

## Report to Community and Protective Services Committee

**To:** Chair and Members  
Community and Protective Services Committee

**From:** Cheryl Smith, Deputy City Manager, Neighbourhood and Community-Wide Services

**Subject:** Fireworks By-Law Options Report

**Date:** June 13, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the following actions be taken with respect to the Fireworks By-law - PW-11:

- a) That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, a public participation meeting BE HELD at a future meeting of the Community and Protective Services Committee, in order to receive comments on proposed changes to the Fireworks By-law - PW-11; it being noted that additional direction to the Civic Administration will be provided, following the consideration of comments and submissions at the public participation meeting;
- b) Civic Administration BE DIRECTED to hold a Public Participation Meeting to receive comments on the review of the Fireworks By-law; and
- c) Civic Administration be directed to REPORT BACK summarizing public comments including the submission of a draft by-law amendment.

## Executive Summary

This report includes an overview of the current Fireworks By-law and provides options to the current by-law for Council to consider. These options are based on community feedback and a review of local municipal fireworks by-laws and policies. Civic Administration is recommending that Council holds a Public Participation Meeting to receive comments on proposed changes to the current Fireworks By-law.

## Linkage to the Corporate Strategic Plan

The Fireworks By-law Options Report is aligned with the following strategic area of focus and outcome from the City of London Strategic Plan 2023 - 2027:

- Wellbeing and Safety: London has safe, vibrant, and healthy neighbourhoods and communities.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter:

- [Amendment of Fireworks By-law PW-11](#) (June 21, 2016, CPSC)
- [Amend Fireworks By-law](#) – (April 26, 2016, CPSC)
- [Amendment of Fireworks By-Law PW-11](#) – (June 16, 2013, CPSC)

#### 1.2 Overview of the Current Fireworks By-Law

The current Fireworks By-law - PW-11-16002 dates back to June 2016 and provides a detailed outline of what types of fireworks may be discharged in the City of London. The

By-law speaks to permits, dates, and time frames regarding when fireworks may be sold and purchased, and penalties for non-compliance. A summary of the by-law is provided below:

- Dates allowed for discharge are Victoria Day and Canada Day for consumer (backyard) fireworks.
- Canada Day discharge dates include the Saturday preceding Canada Day where Canada Day falls on a Monday or Tuesday; on the Saturday following Canada Day where Canada Day falls on a Wednesday, Thursday or Friday.
- Discharge times are between dusk and 11:00pm. Display fireworks (large shows), such as Victoria Day, Canada Day, New Years Eve, and Diwali may be approved via permit submitted to London Fire Department for approval. The 2023 fee for a display fireworks permit is \$303.97.
- The By-law states that a Police Officer, a City Municipal Law Enforcement Officer, a City By-law Enforcement Officer, a member of City Fire Services and/or any other person appointed by Council can enforce this by-law.
- Fines currently range from first conviction - up to maximum fine of \$5,000, subsequent conviction to a maximum fine of \$10,000; fines under the Provincial Offences Act (POA) range from \$125 - \$250; and a Noise complaint fine is \$175.

The purpose of this report is to provide options for Council's consideration for the frequency and type of fireworks allowed in London based on a local municipal scan and community feedback. This report also recommends enhancements and changes to the enforcement and sale of fireworks to go forward as part of a revised Fireworks By-Law for future consideration.

## **2.0 Discussion and Considerations**

### **2.1 Types of Fireworks**

Consumer Fireworks: defined as low hazard fireworks generally used for recreation/personal backyard use, which may be classified as type F.1 explosives under the Act, including showers, golden rain, lawn lights, pinwheels, roman candles, and volcanoes, but does not include Christmas crackers or sparklers containing less than 2 mg of explosive substance.

Display Fireworks: defined as high hazard fireworks generally used for a public display, which may be classified as type F.2 explosives under the Act, including rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons, but does not include firecrackers. The cost for the City of London's display fireworks show for Canada Day is approximately \$19,000 for 20 minutes.

Drone/Light Shows: Drone shows have recently been introduced as an alternative to traditional fireworks. Several nearby municipalities offered drone light shows during the COVID-19 pandemic. In 2022, the City of Waterloo, via a private contractor, provided a light show for their Canada Day Celebration. Locally, the Hyde Park Business Improvement Association hosted a laser show as part of PondFest. The cost of a custom designed drone show ranges from \$17,000 (50 drones) to \$196,000 (500 drones) based on 2022 price estimates.

Silent/Quiet Fireworks: Despite the name, these fireworks are not entirely silent; but they are significantly quieter, registering at far below the typical 150 - 170 decibels of the traditional fireworks. "Silent" fireworks can deliver the same cascading colours, but without the high decibels and loud explosions that usually erupt in the night sky. Silent/quiet fireworks are designed to be complementary to the average display fireworks show. The cost of a silent/quiet fireworks show is approximately \$35,000 for 20 minutes. In comparison, the cost of an average display fireworks show is approximately \$23,000 for 20 minutes. Both prices provided are as of May 2023.

## 2.2 Review of Local Municipal Fireworks By-Laws

Civic Administration completed a scan of fireworks by-laws for the municipalities of Hamilton, Waterloo, Kitchener, Windsor, Vaughan, Guelph, St. Thomas, and Kingston in 2022. The scan included the following information from each municipality:

- Allowable holidays and set times;
- Total number of allowable calendar days;
- If a permit is required for consumer (backyard) fireworks and/or for display fireworks;
- Authority for permit approvals; and,
- By-law enforcement and penalty and fine amounts.

There were several commonalities across all municipalities' fireworks by-laws, including:

- Consumer (backyard) fireworks can be discharged on private property with the permission of the owner on the allowable dates without a permit; and,
- Victoria Day and Canada Day are allowable dates in all municipalities included in the scan.
- Enforcement is a challenge as residents often aren't aware of the by-law, Police have higher priority calls, it is difficult to pinpoint the location of fireworks when calling in a complaint, and the discharge of fireworks is very quick; it is common for the responding officers to observe fireworks evidence of discharge and no persons present upon arrival.

The notable differences were:

- The allowable holidays for the discharge of fireworks (for example, some municipalities allowed fireworks for Diwali and Chinese New Year in addition to Victoria Day and Canada Day).
- The number of total allowable calendar days to discharge fireworks ranged across municipalities from 2 days to 32 days.

## 2.3 Recent Updates to Municipal Fireworks By-laws in Ontario

Following the completion of the municipal scan, Civic Administration learned about two local municipalities that recently made changes to their current by-laws:

- Brampton's Fireworks By-law has placed a ban on consumer (backyard) fireworks and prohibits the use and sale of consumer fireworks. Brampton allows for display fireworks and added a City run Diwali event.
- Kitchener's Fireworks By-law allows fireworks to be discharged (both display and consumer) only on Victoria Day, Canada Day, and Diwali. Fireworks must end at 11:00pm and are allowed the day before and the day after holidays. There is no alternate date if it rains.

## 2.4 Summary of Resident Survey – “Your Thoughts on Fireworks”

In June 2022, the City of London started phase one of reviewing the current [Fireworks By-law - PW11](#), which regulates the use and sale of fireworks, with a resident survey.

The “Your Thoughts on Fireworks” survey provided residents the opportunity to have their say on fireworks in London and included some educational information on the existing By-law, as well as definitions of consumer and display fireworks. The survey was available on the City's Get Involved website from June 1 to September 30, 2022. A total of 2,338 responses were collected.

Below is a high-level overview of some of the findings from the survey that assisted in drafting the options provided in this report.

- Residents are not familiar with the City of London Fireworks By-law.
- There is a general perception that the By-law is not well enforced.

- When a resident escalates the improper discharge of fireworks, they feel it is the responsibility of the municipality to identify, locate, and respond to discharge complaints.
- When asked, “would you support a complete ban on fireworks?” (2,334 responses, 4 skipped), individuals responded with:
  - Yes – 41.3%
  - No – 50.1%
  - Not sure – 8.5%
- When asked “Would you support a ban on fireworks other than displays on permitted dates at organized public events?” (2,325 responses, 13 skipped), individuals responded with:
  - Yes – 56.6%
  - No – 36.6%
  - Not sure – 6.8%

A summary of all responses to the survey is included in [Appendix A](#).

### 3.0 Proposed Options for Consideration

Civic Administration has drafted two proposed options for Council to consider and the public to comment on at a future public participation meeting.

Option A would allow for consumer (backyard) fireworks to be discharged on Canada Day and Victoria Day only. This means that dates prior to or preceding Canada Day would no longer be allowed for discharge. In addition, this option would also allow for consumer (backyard) fireworks to be discharged on Diwali. Option A would also decrease the number of days allowed to sell fireworks from seven to five days and propose an increase to current fines.

Option B would allow for permitted display fireworks only to be discharged which has traditionally included Canada Day, Victoria Day, Diwali, and New Years Eve in London. This option would ban all consumer (backyard) fireworks, ban the sale of consumer fireworks in London, and propose an increase to current fines.

The chart below highlights the key differences for each option:

Option A	Option B
Display Fireworks: <ul style="list-style-type: none"> <li>• Display fireworks would be allowed by permit.</li> <li>• Traditionally in London, this includes Victoria Day, Canada Day, Diwali, and New Years Eve, but could include other days.</li> <li>• Inclement weather consideration be given for display fireworks only.</li> </ul>	Display Fireworks: <ul style="list-style-type: none"> <li>• Display fireworks would be allowed by permit.</li> <li>• Traditionally in London, this includes Victoria Day, Canada Day, Diwali, and New Years Eve, but could include other days.</li> <li>• Inclement weather consideration be given for display fireworks.</li> </ul>
Consumer (Backyard) Fireworks: <ul style="list-style-type: none"> <li>• Consumer fireworks would be allowed on Victoria Day, Canada Day and Diwali for a total of 3 days.</li> <li>• Discharge time between dusk and 11:00pm.</li> </ul>	Consumer (Backyard) Fireworks: <ul style="list-style-type: none"> <li>• No consumer (backyard) fireworks allowed to be discharged.</li> </ul>
Sale of Fireworks: <ul style="list-style-type: none"> <li>• Sale of fireworks would be allowed 5 days prior to an allowed event.</li> </ul>	Sale of Fireworks: <ul style="list-style-type: none"> <li>• No consumer fireworks to be sold in London.</li> </ul>
Enforcement of Fireworks By-Law: <ul style="list-style-type: none"> <li>• Municipal Law Enforcement Officers would enforce the discharge of fireworks outside of allowable times and noise due to fireworks discharge.</li> </ul>	Enforcement of Fireworks By-Law: <ul style="list-style-type: none"> <li>• Municipal Law Enforcement Officers would enforce the discharge of consumer fireworks, the noise due to fireworks discharge, and the ban on the sale of consumer fireworks in London.</li> </ul>

Option A	Option B
<ul style="list-style-type: none"> <li>• LFD would respond to and enforce fires/explosions related to fireworks, unsafe discharge, and storage of fireworks.</li> <li>• LFD would issue all display fireworks permits and provide on-site inspection for display fireworks.</li> <li>• An increase to the current municipal fines is recommended.</li> </ul>	<ul style="list-style-type: none"> <li>• LFD would respond to and enforce fires/explosions related to fireworks, unsafe discharge, and storage of fireworks.</li> <li>• LFD would issue all display fireworks permits and provide on-site inspection for display fireworks shows.</li> <li>• An increase to the current municipal fines is recommended.</li> </ul>

#### 4.0 Next Steps

The proposed next step is to hold a public participation meeting at the August 15, 2023, Community and Protective Services Committee meeting where the community can provide input on the options presented in this report.

Based on Council’s further direction, Civic Administration will draft a revised Fireworks By-law for consideration at a future Community and Protective Services Committee meeting. Depending on the changes made to the current bylaw, the revised by-law will also include enhancements to enforcement, sale of fireworks and a proposed increase to the current fines. It is intended that a new By-law be in place in the first quarter of 2024.

### Conclusion

Civic Administration recognizes that the discharge of fireworks has become a concern to our community and that changes to the Fireworks By-law may be required. Civic Administration recommends that a Public Participation Meeting be held to receive public input on a revised Fireworks By-law that will come forward to Council for consideration.

**Prepared by:** Matt Hepditch, Deputy Fire Chief

**Submitted by:** Richard Hayes, Acting Fire Chief

**Recommended by:** Cheryl Smith, Deputy City Manager, Neighbourhood and Community-Wide Services

## Appendix A

### Resident Survey – “Your Thoughts on Fireworks”

The resident survey was available on the City’s Get Involved website from June 1 to September 30, 2022. A total of 2,338 responses were collected, the individual response rate for each question is included in the summary below.

**Q1:** Did you know the City of London has a by-law that regulates the sale and use of fireworks? (2325 responses, 13 skipped)

Yes – 88.6%

No – 11.4%

**Q2:** Do you feel permits issued by the City should be required to discharge fireworks? (2323 responses, 15 skipped)

Yes – 63.9%

No – 36.1%

**Q3:** Currently, consumer fireworks are permitted in May to celebrate Victoria Day. Do you agree with this? (2326 responses, 12 skipped)

Yes – 51%

No – 47%

No opinion – 0.02%

**Q4:** Currently, consumer fireworks are permitted in July to celebrate Canada Day. Do you agree with this? (2323 responses, 15 skipped)

Yes – 55.5%

No – 43.1%

No opinion – 1.3%

**Q5:** Are there any other days during the year that you think fireworks should be permitted? (1688 responses, 650 skipped)

- Anytime – 4%
- Anytime with a permit – 2%
- All statutory holidays/any long weekend – 3%
- Chinese New Year – ≤ 1%
- Civic Holiday – 4%
- Diwali - 3%
- Eid – less than 1%
- Labour Day – 8%
- New Year’s Eve – 14%
- New Year’s Eve with a permit – ≤ 1%
- May to September/all summer weekends – 1%
- Other – 4%

**Q6:** Do you attend public fireworks displays hosted in the community and run by licensed professionals? (2332 responses, 6 skipped)

Yes – 50%

No – 50%

**Q7:** Do you attend residential backyard firework displays hosted by friends and family? (2330 responses, 8 skipped)

Yes – 32.4%

No – 67.6%

**Q8:** Do you have any of the following concerns with fireworks? Select all that apply.

(1881 responses, 457 skipped)

Environmental – 55%

Loud Noise – 59%

Safety – 62%

Impacts on Pets/Wildlife – 65%

Enforcement – 54%

**Q9:** Would you support a complete ban on fireworks? (2334 responses, 4 skipped)

Yes – 41.3%

No – 50.1%

Not sure – 8.5%

**Q10:** Would you support a ban on fireworks other than displays on permitted dates at organized public events? (2325 responses, 13 skipped)

Yes – 56.6%

No – 36.6%

Not sure – 6.8%

**Q11:** Please share any additional comments. (1474 responses, 864 skipped)

General response themes:

- Changes to the by-law will not change resident behaviours or resolve enforcement challenges.
- Increased education, training, and promotion is needed on the City of London's firework by-law.
- There is a similar level of support to maintain the use of fireworks as there is to fully ban the use of fireworks.
- Frequency, noise and environmental concerns were most noted as the reason to ban fireworks.
- Explore quiet fireworks or light/drone shows.
- Fireworks are a great way to celebrate when done so safely.
- Cultural celebrations should be included as pre-approved dates in the by-law.
- Anyone wishing to celebrate (culturally/personally) with a display of fireworks should be able to apply for a permit for the specific date.