

**BYLAW #06/2024**

**A BYLAW for the PURPOSE of CONTROL and USE of FIREWORKS  
within the boundaries of the Resort Village of Aquadeo**

A BYLAW of the Resort Village of Aquadeo, in the Province of Saskatchewan, to provide for the control and use of fireworks within the Resort Village of Aquadeo.

**THE COUNCIL FOR THE RESORT VILLAGE OF AQUADEO IN THE PROVINCE  
OF SASKATCHEWAN ENACTS AS FOLLOWS:**

1. The provisions of this bylaw shall apply within the boundaries of the Resort Village of Aquadeo.
2. In this Bylaw the expression:
  - a. “Council” means the Council of the Resort Village of Aquadeo;
  - b. “CAO” means the Chief Administrative Officer for the Municipality
  - c. “fireworks” includes any combustible or explosive composition or any substance or combination of substances that produces a visible and/or audible effect by, explosion, deflagration or detonation (eg: firecrackers/block busters /low-high hazard fireworks as defined in the *Explosives Regulations, C.R.C., c.599*)
  - d. “fireworks display” refers to any setting off of fireworks
  - e. “fireworks Permit” means a current and valid permit issued by the Municipal CAO authorized by Council to approve such a permit.
  - f. “Municipal/Municipality” shall mean the Resort Village of Aquadeo;
  - g. “occupant” means the owner of the premises and/or occupant and/or licensee of the premises and/or any persons found on the premises at/or around the time when the contravention of this bylaw takes place;
  - h. “owner” means the registered owner(s) of the premises and/or in the case of leased premises, means the owner as recorded on the tax role and/or in the case of the trailer court means the registered lessee according to the property management records of the trailer court.
  - i. “Peace Officer” means a member of the Royal Canadian Mounted Police, a Special Constable engaged by the Municipality, a Bylaw Enforcement Officer of the Municipality, or any person designated by council to enforce this bylaw.
  - j. “person” includes any individual, corporation, partnership, firm, association, society, party, owner, or tenant.
  - k. “premises” means the area contained within the boundaries of any surveyed or non-surveyed lot or designated lot of a trailer court and includes any buildings, mobile homes trailers, tents or shacks within such boundaries, provided, however, that where any building contains more than one dwelling unit, each dwelling unit or common area of such building and the land surrounding same within the boundaries of the surveyed lot, shall be deemed to be separate premises.
    - l. “Resort Village” means the Resort Village of Aquadeo
3. **FIREWORKS DISPLAY:**

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a. General

- i. No person shall set off any fireworks within the Resort Village without first obtaining a Fireworks Permit from the Municipal office.
- ii. No individual under the age of 18 years shall be issued a fireworks permit.
- iii. The name of the person who applies for a fireworks permit shall appear on the fireworks permit as the Applicant.
- iv. The applicant for a fireworks permit shall designate an individual who shall be responsible for the fireworks display in accordance with “Low Hazard Fireworks” section and High Hazard Fireworks Section of this Bylaw. The name of the responsible individual shall appear on the fireworks permit as the Responsible Individual.
- v. Where the applicant for a fireworks permit is an individual, the Applicant and the Responsible Individual may be one and the same person provided the requirements of Low Hazard and High Hazard Fireworks sections are met.
- vi. A fireworks display shall only be held in a location approved and designated by Council
  1. Approved Locations
    - a. Beach area
    - b. Other Location requests must be made in writing for Councils consideration and request to be in accordance with the Council Procedures Bylaw.

4. **Low Hazard Fireworks**

- a. The Applicant for a low hazard fireworks permit shall designate an individual over the age of 18 years as the Responsible Individual for the fireworks display.
- b. The Responsible Individual whose name is on the fireworks permit must be in attendance at all times during the fireworks display.
- c. At the conclusion of the fireworks display, all unused fireworks and debris shall be immediately removed and disposed of in a safe manner by the Applicant and/or the Responsible Individual.

5. **High Hazard Fireworks:**

- a. Subject to paragraph “b” hereof, an Applicant for a fireworks permit for a fireworks display using high hazard fireworks must designate an individual who holds a current valid Fireworks Operator Certificate – Display Supervisor designation or a Fireworks Operator Certificate – Display Supervisor with Endorsements designation (as described in the *Display Fireworks Manual*, published by Natural Resources Canada) as the Responsible Individual for the fireworks display.
- b. Where an Applicant for a fireworks permit for a fireworks display using high hazard fireworks seeks to designate a Responsible Individual who has a Fireworks Supervisor designation from another jurisdiction, no fireworks permit shall be issued unless the Resort Village is satisfied that the individual is properly trained and qualified in the use of high hazard fireworks.
- c. The applicant for a fireworks permit for a fireworks display using high hazard

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fireworks shall procure and provide to the Resort Village, at least 7 days prior to the scheduled date of the display, a Certificate of Insurance which shall name the Resort Village as a joint insured under the Applicant's public liability insurance policy. The Certificate of Insurance shall confirm a minimum coverage of \$5,000,000.00 liability insurance per occurrence.

- d. A fireworks display using high hazard fireworks shall only be held if the display is conducted under the direct supervision of the Responsible Individual/ Fireworks Supervisor.
- e. In accordance with Article 5.1.1.2 of *The National Fire Code*, a fireworks display using high hazard fireworks shall be conducted in conformance with the current "*Fireworks Display Manual*" prepared by Natural Resources Canada.
- f. At the conclusion of the fireworks display, all unused fireworks and debris shall be immediately removed and disposed of in a safe manner by the Applicant and/or the Responsible Individual.

6. **WHEN IN EFFECT**

- a. This bylaw shall be in effect 24 hours a day.

7. **ENFORCEMENT**

- a. The administration and enforcement of this Bylaw is hereby delegated by the Council to the CAO of the Municipality.
- b. The CAO of the Municipality is hereby authorized to further delegate the administration and enforcement of this Bylaw to:
  - i. the Royal Canadian Mounted Police
  - ii. any special Constable as may be hired by the municipality
  - iii. any Bylaw Enforcement Officer as designated by Council
  - iv. any Conservation Officer
  - v. any person designated in a resolution of Council
- c. No person shall obstruct or interfere with any Designated Officer or any other person who is acting under the authority of this Bylaw.

8. **OFFENSES/PENALTIES**

- a. Every person, including, without limiting the generality of the foregoing, any occupant as hereinbefore defined, who contravenes any provision of this bylaw is guilty of an offence punishable on summary conviction.
- b. In the case of a person who contravenes a provision of this Bylaw for *the first time*, a peace officer or person designated by council *may* issue a "Notice of Warning" or a "Notice of Violation" to that person.
- c. The Notice of Violation shall provide that the person will not be prosecuted for the infraction if the person, within 15 days of the date of the Notice of Violation, pays to the Resort Village a fine of \$500.00. The Notice of Violation shall further provide that the person will be prosecuted for the infraction if the fine is not paid within the specified period.
- d. In the case of a person who has been issued a Notice of Violation but who does not pay the fine of \$500.00 within the time specified in the Notice of Violation, that person is liable on summary conviction to a minimum fine of

\$1,000.00.

- e. Notwithstanding section 11, if, in the opinion of a Peace Officer, it is in the public interest to compel a person who has contravened a provision of this bylaw to appear before a Judge, the peace officer may issue a Summons that requires the person to appear before a Judge without issuing a Notice of Violation. In the event of such prosecution, the person is liable on summary conviction to a minimum fine of \$1,000.00.
- f. In the case of a person who has previously contravened a provision of this Bylaw, a Peace Officer may issue a Notice of Subsequent Violation to that person.
- g. The Notice of Subsequent Violation shall provide that the person will not be prosecuted for the infraction if the person, within 15 days of the date of the Notice of Subsequent Violation, pays to the Resort Village a fine of \$1,000. The Notice of Subsequent Violation shall further provide that the person will be prosecuted for the infraction if the fine is not paid within the specified period.
- h. In the case of a person who has been issued a Notice of Subsequent Violation but who does not pay the fine of \$1,000.00 within the time specified in the Notice of Subsequent Violation, that person is liable on summary conviction to a minimum fine of \$1,500.00 and, in the case of a continuing offence which occurred over a span of more than one day, to an additional fine of \$1,000.00 for each day that the offence continued.
- i. Notwithstanding section 15, if, in the opinion of a Peace Officer, it is in the public interest to compel a person who has previously contravened a provision of this bylaw to appear before a Judge, the Peace Officer may issue a Summons that requires the person to appear before a Judge without issuing a Notice of Subsequent Violation. In the event of such prosecution, the person is liable on summary conviction to a minimum fine of \$1,500.00 and, in the case of a continuing offence which occurred over a span of more than one day, to an additional fine of \$1,000.00 for each day that the offence continued.
- j. Notwithstanding anything herein provided, if, in the opinion of the prosecutor it is considered appropriate, the prosecutor may, on or before the trial date, permit the person charged with an offence to pay the minimum fine that would apply on conviction to avoid further prosecution.
- k. Any fine payable pursuant to this Bylaw, may be paid:
  - i. In person at the office of the Municipality during regular office hours.  
OR
  - ii. By registered mail addressed to the Resort Village at Box 501, Cochin, Sk., SOM 0L0

9. **RECOVERY OF UNPAID EXPENSES AND COSTS:**

- a. Any expenses and costs incurred by the Municipality to remedy a contravention of this Bylaw may be recovered:
  - i. By voluntary payment from a person who contravened the Bylaw; or
  - ii. by civil action for debt in a court of competent jurisdiction in accordance with Section 368 of The Municipalities Act; or
  - iii. where applicable, by adding the expenses and/or costs to the property tax of an owner who contravened the bylaw, as permitted by section 369(1)(c) of *The Municipalities Act*

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10. COMING INTO FORCE

a. This Bylaw shall come into force on the day of its final passing.

11. Bylaw #06/2010 is hereby Repealed



*Peter Delany*  
\_\_\_\_\_  
Mayor

*[Signature]*  
\_\_\_\_\_  
Chief Administrative Officer

This Bylaw is read a first time on April 19, 2024

This Bylaw is read a second time on April 19, 2024

This Bylaw is read a third time and adopted on April 19, 2024

Certified true copy of *Bylaw #06/24*  
of the Resort Village of Aquadeo,  
dated this *19* day of *April*, *2024*.

*[Signature]*  
\_\_\_\_\_  
Administrator

The seal is circular with a double-line border. The outer ring contains the text "RESORT VILLAGE OF AQUADEO" at the top and "Seal" in the center. The word "Seal" is written in a stylized, gothic font.

**FIREWORKS APPLICATION/PERMIT**

**Bylaw #**

**APPLICATION**

APPLICANT: \_\_\_\_\_  
(please print)

Village Civic Address: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone: \_\_\_\_\_ email address: \_\_\_\_\_

Date of Display: \_\_\_\_\_ Time of Display: \_\_\_\_\_

Nature of Event: \_\_\_\_\_

Event Location: \_\_\_\_\_

Applicants Signature: \_\_\_\_\_

\*Applicant certifies full understanding of requirements by signature here

**\*\*\*\*IMPORTANT REMINDERS\*\*\*\***

1. Fireworks are **ONLY** to be discharged in the authorized location and on the date listed above.
2. The Applicant listed above will be fully responsible for any warning/violations, should they occur.
3. The Applicant is responsible for proper disposal of all used/unused fireworks.
4. Failure to obtain proper permit for fireworks will result in a minimum fine of \$500.00

**PERMIT**

- Approved;  
 Approved with the following requirements

\_\_\_\_\_

Not Approved

Authorized Signature: \_\_\_\_\_

Date of Decision: \_\_\_\_\_

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