

This is an office consolidation of By-Law 19-23 and amendments thereto. For accurate reference you should consult the original by-laws that are retained by the Clerk

BYLAW NUMBER 19-23 (As amended by 86-24 & 62-25)

- of -

THE CORPORATION OF THE COUNTY OF BRANT

A bylaw to repeal bylaw 222-02, as amended, and to regulate the supply, sale, and use of fireworks in the County of Brant

WHEREAS Section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, permits councils of local municipalities to pass bylaws respecting the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS pursuant to section 121 of *Municipal Act, 2001*, S.O. 2001, c.25, Council has authority to prohibit and regulate the sale and the setting off of Fireworks, and to require the obtaining of a permit;

AND WHEREAS Section 436 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, states that a municipality has the power to pass bylaws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a bylaw of the municipality passed under the *Municipal Act*; a direction or order of the municipality made under the *Municipal Act* or made under a bylaw of the municipality passed under the *Municipal Act*; a condition of a licence issued under a by-law of the municipality passed under the *Municipal Act*; or an order made under section 431 of the *Municipal Act*;

AND WHEREAS the Council of the Corporation of the County of Brant is desirous of regulating the supply, sale, and use of Fireworks within the boundaries of the County of Brant;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT ENACTS as follows:

Section 1 – Definitions

- a) **“Act”** means the Explosives (Canada) Act, R.S.C., 1985, c. E-17 and *Regulations*, each as amended.
- b) **“Canada Day”** means July 1.
- c) **“Chief Fire Official”** means a person designated by the *County* pursuant to provisions of the *Fire Prevention and Protection Act* and shall include his or her designate.
- d) **“Christmas Cracker”** means a device which when pulled at each end makes a popping sound and which may contain candy or other favours.
- e) **“County”** shall mean The Corporation of the County of Brant and includes the geographical boundaries.
- f) **“Discharge”** means the use, release, emission, ejection, ignition, lighting or setting off of fireworks; and includes permitting such *Discharge* or causing such *Discharge*.
- g) **“Display Fireworks”** means Type F.2, high hazard firework articles that are classed under the Explosives Act and Regulations, designed for use by professionals holding a Fireworks Operator Certificate. These articles include but not limited to aerial shells,

cakes, roman candles, waterfalls, lances, and wheels.

- h) **Diwali**” means the day during the Indian festival of lights where fireworks will be permitted, the day of which will be confirmed by the Chief Fire Official and posted on the County of Brant website;
- i) **Family Fireworks**” has the same meaning as “consumer fireworks” in the *Act* and means low-hazard firework articles designed for recreational use by the public which are classified as type F.1 explosives under the *Act* and *Regulations*, including but not limited to: showers, golden rain, lawn lights, pinwheels, roman candles, and volcanoes, but does not include party poppers or sparklers containing less than 2 mg of explosive substance.
- j) **Firecracker**” means a device that explodes instantaneously when ignited and does not produce any visible effect after the explosion but does not include caps for toy guns.
- k) **Fireworks**” means *Display Fireworks* and *Family Fireworks*.
- l) **Fireworks Accessories**” means explosive articles used to initiate various types of *Fireworks* including Type F.4 pursuant to the *Act* and regulations.
- m) **Fireworks Supervisor**” means a person holding a current certification as a fireworks supervisor under the authority of the *Act* and has the skill and ability to safely set up and supervise the *Discharge* of *Fireworks* at a public display, as approved by the Fire Chief or designate.
- n) **Lunar New Year**” means the first day of the lunar calendar and for greater certainty shall include the Chinese New Year, the day of which will be confirmed by the Chief Fire Official and posted on the County website.
- o) **Municipal Law Enforcement Officer**” means any *Person* appointed by the *County* to enforce municipal bylaws.
- p) **No Smoking Sign**” means a sign clearly identifying a no smoking rule, with letters or symbols at least ten (10) centimeters high.
- q) **Owner**” means any one or more of: any *Person* holds, in whole or in part, legal or beneficial ownership of the *Property*, a tenant, lessee, or occupant of the *Property*, any *Person* who, in whole or in part, controls, maintains, or is responsible for, whether as agent, trustee, or otherwise, the *Property*; and in all cases, includes their heirs, executors, assignees and administrators or other legal representatives of an individual and their respective successors and assignees and in the case of a corporation, includes its officers and directors.
- r) **Permitted Days**” means:
 - i) Canada Day and the three (3) days before and three (3) days after Canada Day;
 - ii) Victoria Day, and three (3) days before and three (3) days after Victoria Day;
 - iii) Diwali;
 - iv) Lunar New Year
- s) **Person**” means a natural person and includes an *Owner*, partner, and a corporation.

- t) **“Prohibited Fireworks”** includes but is not limited to, *firecrackers*, cigarette loads, exploding matches, sparkling matches, ammunition for miniature tie clip, cuff link, or keychain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers; throw down and step on torpedoes, crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, table bombs, table rockets and battle sky-rockets, fake *firecrackers*.
- u) **“Property”** means any public or private land, building, structure, or other real property;
- v) **“Regulations”** means Explosives Regulations, 2013 (SOR/2013-211), as amended;
- w) **“Seller”** means any *Person* working in any building, structure, trailer, roadside stand, vehicle, or other conveyance where *Fireworks* are sold, and shall include every employee and the *Vendor*.
- x) **“Special Effect Pyrotechnics”** has the same meaning as in Part 17 of SOR/2013-211 of the *Act* and includes: explosives used to produce a special effect in a film or television production or a performance before a live audience; explosives which may be classified as type F.3 in the *Act*; *Fireworks Accessories* which are classified as type F.4 in the *Act*; black powder and hazard category PE 1 black powder substitutes type P.1; smokeless black powder and hazard category PE 3 black powder substitutes type P2.; initiation systems classified as (type I) under the *Act* such as blasting accessories; and detonating cord classified at type E.1 under the *Explosives Act* and low-hazard special purpose explosives (Type S.1) and high-hazard special purpose explosives (Type S.2).
- y) **“Temporary Vendor”** means a *Person* who displays, sells or offer for sale, or permits the sale or offering for sale, of *Family Fireworks* from a stationary trailer, roadside stand, or from any vehicle or other conveyance.
- z) **“Vendor”** means either (i) an *Owner* or operator of any building or structure where *Fireworks* are being sold; or (ii) a *Temporary Vendor*.
- aa) **“Vendor of Special Effect Pyrotechnics”** means a *Person* who is licensed to acquire, store, and sell *special effect pyrotechnics* in accordance with the *Act and Regulations*
- bb) **“Victoria Day”** means the Monday preceding May 25.

Section 2 – General Provisions

- 2.1 No *Person* under the age of eighteen (18) years shall *Discharge*, or be permitted to *Discharge*, *Fireworks*.
- 2.2 Subsection 2.1 does not apply to a child under the age of (18) years using a sparkler provided the child is under the supervision of an adult at all times.
- 2.3 No *Person* shall *Discharge Fireworks or Special Effect Pyrotechnics* except in accordance with this bylaw, the *County of Brant Noise Bylaw*, and other applicable laws, all as amended from time to time.
- 2.4 Relief from certain provisions of this By-law may be granted for a film project carried on in accordance with an approved and valid *Film Permit or Film Location Agreement* issued under the *County of Brant Film Policy*.

Section 3 - Family Fireworks

- 3.1 Unless *Discharged* in accordance with a permit issued pursuant to this bylaw, no *Person* shall, *Discharge Family Fireworks* within the *County* except on the *Permitted Days*.
- 3.2 No *Person* shall store, handle or *Discharge Family Fireworks* in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury, and damage to property inherent in the storage, handling, or use of *Fireworks*.
- 3.3 No *Person* shall *Discharge Family Fireworks* where fallout or debris lands on any *Property* of which he or she is not the *Owner*, without first obtaining the prior written permission of the *Owner*.
- 3.4 No *Person* shall *Discharge Family Fireworks* except on *Property* that is owned by the *Person* who sets off the *Family Fireworks*, or with the *Owner's* prior written permission.
- 3.5 No *Person* shall *Discharge Family Fireworks* into, inside of, or on any building, accessory building, structure, or motor vehicle.
- 3.6 No *Person* shall *Discharge Family Fireworks* except in accordance with the manufacturer's safety instructions for each individual ordinance.
- 3.7 No *Person* shall *Discharge Family Fireworks* without a readily available and suitable means for immediate extinguishment.
- 3.8 No *Person* shall *Discharge Family Fireworks* in any location to which a Municipal or Provincial Fire Ban is in effect.
- 3.9 No *Person* shall set off, *discharge*, or cause to be set off or *discharged, prohibited fireworks* within the *County* at any time.
- 3.10 Subsection 3.9 does not apply to the discharging of *firecrackers* in the *County* provided it is in accordance with the appropriate federal approvals and in compliance with this bylaw.

Section 4 Permits to Discharge – Family Fireworks and Display Fireworks

- 4.1 No *Person* shall *Discharge*:
 - a) *Family Fireworks* beyond the *Permitted Days*; or
 - b) *Display Fireworks* except in accordance with a permit issued in accordance with:
 - i. The applicable conditions set out in section 4 of this bylaw;
 - ii. the conditions set out on the permit;
 - iii. any requirements of the *Chief Fire Official*; and
 - iv. all other applicable laws.
- 4.2 The *Chief Fire Official* may issue permits for *Display Fireworks* and *Family Fireworks* outside of the *Permitted Days*, in accordance with the conditions of this section.
- 4.3 An applicant for *Family Fireworks* or *Display Fireworks* Permit must submit an application at least thirty (30) calendar days prior to the event, in the form as required by the *Chief Fire Official*, that includes:
 - a) The name of the *Person* to whom it is issued and, where the permittee is not an individual, the name of an agent of the permittee;

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- b) The address and telephone number of the *Person* and, where applicable any agent thereof;
- c) The place, date and alternate (rain) date upon which the *Family Fireworks* or *Display Fireworks* is to be held; and
- d) The name, address, phone number and registration number of the *Fireworks Supervisor* under whose supervision the *Display Fireworks* shall be held;
- e) Written permission from the Owner of the *Property* on which the *Fireworks* shall be *Discharged*;
- f) A property description and site plan drawing showing the location of any proposed location where *Fireworks* are to be discharged.
- g) In the case of a *Family Fireworks* application, submission of a valid certificate of insurance naming the applicant as the named insured verifying proof of public liability insurance in respect of the policy with limits not lower than (\$2,000,000.00) two million dollars per occurrence and naming the Corporation of the County of Brant as an additional insured.
- h) In the case of a *Display Fireworks* application, submission of a valid certificate of insurance naming the applicant as the named insured verifying proof of public liability insurance in respect of the policy with limits not lower than (\$5,000,000.00) five million dollars per occurrence and naming the Corporation of the County of Brant as an additional insured.
- i) Any and all deductibles applicable to the above-noted insurance policies shall be the sole responsibility of the named insured, and the County shall bear no cost towards such deductibles.
- j) The applicant must provide a plan satisfactory to the *Chief Fire Official* which explains the manner in which all unused *Fireworks* are to be disposed;
- k) Payment of applicable fees as set out in the County of Brant Fees and Charges Bylaw.

4.4 No Person shall discharge any Fireworks on Property, including any public lane, street, highway, sidewalk, boulevard, park, building or structure or other public place, owned or operated by the County unless:

- a) The Person has submitted a permit application in accordance with section 4.
- b) The Person has deposited with the County a valid certificate of insurance naming the applicant as the named insured verifying proof of public liability insurance in respect of the policy with limits not lower than (\$5,000,000.00) five million dollars per occurrence.
- c) The insurance shall add 'The Corporation of the County of Brant' as additional insured. This insurance shall be non-contributing with and be primary to any insurance available to the County.
- d) Any and all deductibles applicable to the above-noted insurance policies shall be the sole responsibility of the named insured, and the County shall bear no cost towards such deductibles.
- e) The Person has provided all of the necessary information and documentation as required by the *Chief Fire Official*.

4.5 The permit holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use.

4.6 The permit holder for *Display Fireworks* shall at all times comply with the provisions of the *Act*, the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4, and the *Display Fireworks Manual* published by Natural Resources Canada or any successor publication.

4.7 A permit issued under this section may be revoked at any time by the *Chief Fire Official* in the event of non-compliance with the provisions of this bylaw.

4.8 All permits are personal and are not transferable.

- 4.9 Approved applications under this section shall be subject to public notification as determined by the *Chief Fire Official*.
- 4.10 Every permit holder shall produce his or her permit upon being so directed by any *Person* authorized to enforce this bylaw.
- 4.11 The Chief Fire Official or his/her designate may refuse any permit request at his/her discretion.

Section 5 - Permits to Discharge –*Special Effect Pyrotechnics*

- 5.1 No *Person* shall *Discharge Special Effect Pyrotechnics* except in accordance with a permit issued accordance with:
 - a) The conditions set out in this section 5;
 - b) The conditions set out on the permit;
 - c) Any requirements of the *Chief Fire Official*; and
 - d) All other applicable laws.
- 5.2 The *Chief Fire Official* may issue permits for *Special Effect Pyrotechnics*, in accordance with the conditions of this section.
- 5.3 An applicant for a *Special Effect Pyrotechnics* Permit must submit an application at least thirty (30) calendar days prior to the event, in the form as required by the *Chief Fire Official*, that includes:
 - a) The name of the *Person* to whom is issued and, where the permittee is not an individual, the name of an agent of the permittee;
 - b) The address and telephone number of the *Person* and, where applicable any agent thereof;
 - c) The place, date and alternate (rain) date upon which the *Special Effect Pyrotechnics* event is to be held; and
 - d) The applicant must provide written permission from the *Owner* of the *Property* on which the *Special Effect Pyrotechnics* shall be *Discharged*.
 - e) Payment of applicable fees as set out in the County of Brant Fees and Charges Bylaw.
 - f) A description of the event including,
 - i. A site plan of the facility and room capacity, the stage, and the *Special Effect Pyrotechnics* storage area;
 - ii. a list of all the *Special Effect Pyrotechnics* to be employed;
 - iii. the location of all the *Special Effect Pyrotechnics*; and
 - iv. the height, range of effect, fallout, and duration of the display of *Special Effect Pyrotechnics*.
 - g) Proof that the applicant is a certified Pyrotechnician;
 - h) A certificate of insurance verifying that the applicant has, at a minimum, coverage in accordance with the following:
 - i. Commercial General Liability Insurance issued on an occurrence basis for an amount of not less than (\$5,000,000) five million dollars per occurrence. Annual aggregate for any negligent acts or omissions by the Vendor / supplier / applicant relating to their obligations under Fireworks Bylaw. Such insurance shall include, but is not limited to bodily injury and Property damage including loss of use; personal injury; contractual liability; premises, Property & operations; non-owned automobile; broad form Property damage; Owners & Contractors protective; occurrence Property damage; products; broad form completed operations; employees and volunteers as additional Insured(s); contingent employers liability; tenants legal liability; cross liability and severability of interest clause. Such insurance shall not contain an exclusion for Discharging Fireworks.

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- ii. The insurance shall add 'The Corporation of the County of Brant' as additional insured. This insurance shall be non-contributing with and be primary to any insurance available to the County.
 - iii. Automobile liability insurance with respect to owned or leased vehicles used directly or indirectly in the performance of the services covering liability for bodily injury, death, and damage to Property with a limit of not less than \$2,000,000 inclusive for each and every loss.
 - iv. Any and all deductibles applicable to the above-noted insurance policies shall be the sole responsibility of the Named Insured, and the County shall bear no cost towards such deductibles.
- i) Such other information as required by the *Chief Fire Official*.
- 5.4 The *Chief Fire Official* or his/her designate may refuse any permit request at his/her discretion.
- 5.5 The following conditions apply to all *Special Effect Pyrotechnics* permits:
- a) the permit is valid only for the display at the place and on the date or dates set forth in the permit; or as approved by the *Chief Fire Official* or his/her designate;
 - b) the permit holder shall supervise the display of *Special Effect Pyrotechnics*;
 - c) the permit holder shall *Discharge* the *Special Effect Pyrotechnics* only in the manner as set out in the permit;
 - d) the permit holder shall provide and maintain a fully operational fire extinguishing equipment ready for immediate use; and
 - e) the permit holder shall comply at all times with the requirements of the *Act*, the Fire Protection and Prevention Act 1997, S.O. 1997, c.4 as amended, and the *Special Effect Pyrotechnics* Manual published by Natural Resources Canada or any successor publication.
- 5.6 The permit holder shall ensure that all unused *Special Effect Pyrotechnics* and all debris are removed and safely disposed.
- 5.7 Every permit holder shall produce his or her permit upon being so directed by any *Person* authorized to enforce this bylaw.
- 5.8 Every *Person discharges Special Effect Pyrotechnics* shall take all steps reasonably necessary, as would a reasonable and prudent *Person*, to ensure that no harm to *Persons*, animals or damage to *Property* shall result from the *discharging* of or use of *Special Effect Pyrotechnics*.
- 5.9 A permit issued under this section may be revoked at any time by the *Chief Fire Official* in the event of non-compliance with the provisions of this bylaw.
- 5.10 All permits are personal and are not transferable.
- 5.11 Approved applications under this section shall be subject to public notification as determined by the *Chief Fire Official*

Section 6 – Vendors

- 6.1 No *Person* shall display, sell, or offer for sale, or permit the sale or offering for sale, any *Prohibited Fireworks*.
- 6.2 No *Person* shall sell or offer for sale, or permit the sale or offering for sale, *Fireworks* except in accordance with this bylaw, the Act, and any other and all associated laws.
- 6.3 Every *Vendor* shall post, and keep posted, a copy of this bylaw in a conspicuous place upon

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any premises, trailer, roadside stand, vehicle and any other building, structure or conveyance from which *Fireworks* are sold, or offered for sale.

- 6.4 No *Person* shall sell or offer for sale, or permit the sale or offering for sale, of any *Fireworks* to anyone under the age of eighteen (18) years.
- 6.5 No *Person* shall display, sell, or offer for sale, or permit the sale or offering for sale of any *Fireworks* at any time except on the *Permitted Days* and six (6) calendar days preceding these holidays, provided that nothing in this bylaw shall prevent the sale of *Fireworks or Special Effects Pyrotechnics* to the holder of a permit for the purpose of a *Fireworks Display or Special Effects Pyrotechnics* display in accordance with this bylaw and the *Act*.
- 6.6 Nothing in this bylaw shall restrict the sale of *Christmas Crackers*, sparklers, or caps for toy guns.
- 6.7 Every *Vendor* shall post, and keep posted, a visible *No Smoking Sign*, in a conspicuous place, at every entranceway, exit, and doorway of the building, structure, trailer, roadside stand, vehicle or other conveyance where *Fireworks* or are being displayed, sold, or offered for sale.
- 6.8 Every *Vendor* must ensure that there is no smoking within fifteen (15) metres of any building, structure, trailer, roadside stand, vehicle, or other conveyance where *Fireworks* are being sold.
- 6.9 Every *Seller* shall provide a *County* issued "Fireworks Fact Sheet" to all customers.
- 6.10 Every *Vendor* shall provide at least one functional 3A 40BC rated fire extinguisher to every room or location where *Fireworks* are displayed, sold, or offered. Every *Vendor* shall ensure that such extinguisher is accessible at all times.
- 6.11 The *Vendor* shall take all necessary and reasonable steps to ensure that all *Persons* are immediately evacuated from the area, where any fire may spread to the *Fireworks*.
- 6.12 Every *Vendor* shall post and keep posted in all rooms or locations where *Fireworks* or are displayed, sold, or offered, a sign indicating "IN CASE OF FIRE, THE FIRE EMERGENCY NUMBER IS 911", accompanied with all necessary information pertaining to the address or location of the premises, building, structure, trailer, roadside stand, vehicle, or other conveyance.

Section 7 – Temporary Vendors

- 7.1 No *Temporary Vendor* shall display, sell, or offer for sale, or permit the sale or offering for sale, of *Fireworks* from a stationary trailer, roadside stand, or from any vehicle or other conveyance whatsoever except in accordance with section 6 and this section.
- 7.2 Every *Temporary Vendor* shall obtain a peddler's license from the *County*.
- 7.3 Every *Temporary Vendor* shall obtain and file with the *County* written permission of the *Owner* of the *Property* on which the trailer, roadside stand, vehicle, or other conveyance will be parked.
- 7.4 Every *Temporary Vendor* shall provide to the *County*, a site plan showing the location of the trailer, roadside stand, vehicle, or other conveyance, indicating the distance from public roads, buildings on the *Property* and parking, which is satisfactory to the *County*.
- 7.5 Every *Temporary Vendor* shall ensure that the trailer, roadside stand, vehicle, or other conveyance is located a safe distance from parking areas, public roads, and railways as well

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as occupied buildings and dwellings which distance shall be at least the following:

- a) twenty (20) metres to public roads and parking;
- b) forty (40) metres to occupied buildings, dwellings, and gas stations.

- 7.6 Every *Temporary Vendor* shall use pylons or fencing to establish a perimeter around the trailer, roadside stand, vehicle, or other conveyance.
- 7.7 No *Temporary Vendor* shall have more than one thousand (1,000) kilograms of *Family Fireworks*.
- 7.8 Every *Temporary Vendor* shall ensure that any trailer, roadside stand, vehicle, or other conveyance containing *Fireworks Temporary Vendor* is secured if it is left on a site overnight.
- 7.9 No *Temporary Vendor* shall sell, offer for sale or store, *Display Fireworks* or *Special Effects Pyrotechnics*.

Section 8 – Vendors of Special Effect Pyrotechnics

- 8.1 Every *Vendor of Special Effects Pyrotechnics* must comply with the requirements of the *Act* and the *Regulations*.
- 8.2 No *Person* shall sell or offer for sale, or permit the sale or offering for sale, *Special Effects Pyrotechnics* or except in accordance with this bylaw, the *Act*, and any other and all associated laws.
- 8.3 A *Vendor of Special Effect Pyrotechnics* may not display *Special Effect Pyrotechnics* for sale.
- 8.4 Every *Vendor of Special Effects Pyrotechnics* shall post, and keep posted, a visible *No Smoking Sign*, in a conspicuous place, at every entranceway, exit, and doorway of the building or structure where *Special Effect Pyrotechnics* are sold or offered for sale.
- 8.5 The *Vendor of Special Effects Pyrotechnics* shall take all necessary and reasonable steps to ensure that all *Persons* are immediately evacuated from the area, where any fire may spread to the *Special Event Pyrotechnics*.
- 8.6 Every *Vendor of Special Effects Pyrotechnics* and shall post and keep posted a sign indicating “IN CASE OF FIRE, THE FIRE EMERGENCY NUMBER IS 911”, accompanied with all necessary information pertaining to the address or location of the premises, building or structure.
- 8.7 Every *Vendor of Special Effects Pyrotechnics* shall post, and keep posted, a copy of this bylaw in a conspicuous place upon any premises, building, structure or which *Special Effects Pyrotechnics* are sold or offered for sale.
- 8.8 Every *Vendor of Special Effects Pyrotechnics* must ensure that there is no smoking within fifteen (15) metres of any building or structure where *Special Effects Pyrotechnics* are being stored, sold, or offered for sale.
- 8.9 Every *Vendor of Special Effects Pyrotechnics* shall provide at least one functional 3A 40BC rated fire extinguisher to every room or location where *Special Effect Pyrotechnics* are stored, sold, or offered for sale. Every *Vendor of Special Effects Pyrotechnics* shall ensure that such extinguishers are accessible at all times.

Section 9 - Offences

- 9.1 No *Person* shall fail to comply with any provision of this bylaw.
- 9.2 No *Person* shall hinder or obstruct, or attempt to hinder or obstruct, any other *Person* who is exercising a power or performing a duty under this bylaw.

Section 10 – Enforcement

- 10.1 *Municipal Law Enforcement Officers*, Police Officers and the *Chief Fire Official* are authorized to enforce the provisions of this bylaw.

Section 11 – Penalty

- 11.1 Every *Person* who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, and the *Municipal Act, 2001*.
- 11.2 Every *Person* who is convicted of an offence under this bylaw is liable to a fine:
- a) upon a first conviction to a maximum fine of \$5,000.00;
 - b) upon a subsequent conviction to a maximum fine of \$10,000.00.

Section 12 – Severability

- 12.1 If any section, subsection or part or parts thereof be declared by any court of law to be illegal or ultra vires, such part or parts shall be declared to be separate and independent and enacted as such.

Section 13 – Repeals

- 13.1 That Bylaw 222-02, and any amendments thereto are repealed upon the Effective Date of this bylaw.

Section 14 – Effective Date

That this Bylaw comes into force and effect on April 1, 2023.

READ a first and second time, this 28th day of February, 2023.

READ a third time and finally passed in Council, this 28th day of February, 2023

THE CORPORATION OF THE COUNTY OF BRANT

David Bailey, Mayor

Alysha Dyjach, Clerk