

BYLAW 2023-23

Office Consolidation Current as of June 4, 2024

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO
BAN FIREWORKS**

The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

- 1 This bylaw shall be known as the Fireworks Ban Bylaw.

INTERPRETATION

- 2 In this bylaw:
 - a) “Fireworks means and includes any combustible or explosive composition or substance or combination of substances, or except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, pyrotechnics and any devices containing any explosives or flammable compound or any tablets or other device containing any explosive substance. The term “fireworks” does not include sparklers, toy pistols, toy canes, and toy guns;
 - b) “Peace Officer” means a bylaw enforcement officer appointed by the chief administrative officer to do any act or perform any duties under this bylaw and includes a member of the Royal Canadian Mounted Police and, when authorized, a peace officer under the Peace Officer Act.
 - c) “Person” means any individual, firm, partnership, association, corporation, or other legal entity.

GENERAL PROHIBITION

- 3 No Person shall set off, light, discharge, fire, or otherwise use Fireworks within the town of Canmore. Events approved by the Town of Canmore are exempt from this bylaw for the purposes of delivering low impact fireworks as part of a community event on December 31, 2024 and January 1, 2025.

Amended June 4, 2024 by Bylaw 2024-11

- 3.1 No person shall offer fireworks for sale.

Amended June 4, 2024 by Bylaw 2024-11

ENFORCEMENT AND PENALTIES

- 4 Any person who contravenes any provision of this bylaw is guilty of an offence and upon conviction shall be liable for a minimum penalty of \$5,000 per occurrence.
- 5 A Peace Officer is hereby authorized and empowered to issue a violation tag to any person, who a peace officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 6 A violation tag may be issued to such person:
 - a) either personally; or
 - b) by mailing a copy to such person at their last known address.
- 7 The person to whom a violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the violation tag.
- 8 If the penalty specified on a violation tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended.
- 9 Notwithstanding section 8 of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to the *Provincial Offences Procedure Act*, as amended, to any person who a Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 10 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

ENACTMENT/TRANSITION

- 11 If any clause in this bylaw contradicts a provision of any other Town of Canmore bylaw, then the clause in this bylaw shall prevail to the extent of the contradiction.
- 12 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.
- 13 This bylaw comes into force on the date it is passed.

FIRST READING: June 6, 2023

SECOND READING: June 6, 2023

THIRD READING: June 6, 2023

OFFICE CONSOLIDATION

This document is a consolidation of a bylaw with one or more amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

- 2023-23 Fireworks Ban Bylaw
- 2024-11 Fireworks Ban and Fire Bylaw Amendment