

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2026-051

A by-law to amend By-law 2009-056, being a by-law to regulate the discharge of fireworks

WHEREAS section 121 of the *Municipal Act*, 2001, S.O. 2001 c. 25, as amended (the “Act”) authorizes Council to enact by-laws to prohibit and regulate the setting off of fireworks;

WHEREAS By-law 2009-056, a by-law to regulate the discharge of fireworks, as amended was approved by the Council for the Corporation of the Town of Oakville (the “Council”) on April 6, 2009;

WHEREAS Council wishes to amend By-law 2009-056 as set out in this By-law;

COUNCIL ENACTS AS FOLLOWS:

1. Section 1 DEFINITIONS of By-law 2009-056 is hereby amended by adding the following new definitions:

“**Confiscate**” means to seize and take physical control of Fireworks in the possession of any person who is in contravention of this By-law;

“**HRPS Officer**” means a police officer who is a member of the Halton Regional Police Service;

2. Section 2 PROHIBITIONS of By-law 2009-056 is hereby amended by:

- a. renumbering subsection 2(b), being the subsection that begins with the words “discharge Display” as subsection 2(b.1);
- b. deleting the word “or” at the end of subsection 2(k);
- c. adding the word “or” to the end of subsection 2(l); and
- d. adding new subsection 2(m) as follows:

- m) hinder or obstruct or attempt to hinder or obstruct any Officer who is exercising a power or performing a duty under this By-law.

3. Section 2 PROHIBITIONS of By-law 2009-056 is hereby amended by deleting subsection 2(h) and substituting the following:

h) possess or discharge Fireworks unless such person has reached eighteen years of age;

4. By-law 2009-056 is hereby amended by adding new Section 4.1.1 as follows:

4.1.1 ENFORCEMENT

- a) Any person authorized by the Corporation of the Town of Oakville to enforce by-laws, including Municipal Law Enforcement Officers, provincial offences officers and Halton Regional Police Officers, are hereby authorized to enforce this By-law.
- b) Officers may enter on any land and building or structure thereon, at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- (i) the provisions of this By-law;
 - (ii) an order made under this By-law; or
 - (iii) an order made under section 431 of the Municipal Act.
- c) For the purposes of an inspection under subsection 4.1.1(b), an Officer may:
- (i) require the production for inspection of documents or things relevant to the inspection;
 - (ii) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (iii) require information from any person concerning a matter related to the inspection; or
 - (iv) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- d) An HRPS Officer who observes a contravention of this By-law may confiscate any Fireworks or Prohibited Fireworks in the possession of

the person under the age of eighteen who committed the contravention. Failure to surrender any Fireworks or Prohibited Fireworks may be deemed to constitute the offence of obstruction of the HRPS Officer.

- e) Any Fireworks confiscated by an HRPS Officer pursuant to subsection 4.1.1(d) may become the property of the Halton Regional Police Service and may subsequently be disposed of according to law.
5. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by deleting subsection 4.2(b) and substituting the following:
- b) Each person who has been issued a penalty notice, save and except for a violation of subsection 2(c) of this By-law shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$500 or as revised in the rates and fees schedule.
6. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by adding the following new subsection 4.2(b.1):
- b.1) Each person who has been issued a penalty notice for a violation of subsection 2(c) of this By-law shall, upon issuance of the penalty notice, be liable to pay an administrative penalty to the Town in the amount of \$1,000 or as revised in the rates and fees schedule.
7. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by adding the words “save and except for a violation of subsection 2(c) of this By-law,” after the word “By-law” in line two of subsection 4.2(c).
8. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by deleting subsection 4.2(d) and substituting the following:
- d) Upon issuance of the second penalty notice, save and except for a violation of subsection 2(c) of this By-law, the person shall be liable to pay an administrative penalty to the Town in the amount of \$750 or as revised in the rates and fees schedule.
9. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by adding the words “save and except for a violation of subsection 2(c) of this By-law,” after the word “By-law” in line two of subsection 4.2(e).
10. Section 4.2 ADMINISTRATIVE PENALTIES of By-law 2009-056 is hereby amended by deleting subsection 4.2(f) and substituting the following:

- f) Upon issuance of a third or subsequent penalty notice, save and except for a violation of subsection 2(c) of this By-law, the person shall be liable to pay an administrative penalty to the Town in the amount of \$1,000 or as revised in the rates and fees schedule.
11. Section 4.3 SERVICE AND NOTICE of By-law 2009-056 is hereby amended by designating the current unnumbered text as subsection (a) and adding new subsection (b) as follows:
- b) In addition to subsection 4.3(a), notice shall be given to the parent(s) or guardian(s) of a person under eighteen years of age who has been issued a penalty notice under this By-law by delivering a copy of the penalty notice to the parent(s) or guardian(s).
12. Section 6 PENALTY of By-law 2009-056 is hereby amended by deleting subsection 6(a) and substituting the following:
- a) Every person who is convicted of an offence is liable to a fine of not less than \$500 and not more than \$5,000 for the first offence and to a fine of not more than \$10,000 for a subsequent offence.
13. That all other provisions of By-law 2009-056 hereby remain in force and effect.

PASSED this 27th day of April, 2026

MAYOR

CLERK