

# The Corporation of the City of Belleville

## By-law Number 2025-142

### A By-law to Regulate the Sale and Setting Off of Fireworks and Pyrotechnic Special Effects within the City of Belleville and to Repeal By-law Number 2022-129

#### (Fireworks By-law)

**Whereas** Section 120 of the Municipal Act, S.O. 2001, c.25, as amended, authorizes a municipality to pass by-laws to prohibit and regulate the storage, keeping and transportation of explosives and other dangerous substances, including requirements that a permit be obtained from the municipality for the storage of explosives and imposing conditions on such permits;

**And Whereas** Section 121 of the Municipal Act, S.O. 2001 , c.25 as amended, authorizes a municipality to pass by-laws to prohibit and regulate the sale of fireworks and the setting off of fireworks, including requirements that a permit be obtained from the municipality for the sale or setting off of such fireworks and imposing conditions on such permits;

**And Whereas** Section 446 of the --Municipal Act, S.O. 2001, c.25, as amended, provides that where a municipality has the authority by By-law to direct or require that a matter or thing be done, the municipality may in the same or another By-law direct that, in default of it being done by the person directed or required to do so, such matter or thing shall be done at the person's expense and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

**And Whereas** Section 7.1 of the Fire Protection and Prevention Act,, S.O. 1997, c4, as amended, provides that the council of a municipality may pass by-laws regulating fire prevention, including the spreading of fires;

**And Whereas** the Council of the City of Belleville deems it expedient and necessary for the safety and well-being of the community to regulate the sale and use of fireworks and pyrotechnic special effects within the City of Belleville;

**Now Therefore** the Council of The Corporation of the City of Belleville hereby enacts as follows:

### Part I

#### Definitions

1. In this By-law:

"Act" means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitution therefore;

**"City" or "City of Belleville"** means the municipal corporation of the City of Belleville or the geographic area of the City of Belleville as the context requires;

**"Consumer Firework"** means an outdoor, low hazard, recreational firework that is classed as a Class 7, Division 2, Subdivision 1 Firework under the Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, and sparklers but does not include Christmas crackers and caps for toy guns containing not in excess of twenty-five one-hundredths of a grain of explosive used per cap;

**"Consumer Fireworks Sales Permit"** means a permit issued in accordance with this By-law by the Fire Chief for the sale of Consumer Fireworks;

**"Discharge"** means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words "discharged" and "discharging" have a similar meaning;

**"Display Firework"** means an outdoor, high hazard, recreational firework that is classed as a Class 7, Division 2, Subdivision 2 Firework under the Act, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons but does not include Firecrackers;

**"Display Fireworks Permit"** means a permit issued in accordance with this By-law by the Fire Chief for the display of Display Fireworks;

**"Display Supervisor"** means a person who is an approved purchaser of Display Fireworks and who is qualified under the Act to supervise the Discharge of Display Fireworks;

**"Enforcement Officer"** means the Fire Chief, Deputy Fire Chiefs, Senior Fire Prevention Officer, every member of the Belleville Fire and Emergency Services designated as an Assistant to the Fire Marshal, every By-law Enforcement Officer for the City of Belleville, and every police constable with Belleville Police Service;

**"FPPA"** means the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitution therefor;

**"Fire Chief"** means the Chief of Fire Services of the City or authorized delegates;

**"Firecracker"** means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese firecrackers, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, or devices for use with such caps, safety flares, marine rockets, and other distress signals;

**"Fireworks"** means Display Fireworks, Pyrotechnic Special Effects Fireworks and Consumer Fireworks;

**"Prohibited Firework"** includes but is not limited to cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash cracklers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes as included on the most recent list of Prohibited Fireworks as published from time to time under the Act;

**"Public Fireworks Display"** means an exhibition of Fireworks in an outdoor assembly or open air occupancy to which the public is invited, attends, may attend, or is admitted with or without a fee being charged;

**"Pyrotechnician"** means a person who is certified under the Act as a Theatrical User, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of Pyrotechnic Special Effect Fireworks under the Act;

**"Pyrotechnic Special Effect Firework"** means a high hazard firework that is classed as a Class 7, Division A, Subdivision 5 Firework under the Act and that is used to produce a special pyrotechnic effect for indoor or outdoor performances and includes black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, gerbs, lances and wheels; and

**"Pyrotechnic Special Effect Fireworks Permit"** means a permit issued in accordance with this By-law by the Fire Chief for the display of Pyrotechnic Special Effect Fireworks;

**"Sell"** includes offer for sale, cause or permit to be sold and to possess for the purpose of sale and the words "selling" and "sold" have a similar meaning.

## **Part II**

### **Sale and Discharge of Firecrackers**

2. (1) No person shall Sell any Firecrackers.  
(2) No person shall Discharge any Firecrackers.

## **Part III**

### **Sale and Discharge of Prohibited Fireworks**

3. (1) No person shall Sell any Prohibited Fireworks.  
(2) No person shall Discharge any Prohibited Fireworks.

## **Part IV**

### **Sale of Consumer Fireworks**

4.
  - (1) No person shall Sell Consumer Fireworks unless a Consumer Fireworks Sales Permit has first been obtained from the Fire Chief in accordance with Part IV of this By-law.
    - (2) A member of Belleville Fire Services, Fire Prevention, shall be permitted to conduct a site inspection in relation to each permit application received pursuant to Part IV of this By-law.
    - (3) No person shall Sell Consumer Fireworks in a building unless the provisions of the Ontario Fire Code and all other applicable Acts and Regulations are complied with.
    - (4) A person applying for a Consumer Fireworks Sales Permit shall be required to submit the following:
      - a. A completed application, in the form provided by the Fire Chief;
      - b. Written consent of the owner of the property on which the sale of Consumer Fireworks is proposed, unless the applicant is the owner of the property;
      - c. The fee as prescribed by the City's Fees and Charges By-law as approved by Council for the City of Belleville from time to time;
      - d. A site plan for the sale location;
      - e. A description of fire emergency procedures; and
      - f. Such other information as required by the Fire Chief.
    - (5) A Consumer Fireworks Sales Permit shall not be issued where:
      - a. The permit application is incomplete;
      - b. The property on which the sale of Consumer Fireworks is proposed is not zoned to permit a retail store;
      - c. There are reasonable grounds for belief that the sale of Consumer Fireworks by the applicant will result in a breach of this By-law, the FPPA or the Act; or
      - d. The information provided in support of the Consumer Fireworks Sales Permit pursuant to Section 4(4) of this By-law is unacceptable to the Fire Chief in their sole discretion, acting reasonably.
    - (6) The Fire Chief may revoke a Consumer Fireworks Sales Permit where:
      - a. The person to whom the permit is issued fails to comply with all provisions and conditions to which the permit is subject in accordance with this By-law;
      - b. The application for the Consumer Fireworks Sales Permit contains false or misleading information;

- c. The building from which Consumer Fireworks are offered for sale is in non-compliance with the provisions of the Ontario Fire Code or any other applicable Act or Regulation.

(7) No person shall Sell Consumer Fireworks unless they are eighteen (18) years of age or older.

(8) No person shall Sell Consumer Fireworks from an outdoor stand, tent, unenclosed trailer, shipping container, motor vehicle, or residential dwelling.

(9) No person shall Sell Consumer Fireworks unless they are included on the most recent List of Authorized Explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada) or its successor.

(10) No person shall store Consumer Fireworks except as permitted under the Act.

(11) No person shall exhibit Consumer Fireworks unless the Consumer Fireworks are separated into individual lots that do not exceed 25 kilograms in gross weight, and such separation between lots shall be sufficient to prevent fire from spreading rapidly from one lot to the next by:

- a. Maintaining a minimum aisle width of 1.1 metres between lots;
- b. Maintaining a partition, constructed of 6-millimetre plywood or other suitable material, that extends a minimum of 15 centimetres above the height of the lot or to the display shelf above; or
- c. Maintaining sufficient separation between lots by such other suitable method or means; and
- d. Ensuring that no more than ten percent (10%) of the area of any display shelf on which Consumer Fireworks are exhibited contain holes or other openings.

(12) No person shall exhibit Consumer Fireworks that are not in consumer packs, unless the Consumer Fireworks are inaccessible to the public and are displayed in a glass or Plexiglas case or other suitable receptacle.

(13) No person shall exhibit Consumer Fireworks that are exposed, or may be exposed, to the rays of the sun or to excess heat, or that are within close proximity to flammable goods.

(14) No person shall exhibit Consumer Fireworks on a display board or in a shop window unless the display consists of mock samples only and does not contain any explosive composition.

(15) No person who Sells Consumer Fireworks shall, at any time, keep or permit the keeping of Consumer Fireworks unless the location or shop is designated as a no smoking area, has been posted with "No Smoking" signs, and is equipped with the appropriate number and class of fire extinguishers as may be required by the Fire Chief.

(16) No person who Sells Consumer Fireworks shall exhibit Consumer Fireworks to the public at any time unless the location or shop is attended by the vendor or an employee thereof.

(17) No person shall exhibit Consumer Fireworks in an indoors shop or location, or in a trailer unless there are a minimum of two (2) unobstructed, clearly identified exits to ensure that employees and the public can quickly evacuate in the event of a fire.

(18) No person shall Sell Consumer Fireworks except on the following days:

- a. Victoria Day and Canada Day; and
- b. Each of the seven (7) days immediately preceding Victoria Day and Canada Day

(19) No person shall advertise the sale of Consumer Fireworks except on Victoria Day and Canada Day, and the preceding twenty one (21) days in each case.

(20) No person who has obtained a Consumer Fireworks Sales Permit from the Fire Chief as required by Part IV of this By-law shall be required to obtain a Hawker and Peddler business license, with respect to the sale of Consumer Fireworks, as required by the City's Business License By-law 2005-318, as amended, or any replacement by-law.

## Part V

### Conditions Applying to Consumer Fireworks Sales Permit

5. (1) The Fire Chief may issue permits for the sale of Consumer Fireworks on the conditions set forth in Part V of this By-law.

(2) The following conditions shall apply to all Consumer Fireworks Sales Permits:

- a. The permit is valid only for calendar year in which it is issued;
- b. The permit is valid only for the sale location specified in the permit;
- c. Every permit holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use;
- d. The permit holder shall sell Consumer Fireworks in conformance with the information provided to the Fire Chief pursuant to Section 4(4) of this By-law;
- e. The permit holder shall comply at all times with the provisions of the Act, FPPA and the provisions of this By-law;
- f. Any other condition deemed reasonable in the circumstances by the Fire Chief.

(3) No permit holder shall Sell Consumer Fireworks except in accordance with the conditions of the permit.

## **Part VI**

### **Discharge of Consumer Fireworks**

6. (1) No person shall Discharge Consumer Fireworks except on the following days:

- a. Victoria Day;
- b. The day immediately preceding Victoria Day;
- c. The day immediately following Victoria Day;
- d. Canada Day;
- e. The day immediately preceding Canada Day;
- f. The day immediately following Canada Day;
- g. Such other times and such other dates as permitted by the Fire Chief.

(2) No person under the age of eighteen (18) years shall Discharge any Consumer Fireworks.

(3) No person being the parent or guardian of any person under the age of eighteen (18) years shall allow the person under the age of eighteen (18) to Discharge any Consumer Fireworks.

(4) A person eighteen (18) years of age or older may Discharge Consumer Fireworks on any land belonging to them, or on any other privately owned land where the owner thereof has given permission for such display or Discharge of Consumer Fireworks.

(5) No person shall Discharge any Consumer Fireworks in such a manner as might create danger or constitute a nuisance to any person or property, or to do or cause or allow any unsafe act or omission at the time and place for the Discharging of any Consumer Fireworks.

(6) No person shall Discharge any Consumer Fireworks in or into any building, doorway, or automobile.

(7) No person shall Discharge any consumer Fireworks in zone B of Schedule 1.

(8) No person shall Discharge any Consumer Fireworks in or on or into any highway, street, lane, square or other public place, unless prior written permission has been obtained from the Fire Chief.

(9) All persons Discharging Consumer Fireworks shall have means to extinguish Consumer Fireworks readily available.

(10) No Consumer Fireworks shall be discharged during an open air burning ban or partial burning ban.

(11) No Consumer Fireworks shall be discharged during a high wind warning issued by environment Canada.

(12) No Consumer Fireworks shall be discharged on City of Belleville property.

## Part VII

### Display Fireworks

7.
  - (1) No person or group of persons shall hold a display of Display Fireworks in the City of Belleville without first having obtained a permit to do so from the Fire Chief in accordance with Part VII of this By-law.
  - (2) A member of Belleville Fire Services, Fire Prevention, shall be permitted to conduct a site inspection in relation to each permit application received pursuant to Part VII of this By-law.
  - (3) No person or group of persons shall hold a Public Fireworks Display using Consumer Fireworks.
  - (4) Every application for a permit required under Part VI I of this By-law shall be made to the Fire Chief a minimum of thirty (30) days prior to the event when the proposed display of Display Fireworks is to occur.
  - (5) A person applying for a Display Fireworks Permit shall be required to submit the following:
    - a. A completed permit application, in the form provided by the Fire Chief;
    - b. A site plan providing a description of the site to be used for the Discharging of the Display Fireworks;
    - c. A description of the fire emergency procedures;
    - d. Proof that the applicant is certified as a Display Supervisor;
    - e. Written consent of the owner of the property on which the Discharge of Display Fireworks is proposed, unless the Applicant is the owner of the property;
    - f. The fee as prescribed by the City's Fees and Charges By-law as approved by Council for the City of Belleville from time to time;
    - g. Proof of insurance as required by Part XI of this By-law;
    - h. Signed Indemnity as required by Part XII of this By-law; and
    - i. Such other information as required by the Fire Chief.
  - (6) A Display Fireworks Permit shall not be issued where:
    - a. The permit application is incomplete;
    - b. The applicant is not a Display Supervisor;
    - c. The display is not being held under the auspices of an established club, association or group of persons;
    - d. The purpose of the display is not of civic, national or international significance, or not of special significance for particular interest groups; or
    - e. There are reasonable grounds for belief that the holding of the Display Fireworks will result in a breach of this By-law, the FPPA or the Act; or

- f. The information provided in support of the Display Fireworks Permit pursuant to Section 7(5) is unacceptable to the Fire Chief in their sole discretion, acting reasonably.

(7) The Fire Chief may revoke a Display Fireworks Permit where:

- a. The person to whom the permit is issued fails to comply with all provisions and conditions to which the permit is subject in accordance with this By-law;
- b. The application for the Display Fireworks Sales Permit contains false or misleading information;
- c. Environmental concerns such as weather conditions, wind speed and/or wind direction are a factor;
- d. An Open Air Fire Ban has been instituted.

## Part VIII

### Conditions Applying to Display Fireworks Permit

- 8. (1) The Fire Chief may issue permits for displays of Display Fireworks on the conditions set forth in Part VII of this By-law.
  - (2) The following conditions shall apply to all Display Fireworks Permits:
    - a. The permit is valid only for the display at the place and on the date or dates set forth in the permit;
    - b. The permit holder, who shall be a Display Supervisor, shall supervise the display of Display Fireworks at all times;
    - c. The permit holder, who shall be a Display Supervisor, shall Discharge the Display Fireworks;
    - d. Every permit holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use;
    - e. The permit holder shall hold the display of Display Fireworks in conformance with the information provided to the Fire Chief pursuant to Section 7(5) of this By-law;
    - f. The permit holder shall comply at all times with the provisions of the Act, FPPA, the Display Fireworks Manual published by Natural Resources Canada or any successor publication, and the provisions of this By-law;
    - g. The permit holder shall comply with any wind speed or direction limitations imposed on the permit (Canadian Forces base Trenton shall be the referenced authority); and
    - h. Any other condition deemed reasonable in the circumstances by the Fire Chief.
  - (3) No permit holder shall Discharge Display Fireworks except in accordance with the conditions of the permit.
  - (4) The permit holder holding the display of Display Fireworks shall ensure that all unused Display Fireworks and all debris are removed forthwith from the site and safely disposed of.

## **Part IX**

### **Pyrotechnic Special Effects Fireworks**

9.
  - (1) No person or group of persons shall Discharge any Pyrotechnic Special Effect Fireworks in the City of Belleville without first having obtained a permit authorizing the display of Pyrotechnic Special Effect Fireworks from the Fire Chief in accordance with Part IX of this By-law.
  - (2) A member of Belleville Fire Services, Fire Prevention, shall be permitted to conduct a site inspection in relation to each permit application received pursuant to Part IX of this By-law.
  - (3) Every application for a permit required under Part IX of this By-law shall be made to the Fire Chief a minimum of thirty (30) days prior to the event when the proposed Discharge of Pyrotechnic Special Effect Fireworks is to occur.
  - (4) A person applying for a Pyrotechnic Special Effect Fireworks Permit shall be required to submit the following:
    - a. A completed permit application, in the form provided by the Fire Chief;
    - b. A site plan of the facility and room capacity, the stage and the Pyrotechnics Special Effect Fireworks storage area;
    - c. A description of the fire emergency procedures;
    - d. Proof that the applicant is certified as a Pyrotechnician;
    - e. Written consent of the owner of the property on which the Discharge of Pyrotechnic Special Effects Fireworks is proposed, unless the Applicant is the owner of the property;
    - f. The fee as prescribed by the City's Fees and Charges By-law as approved by Council for the City of Belleville from time to time;
    - g. Proof of insurance as required by Part XI of this By-law;
    - h. Signed Indemnity as required by Part XII of this By-law; and
    - i. Such other information as required by the Fire Chief.
  - (5) A permit for the display of Pyrotechnics Special Effects Fireworks shall not be issued where:
    - a. The application is incomplete;
    - b. The applicant is not a Pyrotechnician under the Act; or
    - c. There are reasonable grounds for belief that holding a display of Pyrotechnic Special Effect Fireworks will result in a breach of this bylaw, the FPPA or the Act; or
    - d. The information provided in support of the Display Fireworks Permit pursuant to Section 9(4) of this By-law is unacceptable to the Fire Chief in their sole discretion, acting reasonably.

(6) The Fire Chief may revoke a Pyrotechnics Special Effects Fireworks Permit where:

- a. The person to whom the permit is issued fails to comply with all provisions and conditions to which the permit is subject in accordance with this By-law;
- b. The application for the Pyrotechnics Special Effects Permit contains false or misleading information;
- c. Environmental concerns such a weather conditions, wind speed and/or wind direction are a factor;
- d. An Open Air Fire Ban has been instituted.

## **Part X**

### **Conditions Applying to Pyrotechnic Special Effects Fireworks Permit**

10. (1) The Fire Chief may issue permits for displays of Pyrotechnic Special Effect Fireworks on the conditions set forth in Part X of this By-law.  
  
(2) The following conditions shall apply to Pyrotechnic Special Effect Fireworks Permits:
  - a. The permit is valid only for the display at the place and on the date or dates set forth in the permit;
  - b. The permit holder, who shall be a Pyrotechnician, shall supervise the display of Pyrotechnic Special Effect Fireworks;
  - c. The permit holder, who shall be a Pyrotechnician, shall Discharge the Pyrotechnic Special Effects Fireworks;
  - d. The permit holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use;
  - e. The permit holder shall comply at all times with the provisions of the Act, FPPA, the Pyrotechnics Special Effects Manual published by Natural Resources Canada or any successor publication, and the provisions of this By-law;
  - f. The permit holder shall hold the display of Pyrotechnic Special Effects Fireworks in conformance with the information provided to the Fire Chief pursuant to Section 9(4) of this By-law;
  - g. The permit holder shall comply with any wind speed or direction limitations imposed on the permit (Canadian Forces base Trenton shall be the referenced authority); and
  - h. Any other condition deemed reasonable in the circumstances by the Fire Chief.  
(3) No permit holder shall Discharge Pyrotechnic Special Effect Fireworks except in accordance with the conditions of the permit.

- (4) The permit holder holding the display of Pyrotechnic Special Effect Fireworks shall ensure that all unused Pyrotechnic Special Effect Fireworks and all debris are removed forthwith from the site and safely disposed of.

## **Part XI**

### **Insurance**

11. (1) The applicant for a permit under Parts VI I and IX of this By-law shall provide and maintain Commercial General Liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name The Corporation of the City of Belleville as an additional insured thereunder. Such insurance shall include permission to conduct displays of Display Fireworks or Pyrotechnic Special Effects Fireworks. Such insurance policy shall contain an endorsement to provide the City of Belleville with (30) days prior written notice of cancellation or of a material change that would diminish coverage, and a Certificate of Insurance evidencing such insurance coverage shall be provided to the City of Belleville prior to the issuance of a permit.

## **Part XII**

### **Indemnification**

12. (1) The applicant for a permit under Parts VII and IX of this By-law shall provide a signed indemnity which indemnifies and saves harmless The Corporation of the City of Belleville from any and all claims, demands, causes of action, loss costs or damages that the City may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

## **Part XIII**

### **Production of Permit**

13. (1) Every holder of a Consumer Fireworks Sales Permit, Display Fireworks Permit or Pyrotechnic Special Effect Fireworks Permit shall produce their permit upon being so directed by the Fire Chief.

## **Part XIV**

### **Offences and Penalties**

14. (1) Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offenses Act, R.S.O. 1990, Chapter P.33, as amended from time to time.

## **Part XV**

### **Enforcement and Administration**

15. (1) This By-law may be enforced by every Enforcement Officer.
  - (2) No person shall obstruct, hinder or interfere with an Enforcement Officer in their enforcement of this By-law.
  - (3) An Enforcement Officer may, at any reasonable time and without prior notice, inspect any land, property, places, premises, buildings or structures where Fireworks are stored or offered for sale.
  - (4) An Enforcement Officer may, at any reasonable time and without prior notice, inspect any land, property, places, premises, buildings or structures for which an application for a permit under this By-law has been received for the purposes of conducting the site inspections required pursuant to Sections 4(2), 7(2), and 9(2) of this By-law.
  - (5) An Enforcement Officer may, at any reasonable time and without prior notice, inspect any land, property, places, premises, buildings or structures for which a permit under this By-law has been issued for the purpose of ensuring compliance with the permit.
  - (6) An Enforcement Officer may, at any reasonable time and without prior notice, inspect any land, property, places, premises, buildings or structures for the purpose of carrying out an inspection to determine if any section of this By-law is complied with.
  - (7) Notwithstanding the provisions of Section 15(3) to 15(6) of this By-law, an Enforcement Officer shall not enter or remain in any room or place actually used as a dwelling unless the provisions of Section 437 of the Municipal Act, 2001 are complied with.
  - (8) From time to time the Fire Chief may approve any and all forms as may be contemplated under this By-law, including forms of permit and applications for permit.

## **Part XVI**

### **Reinstatement**

16. (1) Where any person is in contravention of any provision of this By-law, the City, in addition to any other action, may give or send notice to the person requiring the property be made to conform with this By-law. In the event that a notice is given or sent and the property is not reinstated to conform with the provisions of this By-law within the time period stated in the notice, the City, its employees, agent or contractor may enter upon the land and remove such things or carry out the work required to make the property comply with this By-law, and may charge any costs incurred for such work to the person.

(2) Where the person refuses to pay the costs incurred by the City in Subsection 16(1), the City may recover the costs in accordance with Section 446 of the Municipal Act, S.O. 2001, c. 25.

(3) Any notice given under this Section may be given in person or by registered mail and in the case of notice by registered mail, is deemed to be delivered on the 3rd day after which it was sent.

## **Part XVII**

### **Miscellaneous**

17. (1) By-law Number 2022-129, A By-law to Regulate the Sale and Setting Off of Fireworks and Pyrotechnic Special Effects within the City of Belleville is hereby repealed.

(2) If there is a conflict between a provision of this By-law and a provision of any other By-law of the City of Belleville, the provision that establishes the higher standard to protect the health and safety of the public shall apply.

(3) If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall continue in full force and effect.

(4) This by-law may be referred to as the "Fireworks By-law".

18. This by-law shall come into force and take effect on the final passing thereof.

**By-law read and passed this 25<sup>th</sup> day of August 2025.**



Neil R. Ellis, Mayor



J. Douglas Irwin, Clerk

## Schedule 1 to By-law Number 2025-142 for The Corporation of the City of Belleville

