



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2015-31

A BY-LAW TO AMEND BY-LAW 2015-18, BEING A BY-LAW FOR THE LICENSING, REGULATING THE SALE AND SETTING OFF OF FIREWORKS.

WHEREAS it is deemed necessary to amend By-law 2015-18, being a By-law licensing, regulating the sale and setting off of fireworks, to include regulations related to year round fireworks sales premises (permanent fireworks premise).

THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Newmarket as follows:

1. THAT By-law 2015-18, be amended by deleting and replacing the following definition in Section 1 with the following:

“LICENCE” means the authorization obtained, granted or issued pursuant to this by-law to a *Permanent Sales Premise*, *Temporary Fireworks Premises* or a *Mobile Sales Premise*;

2. THAT By-law 2015-18, be amended by adding the following definition in Section 1 with the following:

“PERMANENT FIREWORKS PREMISE” means a premise located within a building or part thereof in which the principle year round business is the sale of fireworks;

THAT Section 3.1 be deleted and replaced with the following:

- 3.1 No *Person* shall offer for sale, cause or permit to be sold, sell or otherwise distribute any *Prohibited Fireworks*, *Display Fireworks* or *Pyrotechnic Special Effect Fireworks* without first obtaining approval from the Director.

THAT Section 3.3 be deleted and replaced with the following:

- 3.3 *Consumer Fireworks* shall only be sold seven (7) days prior to and including Victoria Day and Canada Day except in a *Permanent Sales Premise*.

THAT Section 3.10 be deleted and replaced with the following:

- 3.10 No *Person* or group of persons shall *Discharge* any *Fireworks* on *Town* property without first having obtained a *Permit* or a *Fireworks Special Occasions Permit* to do so issued by the *Fire Chief*.

THAT Section 4.3 be deleted and replaced with the following:

- 4.3 Every *Licence* shall have endorsed thereon the location of a *Permanent Sales Premise*, *Mobile Sales Premise* and *Temporary Sales Premise* such endorsement shall be for the same location only.

THAT Section 5.1 be deleted and replaced with the following:

- 5.1 All *Vendors of Consumer Fireworks* in the *Town* are required to conduct the sales of *Consumer Fireworks* within a *Permanent Sales Premise*, *Temporary Fireworks Premise* or *Mobile Sales Premise* and in accordance with this By-law and all applicable law.

THAT Section 5.2 be deleted and replaced with the following:

- 5.2 All *Vendors of Consumer Fireworks* from a *Permanent Sales Premise*, *Temporary Fireworks Premise* or *Mobile Sales Premise* shall keep their *Licence* issued in respect of this By-law posted in a conspicuous place at all times.

THAT Section 5.3 be deleted and replaced with the following:

- 5.3 Every *Vendor of Consumer Fireworks* from a *Permanent Sales Premise*, *Temporary Fireworks Premise* or *Mobile Sales Premise* shall provide and maintain fully operational fire extinguishers, ready for immediate use, on site at all times.

ENACTED THIS 22ND DAY OF JUNE, 2015

Tony Van Bynen, Mayor

Andrew Brouwer, Town Clerk