

From: "Mochrie, Paul" <Paul.Mochrie@vancouver.ca>

To: "Direct to Mayor and Council - DL"

CC: "City Manager's Correspondence Group - DL"

"Reid, Darrell" <Darrell.Reid@vancouver.ca>

Date: 11/22/2018 11:49:45 AM

Subject: Memo - consumer fireworks

Attachments: VFRS OEM - Memo to Council - 2018- Fireworks_2018_11_22.pdf

Good morning Mayor and Council,

In response to questions received recently from Councillors, please find attached for your reference a memo from VFRS that provides an overview of the following matters:

- issues associated with the sale and use of consumer fireworks in Vancouver;
- the regulation currently in place governing such use; and
- consideration by previous Councils regarding the expansion of permitted use.

Should you require any additional information regarding this matter, please feel free to contact Chief Reid or me.

Best,
Paul

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FIRE & RESCUE SERVICES
OFFICE OF EMERGENCY MANAGEMENT
Fire Chief/General Manager
Darrell Reid

MEMORANDUM

November 22, 2018

TO: Sadhu Johnston, City Manager

CC: Paul Mochrie, Deputy City Manager
Darrell Reid, Fire Chief

FROM: Robert Renning, Manager Community Safety / Fire Chief, Fire and Rescue Services

SUBJECT: Consumer Fireworks

As requested, the following summarizes the status of consumer fireworks in the City: what is allowed, and whether we have considered allowing them for more cultural events.

Current Regulations

In 2004, Council approved amendments to the Fire Bylaw to establish regulations regarding the dates during which consumer fireworks could be possessed and discharged and the types of consumer fireworks which were lawful. Through the City's Fire By-law, the City regulates the health and safety of persons, and fire protection of buildings and properties in the City. The use of family fireworks is controlled under the Vancouver Fire Bylaw. Further federal regulations also apply under Natural Resources Canada.

In 2007 Council approved further amendments to the Fire By-law to restrict the purchase and discharge of fireworks to individuals holding a permit issued by the Fire Chief.

The City of Vancouver fire bylaw currently restricts the sale of fireworks except between October 25th and October 31st of each calendar year. Permit holders must be 19 years of age or older and successfully complete the fire department (on line) education and test regarding handling of fireworks. It further states that a permit holder shall only discharge consumer fireworks on October 31st, or if October 31st falls on a Sunday, on October 30th.

In addition to October 31st, the Fire By-law does allow fireworks to be purchased and discharged by a certified pyrotechnician, on any day of the year but only under a permit issued by the Fire Chief and with appropriate insurance coverage. When issuing such a permit, a number of safety considerations would be taken into account and safety plans would be submitted and reviewed.

Previous Council Motion regarding Community Consumer Fireworks Program

On July 25, 2012, Council passed a motion directing Vancouver Fire and Rescue to look into the possibility of expanding the use of consumer fireworks. The motion identified New Year's Eve, Lunar New Year, Canada Day, BC Day and Vaisakhi as dates for consideration in this regard.

Together with staff from the Park Board, Vancouver Fire and Rescue Services conducted extensive research and consultation with many internal and external stakeholders. Research showed that many lower mainland communities surrounding the City of Vancouver had banned fireworks due to excessive property damage, injuries and costs to the communities. These included North Vancouver, Coquitlam, Port Coquitlam, Pitt Meadows, Maple Ridge, Richmond, Delta, Surrey, Langley, Langley Township, Abbotsford, Mission, Victoria, and Seattle WA. Other communities were also moving towards or planning a fireworks ban, including Edmonton, Calgary and Brampton.

Consideration of an expanded Community Fireworks program was based on the following concept. The proposal included banning the use of fireworks on private property and non-designated public property and allowing restricted community firework events on designated public property such as parks and community centers. Additionally, the use of consumer fireworks would be expanded to five dates during the year: New Year's Day, Lunar New Year, Halloween, Vaisakhi and Diwali. Community organizations would have first priority on applying for a combined Parks and Fire Permit. The permit would stipulate requirements of the applicant for providing safety to the public, and for carrying a certain amount of liability insurance.

As details of the program were developed, a range of potential consequences were identified that represented risks to public safety and to the City of Vancouver. Several key stakeholders, including BCSPCA, Vancouver Coastal Health, the Vancouver School Board and Parks senior staff, also conveyed concerns regarding the expanded use of consumer fireworks.

The above concept was presented to Council on February 26, 2013 and approved in principle, subject to further consultation with the Park Board and a report back to Council with a detailed implementation plan, including the specific locations at which consumer fireworks would be permitted.

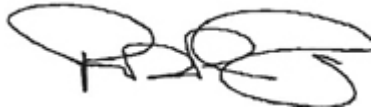
Upon further analysis and input by staff in Finance, Law, Engineering and Parks, staff reached the conclusion that there it was not advisable or practical to implement the framework discussed with Council in February 2013. This matter has been in abeyance since early 2014, although staff have presented reports to Council since that time that address other regulatory issues related to fireworks.

Historical and Continued Concerns regarding Consumer Fireworks

Over the years, Council has adopted many proactive measures aimed at curbing the number of injuries and property damage caused by fireworks during Halloween. However, many City of Vancouver departments continue to be affected by their use. Each year, Vancouver Police Department calls for service dramatically increase during the five days leading up to October 31st. Vancouver Fire and Rescue Services have been compiling damages and cost over the last 12 years and found that the average fire loss per year due to the use of consumer fireworks is \$379,000.00. This year, first responders from Vancouver Fire and Rescue and Vancouver Police had fireworks directed at them during community patrols of Parks and Schools.

Each year, during the period of October 25th to October 31st staff from VFRS Fire Prevention Division is redirected away from fire inspection and enforcement of “at-risk buildings” and directed at fireworks enforcement in an effort to limit the misuse of fireworks or illegal products that make their way into the City of Vancouver. Enforcement against persons illegally using fireworks continues to be problematic due to the difficulty in determining the exact location of the fireworks discharge or the identity of the persons using them.

Fireworks are dangerous explosive items that can burn up to 1000 degrees Celsius. Safety guidelines published by Natural Resources Canada requires a minimum 30m x 30m (100' x 100') clear space be used when setting off fireworks. The typical Vancouver lot is only 10 m wide. Also, the increase in urban density in the city exposes a higher number of people and pets to the negative effects of fireworks. Due to the fact that these items cause tremendous property damage, stress, injury or death, Vancouver Fire and Rescue Services recommends against expanding the use of fireworks.



Robert Renning
Deputy Chief / Community Safety