

1994

## c Pr20 Kitchener (City of) Act, 1994

Ontario

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## CHAPTER Pr20

## An Act respecting the City of Kitchener

*Assented to June 23, 1994*

Preamble	<p>The Corporation of the City of Kitchener, referred to in this Act as the Corporation, has applied for special legislation to license and regulate the sale of fireworks, to prohibit the sale of fireworks within defined areas of the city and to license land or premises used for the sale of fireworks.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>(e) fix the term of the licence which may vary with each licence; and</p> <p>(f) establish licence fees to cover the reasonable costs of administering and enforcing the by-law, to a maximum of \$1,000.</p>	
By-laws respecting fireworks	<p>1. (1) In addition to the powers set out in paragraph 37 of section 210 of the <i>Municipal Act</i>, the council of the Corporation may pass by-laws licensing, regulating and prohibiting the sale of fireworks in the City of Kitchener.</p>	<p>(3) A by-law under this section may impose conditions for the issuance of a licence which may include,</p> <p>(a) requiring that structures in which fireworks are sold have setbacks which, in the opinion of the chief fire prevention officer of the Corporation, provide adequate protection of adjacent property;</p> <p>(b) requiring that adequate access for fire and emergency vehicles be available and unobstructed; and</p> <p>(c) requiring that services to the structures be moved or altered in such a way that access by emergency and fire vehicles is not obstructed.</p>	Conditions
Contents of by-law	<p>(2) A by-law under subsection (1) may,</p> <p>(a) prohibit the sale of fireworks within any defined area of the city;</p> <p>(b) prohibit any person from selling fireworks without first obtaining a licence to do so;</p> <p>(c) prohibit the use of land or premises for the sale of fireworks without the owner or tenant first obtaining a licence to do so;</p> <p>(d) provide for the safe storage, handling, possession and sale of fireworks;</p>	<p>(4) If there is a conflict between a by-law passed under this Act and a regulation made under the <i>Fire Marshals Act</i>, the one that is more stringent prevails.</p>	Conflict
	<p>2. This Act comes into force on the day it receives Royal Assent.</p>		Commencement
	<p>3. The short title of this Act is the <i>City of Kitchener Act, 1994</i>.</p>		Short title