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London
CANADA

March 28, 2024

Dear Colleagues,

On August 15, 2023 Council passed a motion directing staff to craft an updated Fireworks bylaw, explicitly including 2 extra days for Diwali and Chinese Lunar New Year.

At CPSC on March 18, 2024 the committee passed only a portion of staff's updated bylaw but voted against clause c) of the staff recommendation, which was necessary to implement the additional days for Diwali and Chinese Lunar New Year. This was in direct opposition to the will of council and could in our opinion even constitute a breach of the Council Code of Conduct section 2.6 "Members shall accurately and adequately communicate the decisions fo the Council even if they disagree with Council's decision, such that the respect for the decision-making process of Council is fostered". Committee members raised no technical objections to the by-law, instead repeating personal preference objections raised at the August Council meeting. The objections were not on the by-law brought forward by staff but were instead focused on a decided matter of Council. Nor did committee choose to utilize the procedure of Requesting Reconsideration under section 35.4 of the Council Procedures and Policy By-Law. Therefore, it is our opinion that separating the vote to oppose the additional days as directed by Council was out of order, noting that committees are subordinate to Council.

To correct this, we will be moving to amend the committee's recommendation by amending the committee recommendation to include the original clause c)

C) that the attached proposed by-law BE INTRODUCED at the Municipal Council Meeting to be held on April 2, 2024 to amend the Fireworks Bylaw PW-11 by allowing for consumer and display fireworks to be discharged on four specific days.

It being noted that this restores Council's approved direction to allow for discharge on Diwali and Chinese Lunar New Year

Sincerely,

Steve Lehman
Councillor, Ward 8

Shawn Lewis
Deputy Mayor, Councillor Ward 2