

THE CORPORATION OF THE TOWNSHIP OF HORTON  
**Noise and Fireworks By-laws Sub Committee Meeting**  
January 22, 2014

There was a Meeting of the Sub-Committee reviewing the draft Fireworks By-law held in the Municipal Council Chamber on Wednesday January 22, 2014. Present was Chair Bob Kingsbury, Councillor Jamey Larone, David Brown (3:20 – 3:48), and Jim Ferguson. Staff present was Jim McBain, Municipal Law Enforcement Officer and Mackie McLaren, CAO/Clerk.

Also present was Dwayne Johnston, Keith Arbuthnot of Stereo Automotive, a fireworks retailer and Bob Cassidy.

1. CALL TO ORDER

Chair Kingsbury called the Meeting to Order at 3:03 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of the Committee or Staff.

3. MINUTES OF JANUARY 16, 2014 COMMITTEE MEETING

Chair Kingsbury asked the Members and guests to review the draft Minutes.

4. BUSINESS ARISING

Use Website to Inform the Public

Bob Cassidy informed the Members that he met a person who asked him what the issue with fireworks was and agreed that it was the noise from the fireworks. It scares people and animals. Bob said that the person suggested using our webpage to provide a notification to people that register that has a permit, location, date and time. He suggested that the same could be set up for fire permits and other permits. Bob suggested a trial for a year, no permit would be required – just notification from a property owner when and where the fireworks would be set off – and create a list that would become a website generated notice to the public.

Chair Kingsbury and Mr. Johnston agreed that the Township's website could be set up this way. Dwayne asked if there would be a liability against the Township with this procedure. It would be the same as sending an email to the Fire Chief advising of who had permits, but the general public who applies would get the notice as well.

Bob Cassidy said it was his neighbour Lane Cleroux that made the webpage notice suggestion to him and Mr. Cleroux is willing to attend a Committee Meeting to discuss this further. He said the meeting would have to be after 4 pm.

Jim McBain asked if we could have a Fireworks "tab" on our website where people could access a list of the properties that have permits. He noted that any saving for staff to issue permits would be a benefit. Chair Kingsbury said we will keep this suggestion as an option.

5. ITEMS OUTSTANDING FROM LAST MEETING

Review Information Presented last meeting on Storage

The Members reviewed the storage information the CAO/Clerk gathered from the internet and presented at the last Committee Meeting.

### Horton's Jurisdiction Limits

The CAO/Clerk informed the Members that he has contacted the Ministry of Municipal Affairs and Housing and asked them if the Township had any jurisdiction on the Ottawa River and if not, where our jurisdiction ended. An answer has not been received yet.

### Review rewording of Section 8.1 to permit New Year's Eve to Day

The CAO/Clerk pointed out the wording change to Section 8.1 to permit setting off fireworks between dusk on New Year's Eve up to 12:30 am on New Year's Day morning. The Members supported the change.

### Special Occasion Permit Suggestion

Chair Kingsbury noted that at the last meeting Bob Cassidy had made a suggestion of permitting one additional fireworks permit to be used for a special occasion like a birthday, anniversary etc. He asked what the Members thought of this suggestion.

Councillor Larne said he doesn't have an issue with 1 special occasion date permit as a compromise. He wants people to have an option for the people to use if they need it. He said he would like to see the wording for this regulation.

Jim Ferguson said he supports Councillor Larone. He said he didn't know what the usage would be. He questioned if all citizens are able to respond to web based information package. He likes the handout material used by Keith and favours an extra date.

Dwayne Johnston said he is not against fireworks. What he is against is fireworks all three days every long weekend. He supports a permit for special days but wouldn't want special days to be every weekend. Control is the question to make sure the special permission is not over done.

Keith Arbuthnot said he can see both sides of the discussion and their points are good.

Bob Cassidy supported the suggestion of a special permit. He discussed his rights versus other people's rights. He suggested that the special occasion date be a trial. If someone sets off fireworks every day of the weekend, they will be breaking the law.

Chair Kingsbury asked how many Special Occasion Permits per household. Bob Cassidy thought 5 to see how they are used.

Jim McBain said in his experience birthdays and anniversaries are good reasons for a special permit but he can see 4 or 5 neighbours getting a permit for each day of a long weekend. He said he is running during the summer now with fireworks complaints in the municipalities he works with. There needs to be an opportunity to say no to an event if the number of events becomes a problem.

Bob Cassidy said if a property owner fired every night of a weekend he would have a concern. Therefore the need for public notice is required. He said the best way to control is to see what the issues are. If there are too many events then control or suspend privileges to set off fireworks.

Councillor Larone asked if there was a lot of rental cottages were tenants let off fireworks in Mr. Cassidy's area. He suggested that renters pay for peace and tranquility. Do we prohibit fireworks for a month – say August - to ensure that peace and tranquility? Bob Cassidy said another option is to just say no to a permit request. He suggested that any regulations we make will have to be tweaked in the future.

David Brown said he does not support the idea of a Special Occasion Permit as it will be uncontrollable.

Jim McBain suggested we try it on a temporary interim basis. He suggested it would not be hard to change a section in the by-law based on actual experience in the future. Bob Cassidy agreed. Township still has the option to suspend, deny.

David Brown left the meeting at this time to take a conference call.

Chair Kingsbury asked each Member to consider Mr. Cassidy's suggestion for the next meeting.

### 3<sup>rd</sup> Party Liability to be noted on back of Permit

Chair Kingsbury asked for comments on Jim McBain's suggestion last meeting that wording to this effect be placed on the back of the Permit form. Dwayne Johnston said there was discussion about rules and safe firing practices placed in the back of the permit form as well. Jim Ferguson said he likes the instruction sheet Keith uses. He would like to see this information handed out with the permit. The Members supported this suggestion.

### Review Application form for Family Fireworks

The Members reviewed the application form. The Members discussed Section 7.3.g. Both Mr. Arbuthnot and Mr. Cassidy said people do not have many fireworks left over after an event. Jim McBain asked if a solution would be to notify the Fire Department of the amount of material left over to store. Bob Cassidy suggested requiring a sign placed on the outside to the storage building. He said that the suggested 30 kg maximum would be lots. Dwayne Johnston said we are relying on Mr. Cassidy for this information as he is a regular user of fireworks. Mr. Cassidy said 30 kg is the number that should be in the draft by-law. The Members accepted this number.

Chair Kingsbury said that the Township would need a sign on the outside of the storage building that can be seen by the Fire Department. Bob Cassidy agreed and also suggested that the storage container be marked also. He added that he would also like to see a sign noting acetylene, gas, ammunition etc. Chair Kingsbury asked that this request be forwarded to the Fire Committee.

Keith Arbuthnot presented the Members with a copy of the handout that he hands out to customers.

Councillor Larone reviewed Section 7 of the draft by-law and said he was happy to see the guide that Mr. Arbuthnot hands out to his customers. Jim Ferguson agreed that the instruction sheet was well done.

Councillor Larone asked what the shelf life of fireworks is. Keith said there were no issues keeping fireworks over the winter provided they don't get wet.

The Committee Members reviewed the permit application form. Chair Kingsbury noted that a Special Occasion Permit may be approved at the discretion of the CAO/Clerk or designate. He also requested that the CAO/Clerk check out if our website will permit the notification suggested by Bob Cassidy. He also requested that Lane Cleroux be invited to attend the next Committee meeting to discuss his suggested use of the website as a notification tool.

6. INFORMATION TO BE DRAFTED TO EDUCATE COMMUNITY ABOUT NEW RULES.

The CAO/Clerk informed the Members that their work will not be complete until the public education material is drafted and approved. The Members agreed.

7. RECOMMENDATION TO PLANNING COMMITTEE

Chair Kingsbury informed the Members that once this Sub-Committee is satisfied with the draft by-law and regulations, it will have to go to the Planning Committee for review.

Jim McBain said there needs to be a reference in the by-law to Section 436.1 of the Municipal Act which is the authority to enter onto private property. He will provide the draft wording.

8. NEXT MEETING

The Members agreed to meet on Tuesday January 28, 2014 at 4:00 p.m. Lane Cleroux is invited to attend to give us a 15 – 20 minute presentation on using the website as a notification tool. Bob Cassidy is to arrange the date with Mr. Cleroux.

9. ADJOURNMENT

Moved by Jim Ferguson, Seconded by Jamey Larone that this Sub-Committee Meeting be adjourned at 4:00 p.m.

Carried

---

CHAIR

---

CAO/Clerk