



Corporate Report

NO.: R081

COUNCIL DATE: April 18, 2005

REGULAR

TO: Mayor & Council
FROM: Fire Chief
SUBJECT: Fireworks

DATE: April 12, 2005
FILE: 3900-20

RECOMMENDATION

1. Council Receive this report.
2. That Council authorize staff to bring forward for the required readings, a bylaw that will act to amend the Surrey Fireworks By-law No. 4200 such that the sale, purchase and firing of fireworks in the City of Surrey will be restricted to only those individuals who hold a valid certificate from the Federal Government, Natural Resources Canada – Explosives Regulatory Division as a Fireworks Supervisor.

BACKGROUND

In Canada, the popularity of fireworks began to increase rapidly after the Second World War. With trade and commerce developing at a rapid pace, combined with increasing ease of transportation and shipping, the fireworks industry "took off". Mail order catalogues of fireworks were also popular and all types could be ordered and delivered with ease and minimal restriction even in banned areas. As a result, government, medical and fire officials at all levels pushed for restrictions leading to the official rules and restrictions

which we see today.

Consumer fireworks continue to be popular. The volume of all fireworks consumed increases about 5 – 10% annually. In the 1990's the fireworks industry had an estimated revenue of \$250 million in the US and Canada alone. However, not all types of fireworks are approved.

In Canada, firecrackers have been restricted to approved purchasers since the early 1970's as a result of many injuries to children. Approved purchasers are those persons or organizations that the Chief Inspector of Explosives permits to purchase and use firecrackers for traditional ethnic celebrations.

DISCUSSION

Current federal regulations allow for the production and use of two types of fireworks.

- Display Fireworks, and
- Family or Consumer Fireworks

Display fireworks are those seen at supervised venues where an audience is invited, supervised and kept well away from the firing area. These events happen under permit from the local authority having jurisdiction. Because the sale, purchase and firing of Display fireworks can only be carried out by a Fireworks Supervisor with a valid certificate issued by the Explosives Regulatory Division of Natural Resources Canada, incidents of injury, resulting fires or complaints from area residences are so few they are not even recorded.

Family or Consumer fireworks are those traditionally seen and heard around Halloween and result in injuries, fires and many complaints. The potential for misuse of any type of fireworks when in the hands of the untrained amateur (consumer) is considered by many organizations as a risk too great to continue taking. For example, the National Fire Protection Association (NFPA) has for some time been lobbying the US Government to ban the use of fireworks by consumers. The NFPA lobby is based on statistical information citing the high number of injuries and fires caused, and their position is openly supported by the following prominent professional organizations;

- American Academy of Ophthalmology
- American Academy of Paediatrics
- American Association for Hand Surgery
- American Burn Association
- American College of Emergency Physicians
- International Association of Fire Chiefs
- International Association of Firefighters
- International Fire Marshals Association
- National Association of State Fire Marshals

Most GVRD jurisdictions are currently struggling to find an appropriate solution to the issues that stem from the indiscriminate use of fireworks in their cities. The Chief Fire Prevention Officers within the GVRD meet on a regular basis to discuss common issues. Recent information compiled by that group show that out of 18 participating cities, 7 have banned the sale of consumer fireworks, 4 more are considering a ban and the remaining 7 are currently reviewing their by-laws. The City of Surrey is listed as one of those considering a ban.

Those considering implementing a ban see enforcement as a major issue. There have also been presentations to some municipalities by local fireworks supply companies that are obviously concerned that their incomes would be greatly affected by a ban.

Surrey's current Fireworks By-law No. 4200 allows for the permitted use of fireworks (Display and Consumer) throughout the year, subject to receiving a permit for such use from the Fire Department. Consumer fireworks are allowed only on October 31st without a permit. Permit applications are available at Firehall 1 and involve a site inspection before issuance. In 2004, Surrey issued 60 licenses for selling fireworks at \$250 per license generating \$15,000 in revenue and recorded 55 fires as a direct result of fireworks with a cost to the city of \$157,000. The clearances for Consumer Fireworks, as recommended by the Federal Explosives Regulatory Division, are a minimum clear area of 30m by 30m for aerial fireworks such as Roman Candles, and 20m by 20m for fountains and other ground based items.

Most private urban residential lots are not large enough to meet these safe clearance requirements. Fireworks are not permitted for use on public property, such as parks or roadways. If the City were to decide to issue permits for the Halloween period in an attempt to control the use or misuse of consumer fireworks, the resulting workload would be unmanageable. Further, such a permitting process could lead to noise and nuisance issues in the community.

The Surrey RCMP Detachment supports the proposal to amend Surrey Fireworks By-law No. 4200.

This proposal is in keeping with the nature of dialogue and action that is occurring in many communities within the Lower Mainland. The possession and use of consumer fireworks has become increasing problematic for emergency services. The potential for serious injury and property damage is often realized.

In 2003, on Halloween night, Surrey Detachment recorded 587 calls for service - 117 of those calls being directly related to fireworks. In 2004, we recorded 579 calls for service - 220 of those calls being directly related to fireworks. These gross totals for calls for service represent approximately double the normal of calls received during a shift. These numbers only capture one night. Each year the "fireworks season" commences early in October resulting in elevated call levels.

The proposed amendment would assist in restricting the use of fireworks to those who have the requisite training and,

at the same time, reduce the indiscriminate use of fireworks that impact on public safety and calls for emergency service attendance.

CONCLUSION

Over 16,500 Canadians are licensed by the Federal government to conduct exhibition fireworks demonstrations. The safest way to enjoy fireworks is to attend an outdoor display put on by properly trained and licensed individuals. A public display is safer and more spectacular than do-it-yourself fireworks in your back yard – Canada Safety Council

Public safety is a very significant consideration in the City's regulatory function. Taking dangerous fireworks out of the untrained hands of consumers while permitting safe, approved public displays by certified supervisors, would continue to allow for firework displays within the City, while not subjecting citizens to danger. Although the effects of restricting the use of fireworks to those with certified training may affect those in the business of selling consumer fireworks, the indiscriminate use of consumer fireworks and the related safety and nuisance concerns are the basis for the recommendation of this report.

Len Garis

Fire Chief