

## **SUMMER VILLAGE OF NORRIS BEACH**

### **BYLAW NO. 114**

#### **A BYLAW OF THE SUMMER VILLAGE OF NORRIS BEACH, IN THE PROVINCE OF ALBERTA, TO PROHIBIT THE USE OF FIREWORKS WITHIN MUNICIPAL LIMITS**

WHEREAS the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta, 2000, Part 2, Section 7 & 8 and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to the protection of people and property, and

WHEREAS it is deemed desirable and expedient to prohibit the use of fireworks within the boundaries of the Summer Village of Norris Beach for the purposes of public safety and protection of property, and

WHEREAS the Council of the Summer Village of Norris Beach considers it desirable and expedient to do so.

NOW THEREFORE the Council of the Summer Village of Norris Beach, in the Province of Alberta, duly assembled, enacts as follows:

#### **Section 1 - Name of Bylaw**

This Bylaw shall be known as "The Fireworks Bylaw".

#### **Section 2 – Purpose of This Bylaw**

The purpose of this Bylaw is to increase public safety, reduce risk and protect property.

#### **Section 3 - Definitions**

In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:

- a) "Council" means the Council of the Summer Village of Norris Beach.
- b) "Firecrackers" are defined as small fireworks with entwined fuses used as noisemakers.
- c) "Fireworks" are as defined in the Alberta Fire Code.

- d) "Peace Officer" means a member of the Royal Canadian Mounted Police, a Special Constable, or a Bylaw Enforcement Officer or a Peace Officer employed by the Pigeon Lake Protective Service.
- e) "Summer Village" means the Summer Village of Norris Beach.

#### **Section 4 – Restrictions**

- a) No person shall sell fireworks within the municipal limits of the Summer Village.
- b) No person shall fire or set off any fireworks within the municipal limits of the Summer Village.
- c) Persons or groups firing or setting off fireworks within the municipal limits of the Summer Village, in contravention of this Bylaw, shall be responsible for all liabilities and damage incurred by the use of fireworks.

**Note 1** Firecrackers, as opposed to "fireworks" are not allowed to be sold, given away or otherwise distributed, discharged, fired or set off in the Province of Alberta without a ministerial exemption.

**Note 2:** Nothing in this Bylaw is intended to be in conflict with the Alberta Fire Code and the Alberta Safety Codes Act.

#### **Section 5 – Severability**

- a) Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw are declared invalid all other provisions shall remain valid and enforceable.

#### **Section 6 - Enforcement**

- a) A Peace Officer authorized to enforce this Bylaw under Section 7 of the *Municipal Government Act*, being Chapter M-26, Revised Statutes of Alberta 2000, as amended, and who has reasonable and probable grounds to believe that a person has contravened any section of this Bylaw, may under the authority of this Bylaw issue a Municipal tag, and where this tag is not paid by the offender a Part 2 violation tag may be issued under the *Provincial Offences Procedures Act*, being Chapter P-34 of the Revised Statutes of Alberta 2000, to that person for the full fine.
- b) Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties or the rights of the Village pursuant to the *Municipal Government Act* or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

- c) The levying and payment of any fine for any period pursuant to this Bylaw does not relieve any *person* from paying any fees, charges, or costs for which that *person* is liable under the provisions of this Bylaw, any other Bylaw or any *enactment*.
- d) Any person who contravenes the provisions of this Bylaw shall be guilty of an offense and liable on summary conviction to the penalty as set out in Schedule "A".
- e) Penalties set out in Schedule "A" may be amended from time to time by a resolution of Council.

**Section 7 - Repeal**

Upon passing of this bylaw, Norris Beach Bylaw No. 79 is hereby repealed.

**Section 8 – Effective Date**


This bylaw shall come into effect upon the date of third and final reading

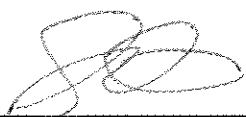
READ a first time this 18<sup>th</sup> day of July, 2009, A.D.

READ a second time this 18<sup>th</sup> day of July, 2009, A.D.

Given unanimous consent to proceed to third reading this 18<sup>th</sup> day of July, 2009, A.D.

READ a third time and finally passed this 18<sup>th</sup> day of July, 2009, A.D.

  
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Brian Keeler, Mayor  
Summer Village of Norris Beach

  
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Sylvia Roy, CAO  
Summer Village of Norris Beach



**Schedule "A" to Bylaw No. 114 – Summer Village of Norris Beach****A BYLAW TO CONTROL THE USE OF FIREWORKS****Penalties**

<b>Offense</b>	<b>Section</b>	<b>Fine</b>
1. Sale of fireworks within the municipal limits of the Summer Village of Norris Beach.	4 a)	\$250.00
2. Discharge, fire or set off any fireworks within the municipal limits of the Summer Village of Norris Beach.	4 b)	\$250.00

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