provision of this Bylaw commits an offence, and each day that the violation is caused or allowed to continue constitutes a separate offence.
3. Any person guilty of an infraction of this Bylaw is liable on summary conviction to a fine of not less than \$100.00 and not more than \$10,000.00, or imprisonment not exceeding the maximum allowed by the *Offence Act*.
4. This Bylaw may be enforced by means of a ticket in the form prescribed for the purpose of s. 264 of the *Community Charter*.
5. Enforcement Officers are designated to enforce this Bylaw pursuant to s. 264(1)(b) of the *Community Charter*.
6. The words or expressions set forth in Column 1 of Schedule "F" of this Bylaw are authorized pursuant to s. 264(1)(c) of the *Community Charter* to designate the offence committed under the Bylaw section number appearing in Column 2 opposite the respective words or expressions.
7. The amounts appearing in Column 3 of Schedule "F" of this Bylaw are the fines established by Council pursuant to s. 265(1)(a) of the *Community Charter* for the corresponding offence designated in Column 1.

12. Severability

1. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason found invalid by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

13. Repeal

1. **"Central Saanich Fireworks and Firecracker Regulation Bylaw No. 1579, 2007"** is hereby repealed.

READ A FIRST TIME on this 16th day of September, 2019.

READ A SECOND TIME on this 16th day of September, 2019.

READ A THIRD TIME on this 16th day of September, 2019.

ADOPTED this 7th day of **October,** 2019.



Chris Graham
Acting Mayor



Liz Cornwell
Corporate Officer



SCHEDULE A-1

District of Central Saanich – Application for Family Fireworks Permit

Name of Applicant: _____

Birth date: _____ Age: _____

Mailing Address: _____

Phone: _____ E-mail: _____

THE APPLICANT HEREBY applies to fire, set-off or explode **Family Fireworks** on property within the District as follows:

Location: _____

Date: _____ Time: (Start) _____ (End) _____

Description of Event: _____

Estimated Number of Spectators: _____

Type and Quantity of Fireworks: _____

Description of Safety Precautions: _____

Contact Name and Phone No. for Organizer or Sponsor of Fireworks Event: _____

Contact Name and Phone for Property Owner: _____

The information on this form and any other personal information collected regarding this Application is collected under the Central Saanich Fireworks Regulation Bylaw No. 1579, 2007 for the purpose of issuing a Permit to use Fireworks. The release and use of this information is in compliance with the

Freedom of Information and Protection of Privacy Act (RSBC 1996, c.165) and the *Federal Privacy Act*. Should you have any questions regarding the collection and use of this information, please contact the Municipal Clerk at (250) 544-4202.

Information about Permit requirements may be obtained from the Central Saanich Fire Department.

READ CAREFULLY

THE APPLICANT CERTIFIES that the Applicant understands and will be guided by the provisions of the District of Central Saanich Fireworks Regulation Bylaw, in force from time to time, and all applicable provincial and federal laws and regulations in force from time to time, and any conditions or restrictions imposed in this Permit by the Fire Chief.

THE APPLICANT CERTIFIES that the Applicant understands that no person may fire, set-off, explode or otherwise use Family Fireworks except between the time and date specified in this Application.

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SCHEDULE A-1**District of Central Saanich – Application for Family Fireworks Permit
Page Two**

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Applicant acknowledges), the Applicant covenants that the Applicant will indemnify and save harmless the District and its elected officials, employees, officers, agents and contractors from and against any and all manner of actions or causes of action, damages, costs, loss, or expenses of whatever kind (including, without limitation, legal fees) which the District or its elected officials, employees, officers, agents or contractors may sustain, incur, or be put to by reason of or arising out of:

- a) The issuance of this Permit
- b) The Fireworks Event, including, without limitation, the handling, storage, firing, setting-off, exploding or other use of fireworks in connection with this Permit;
- c) The Applicant's use or occupation of the location upon which the Fireworks Event is to occur; or,
- d) Any act or omission of the Applicant or any person for whom the Applicant is at law responsible for including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Applicant acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature of Applicant

Date

PERMISSION IS GRANTED to the above Applicant to fire, set-off or explode **Family Fireworks**, at the location and on the date and time(s) as set-out above, subject to the District of Central Saanich Fireworks Regulation Bylaw, as amended from time to time, and to the following conditions and restrictions:

- This permit is not transferable. Only the Applicant is authorized under this permit to fire, set-off or explode fireworks.
- The Applicant may only fire, set-off or explode the type and quantity of fireworks described in the application.
- The Applicant may fire, set-off, explode or otherwise use Family Fireworks between the set time and date as approved by the Fire Chief.
- The Applicant must ensure that all debris and litter related to the Fireworks Event, including any litter left by spectators, is removed from the location at the conclusion of the Fireworks Event.

Other:

Fire Chief or authorized designate

Date of Issue

Schedule "A-2"

District of Central Saanich – Application for Display Fireworks Permit

Name of Applicant: _____

Birth Date: _____ Age: _____

Mailing Address: _____

Phone: _____ E-mail: _____

Fireworks Supervisor Level and Card No.: _____
(attach photocopy)

THE APPLICANT HEREBY applies to fire, set-off or explode **Display Fireworks** on property within the District as follows:

Location: _____

Date: _____ Time Start: _____ End: _____

Description of Event: _____

Estimated Number of Spectators: _____

Type and Quantity of Fireworks: _____

Description of Safety Precautions: _____

Contact Name and Phone No. for Organizer or Sponsor of Fireworks Event: _____

Contact Name and Phone No. for Property Owner: _____

A site plan including firing location and limiting distance as set-out in the *Explosives Act* for Display Fireworks is to be submitted.

The information on this form and any other personal information collected regarding this Application is collected under the Central Saanich Fireworks Regulation Bylaw No. 1579, 2007 for the purpose of issuing a Permit to use Fireworks. The release and use of this information is in compliance with the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, c.165) and the *Federal Privacy Act*. Should you have any questions regarding the collection and use of this information, please contact the Municipal Clerk at (250) 544-4202.

Information about permit requirements may be obtained from the Central Saanich Fire Department.

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SCHEDULE A-2**District of Central Saanich – Application for Display Fireworks Permit
Page Two****READ CAREFULLY**

THE APPLICANT CERTIFIES that the Applicant understands and will be guided by the provisions of the District of Central Saanich Fireworks Regulation Bylaw, in force from time to time, and all applicable provincial and federal laws and regulations in force from time to time, and any conditions or restrictions imposed in this Permit by the Fire Chief.

THE APPLICANT FURTHER CERTIFIES that the Applicant is authorized to the appropriate level by Natural Resources Canada to possess and fire, set-off or explode fireworks of the class specified within this application.

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Applicant acknowledges), the Applicant covenants that the Applicant will indemnify and save harmless the District and its elected officials, employees, officers, agents and contractors from and against any and all manner of actions or causes of action, damages, costs, loss, or expenses of whatever kind (including, without limitation, legal fees) which the District or its elected officials, employees, officers, agents or contractors may sustain, incur, or be put to by reason of or arising out of:

- a) The issuance of this Permit
- b) The Fireworks Event, including, without limitation, the handling, storage, firing, setting-off, exploding or other use of fireworks in connection with this Permit;
- c) The Applicant's use or occupation of the location upon which the Fireworks Event is to occur; or,
- d) Any act or omission of the Applicant or any person for whom the Applicant is at law responsible for including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Applicant acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature of Applicant

Date

PERMISSION IS GRANTED to the above Applicant to fire, set-off or explode **Display Fireworks** at the location and on the date and time(s) as set-out above, subject to the District of Central Saanich Fireworks Regulation Bylaw, as amended from time to time, and to the following conditions and restrictions:

- This permit is not transferable. Only the Applicant is authorized under this Permit to fire, set-off or explode fireworks.
- The Applicant may only fire, set-off or explode the type and quantity of fireworks described in the application.

- The Applicant must ensure that all debris and litter related to a Fireworks Event that occurs on District property, including any litter left by the spectators, is removed from the location at the conclusion of the Fireworks Event.

Other:

Fire Chief or authorized designate

Date of Issue

SCHEDULE B**Insurance Requirements**

A Display Fireworks Permit or Pyrotechnics Permit Holder shall, at his or her own expense, for the duration of the Fireworks Event or Pyrotechnics Event, secure and maintain a Comprehensive General Liability insurance policy with an inclusive limit of not less than \$5,000,000.00 per occurrence for bodily injury and property damage. The Comprehensive General Liability insurance policy shall:

- a) Include all premises and operations necessary or incidental to the Fireworks Event or Pyrotechnics Event;
- b) Include "Broad Form" Property Damage coverage on an occurrence basis, including loss of use of property;
- c) Include, but not necessarily be limited to, the following coverage:
 - (i) Contingent Employers Liability;
 - (ii) Owners and Contractors Protective Liability;
 - (iii) Contractual Liability assumed with respect to the event;
 - (iv) Non-Owned and Hired Auto; and,
 - (v) Personal Injury Liability;
- d) Include the District, its elected officials, officers, agents and employees, and contractors acting on behalf of the District as additional insured's;
- e) Be primary and non-contributing with respect to any insurance carried by the District of Central Saanich;
- f) Not include a deductible greater than \$5,000.00 per occurrence (unless the District of Central Saanich advises in writing that it has determined that a greater deductible is acceptable);
- g) Include a Cross Liability clause;
- h) Preclude subrogation claims by the insurer against any of the insured;
- i) Include a provision requiring the insurer to give the District of Central Saanich thirty (30) days' prior written notice before making any material change to the insurance coverage, or the termination or cancellation thereof;
- j) Provide that the District of Central Saanich, its elected officials, officers, agents and employees, and contractors acting on behalf of the District of Central Saanich are protected notwithstanding any act, neglect or misrepresentation of the Display Fireworks Permit or Pyrotechnics Permit Holder which might otherwise result in the avoidance of a claim and that such policy is not affected or invalidated by any act, omission or negligence of any third party which is not within the knowledge or control of the insured;
- k) Be underwritten by a responsible insurance company or companies licensed to do business in the Province of British Columbia and that meet with the reasonable approval of the District of Central Saanich;
- m) Maintenance of the insurance required herein and the performance by the Display Fireworks Permit or Pyrotechnics Permit Holder of his or her obligations under this clause shall not relieve the Display Fireworks Permit or Pyrotechnics Permit Holder from liability under any covenant to indemnify the District of Central Saanich;
- n) It shall be the sole responsibility of the Display Fireworks Permit or Pyrotechnics Permit Holder to determine his or her own additional insurance coverage, if any, including workers' compensation, that are necessary and advisable for his or her own protection or to fulfil his or her obligations with

respect to the Fireworks Event or Pyrotechnics Event. Any such additional insurance shall be secured and maintained by the Display Fireworks Permit or Pyrotechnics Permit Holder at his or her own expense;

- o) The foregoing insurance provisions shall not limit the insurance the Display Fireworks Permit or Pyrotechnics Permit Holder is required to secure and maintain by provincial or federal law; and,
- p) If the Display Fireworks Permit or Pyrotechnics Permit Holder fails to secure or maintain insurance as required herein, then the District of Central Saanich shall have the right, but not the duty or obligation, to secure and maintain such insurance and give evidence thereof to the Display Fireworks Permit or Pyrotechnics Permit Holder. The Display Fireworks Permit or Pyrotechnics Permit Holder shall pay the cost thereof to the District on demand.

SCHEDULE C**Agreement of Property Owner For Fireworks or Pyrotechnics Event**

Name of Applicant: _____

Name of Organizer or Sponsor of Fireworks Event or Pyrotechnics Event: _____

Location of Fireworks Event or Pyrotechnics Event: _____

Date: _____ Time: _____

Name of Property Owner: _____

Mailing Address: _____

Phone: _____ Contact Name (if any): _____

The Property Owner has agreed and consented to the Organizer/Sponsor holding and the Applicant performing a Fireworks Event or Pyrotechnics Event on the date and at the location and time described above. The Applicant has applied to the District of Central Saanich for a Permit to perform such Fireworks Event or Pyrotechnics Event.

In consideration of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged by the Property Owner), the Property Owner hereby remises, releases and forever discharges the District of Central Saanich and its elected officials, employees, officers, agents and contractors of and from any and all matter of actions, damages, causes of action, suits, debts, claims, demands and damages of any nature or kind whatsoever which the Property Owner may at any time have against the District of Central Saanich or its elected officials, employees, officers, agents or contractors arising out of any cause, matter or thing in respect of or arising out of:

- a) The issuance of the Permit to the Applicant;
- b) The Fireworks Event or Pyrotechnics Event, including, without limitation, the handling, storage, firing, setting-off, exploding or other use of Fireworks or Entertainment Industry Pyrotechnics in connection therewith;
- c) The use or occupation of the location upon which the Fireworks Event or Pyrotechnics Event is to occur; or,
- d) Any act or omission of the Applicant or Organizer/Sponsor or any persons for whom either is, at law responsible for, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Property Owner acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature(s) of Property Owner(s):_____
Date:

The information on this form and any other personal information collected regarding this Application is collected under the Central Saanich Fireworks Regulation Bylaw No. 1579, 2007 for the purpose of issuing a Permit to use Fireworks. The release and use of this information is in compliance with the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, c.165) and the *Federal Privacy Act*. Should you have any questions regarding the collection and use of this information, please contact the Municipal Clerk at (250) 544-4202.

Information on requirements may be obtained from the Central Saanich Fire Department.

SCHEDULE D**Agreement of Organizer or Sponsor of a Fireworks Event or Pyrotechnics Event**

Name of Applicant: _____

Location of Fireworks Event or Pyrotechnics Event: _____

Date: _____ Time: _____

Name of Organizer or Sponsor of Fireworks Event or Pyrotechnics Event: _____

Mailing Address: _____

Phone: _____ Contact Name (if any): _____

The Organizer/Sponsor has engaged the Applicant to perform a Fireworks Event or Pyrotechnics Event on the date and at the location and time described above. The Applicant has applied to the District of Central Saanich for a Permit to perform such Fireworks Event or Pyrotechnics Event.

In consideration of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Organizer/Sponsor acknowledges), the Organizer/Sponsor hereby covenants to indemnify and save harmless the District and its elected officials, employees, officers, agents and contractors from and against any and all manner of actions or causes of action, damages, costs, loss, or expenses of whatever kind (including, without limitation, legal fees) which the District of Central Saanich or its elected officials, employees, officers, agents or contractors may sustain, incur, or be put to by reason of or arising out of:

- a) The issuance of the Permit to the Applicant;
- b) The Fireworks Event or Pyrotechnics Event, including, without limitation, the handling, storage, firing, setting off, exploding or other use of fireworks or Entertainment Industry Pyrotechnics in connection therewith;
- c) The use or occupation of the location upon which the Fireworks Event or Pyrotechnics Event is to occur; or
- d) Any act or omission of the Organizer/Sponsor or Applicant or any persons for whom either is, at law responsible for, including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Organizer/Sponsor acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature(s) of Organizer/Sponsor:_____
Date:

The information on this form and any other personal information collected regarding this Application is collected under the Central Saanich Fireworks Regulation Bylaw No. 1579, 2007 for the purpose of

issuing a Permit to use Fireworks. The release and use of this information is in compliance with the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, c.165) and the *Federal Privacy Act*. Should you have any questions regarding the collection and use of this information, please contact the Municipal Clerk at (250) 544-4202.

Information on requirements may be obtained from the Central Saanich Fire Department.

Schedule E

District of Central Saanich – Application for Pyrotechnics Permit

Name of Applicant: _____

Birth Date: _____ Age: _____

Mailing Address: _____

Phone: _____ E-mail: _____

Explosives Regulatory Division Event Approval: _____

(attach photocopy)

Fireworks Supervisor Level and Card No.: _____

(attach photocopy)

THE APPLICANT HEREBY applies to fire, set-off or explode **Entertainment Industry Pyrotechnics** on property within the District of Central Saanich as follows:

Location: _____

Date: _____

Time: (Start) _____ (End) _____ (attach time schedule of production)

Site Plan: _____ (attach plan)

Estimated Attendance: _____

Type and Quantity of fireworks, explosives and combustible products:

Firing Procedures: _____

Emergency Response Procedures: _____

Description of Fire Safety Plan (attach photocopy of Fire Chief approval): _____

Security Deposit for Fire Safety Plan: _____

List of Crew Members: _____

The information on this form and any other personal information collected regarding this Application is collected under the Central Saanich Fireworks Regulation Bylaw No. 1579, 2007 for the purpose of issuing a Permit to use Fireworks. The release and use of this information is in compliance with the *Freedom of Information and Protection of Privacy Act* (RSBC 1996, c.165) and the *Federal Privacy Act*. Should you have any questions regarding the collection and use of this information, please contact the Municipal Clerk at (250) 544-4202.

Information on requirements may be obtained from the Central Saanich Fire Department.

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Schedule E**District of Central Saanich – Application for Entertainment Industry Pyrotechnics Permit
Page Two****READ CAREFULLY**

THE APPLICANT CERTIFIES that the Applicant understands and will be guided by the provisions of the District of Central Saanich Fireworks Regulation Bylaw, in force from time to time, and all applicable provincial and federal laws and regulations in force from time to time, and any conditions or restrictions imposed in this Permit by the Fire Chief.

IN CONSIDERATION of \$1.00 and other good and valuable consideration (the receipt and sufficiency of which the Applicant acknowledges), the Applicant covenants that the Applicant will indemnify and save harmless the District and its elected officials, employees, officers, agents and contractors from and against any and all manner of actions or causes of action, damages, costs, loss, or expenses of whatever kind (including, without limitation, legal fees) which the District or its elected officials, employees, officers, agents or contractors may sustain, incur, or be put to by reason of or arising out of:

- a) The issuance of this Permit;
- b) The Pyrotechnics Event, including, without limitation, the handling, storage, firing, setting-off, exploding or other use of fireworks in connection with this Permit;
- c) The Applicant's use or occupation of the location upon which the Fireworks Event is to occur; or,
- d) Any act or omission of the Applicant or any person for whom the Applicant is at law responsible for including, without limitation, the non-observance or non-performance of any obligation imposed by federal or provincial law.

The Applicant acknowledges that he or she has had the opportunity to seek independent legal advice as to the contents of this Agreement and that he or she is not under any legal disability.

Signature of Applicant

Date

PERMISSION IS GRANTED to the above Applicant to fire, set-off or explode Entertainment Industry Pyrotechnics, at the location and on the date and time(s) as set-out above, subject to the District of Central Saanich Fireworks Regulation Bylaw, as amended from time to time, and to the following conditions and restrictions:

- In accordance with requirements of the Fireworks Regulation Bylaw, the Applicant shall obtain a Comprehensive General Liability insurance policy with an inclusive limit of not less than \$5,000,000.00 per occurrence for bodily injury and property damage and provide evidence of the same to the Fire Chief at the time of issuance of this Permit.
- This permit is not transferable. Only the Applicant is authorized under this Permit to fire, set-off or explode Entertainment Industry Pyrotechnics.

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- The Applicant may only fire, set-off or explode the type and quantity of Entertainment Industry Pyrotechnics described in the Application.
 - The Applicant must ensure that all debris and litter related to a permitted event that occurs on District property, including any litter left by the spectators, is removed from the location at the conclusion of the permitted event.

Other:

Fire Chief or authorized designate

Date of Issue

Schedule F**Municipal Ticket Information Designations**

Offence	Section	Fines
Sale of Fireworks, Pyrotechnics or Firecrackers	3(1)	\$500.00
Use of Fireworks Without Permit	3(2)	\$200.00
Use of Fireworks Contrary to Permit	3(3)	\$100.00
Use of Pyrotechnics Without Permit	3(4)	\$100.00
Use of Pyrotechnics Contrary to Permit	3(5)	\$200.00
Unsafe Use of Fireworks or Pyrotechnics	3(6)	\$200.00
Use of Firecrackers	3(7)	\$100.00
Use of Pyrotechnics Contrary to Fire Safety Plan	8(1)(c)	\$100.00
Use of Fireworks or Pyrotechnics Without Supervision	8(1)(d)	\$100.00
Obstruction of Enforcement Officer	11(1)	\$250.00

