

Bill No. 107
2024

By-law No. L.-131(__)-__

A by-law to amend By-law No. L.-131-16, as amended, entitled “A by-law to provide for the Licensing and Regulation of Various Businesses”.

AND WHEREAS section 5(3) of the Municipal Act, 2001 S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 23.2 of the Municipal Act, 2001 permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the City deems it to be in the public interest, having regard to both public health and safety and consumer protection, to regulate the sale of consumer fireworks;

AND WHEREAS it is deemed expedient to amend By-law No. L.-131-16, entitled “A by-law to provide for the Licensing and Regulation of Various Businesses”, passed on December 12, 2017;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Business Licensing By-law L.-131-16, as amended, is hereby further amended by adding the attached new Schedule “__” “**Consumer Fireworks Sales Business**”.
2. The Business Licensing By-law L.-131-16, as amended, is hereby further amended by removing reference to “fireworks” in the Seasonal Sales Schedule.
3. This by-law shall come into force and effect on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

PASSED in Open Council on April 2, 2024 subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First reading – April 2, 2024
Second reading – April 2, 2024
Third reading – April 2, 2024

Schedule ___ - Consumer Fireworks Sales Business

1.0 Definitions

1.1 In this Schedule:

“Consumer Fireworks” means low hazard fireworks generally used for recreation, which may be classified as type F.1 explosives under the Explosives Act but does not include crackers, caps or sparklers containing less than 2 mg of explosive substance;

“Consumer Firework Sales Business” means any person engaged in the business of selling Consumer Fireworks from a Property;

“Property” means a building or structure or part of a building or structure and includes the lands and premises appurtenant to the building or structure and all mobile buildings, mobile structures, tents, and vacant land.

2.0 Powers of Licence Manager

In addition to any other power, duty or function prescribed in the By-law, the Licence Manager may make regulations under this Schedule including:

2.1 Prescribing the manner, form, and content of information regarding the regulations of the Fireworks By-law including public safety information as outlined in the consumer information requirements of this Schedule.

3.0 Prohibitions

3.1 No person shall operate a Consumer Fireworks Sales Business without holding a current valid licence issued under this By-law.

3.2 No person shall possess for the purpose of sale, offer for sale, cause or permit to be sold, or sell Consumer Fireworks except on the following days:

- a) Victoria Day;
- b) Canada Day;
- c) the day that the Licence Manager annually determines is the Lunar New Year and publishes on the City’s website;
- d) the day that the Licence Manager annually determines is Diwali and publishes on the City’s website; and
- e) the five (5) day period immediately preceding each of the days listed in (a) to (d).

3.3 No person shall possess for the purpose of sale, offer for sale, cause or permit to be sold, or sell Consumer Fireworks to any person who is or who appears to be under the age of eighteen years without first verifying their age using two pieces of authentic, valid, current, government issued identification, one of which shall include a photograph, in the presence of the person being verified.

3.4 No person shall possess for the purpose of sale, offer for sale, cause, or permit to be sold, or sell Consumer Fireworks to any person without providing consumer information regarding the Fireworks By-law and any associated public safety information in the form and content prescribed by the Licence Manager.