

Resolution 4C

FIREWORKS (PASSED)

⇒ Region of Queens Municipality

WHEREAS pursuant to the *Explosives Act* of Canada, the federal government has the authority to enact regulations respecting fireworks; and

WHEREAS the Governor in Council of Canada may make regulations generally for carrying the purposes of the *Explosives Act* into effect, and in particular, but without limiting the generality of the foregoing, may make regulations

- a) for the safety of the public and of
 - i) persons engaged in the handling or packing of explosives or any class of explosives;
 - ii) persons engaged in the use of fireworks; and
- b) respecting the sale, purchase and possession of explosives; and

WHEREAS the Province of Nova Scotia did regulate fireworks in Nova Scotia with the *Fireworks Act* and Fireworks Designation Regulations until 2002 when they were repealed at the request of the Fire Marshal because they were almost unenforceable and replaced by the *Fire Safety Act*; and

WHEREAS the *Fire Safety Act* authorizes the Governor in Council for the province to make regulations respecting and dealing in, possession, disposition or giving of fireworks; and

WHEREAS many municipal units across Nova Scotia are having noise and safety issues with family fireworks; and

WHEREAS fireworks issues and mandated regulations should be under federal and provincial jurisdiction exclusively because many families that use fireworks do so outside of their home community, making this a multi-jurisdictional issue and not a local issue; and

WHEREAS the only charge available to law enforcement officials for family fireworks presently is an indictable offense under the Criminal Code with severe penalties of imprisonment up to 14 years.

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities immediately begin discussions with the Province of Nova Scotia's Minister of Labour and Workforce Development seeking amendments to the *Fire Safety Act*

of Nova Scotia in order to provide regulations for the safe and non-obtrusive use of family fireworks and legal powers for law enforcement officials for non-compliance.

Forwarded to:

Minister of the Department of Labour and Workforce Development

RESPONSE:

Thank you for your letter dated November 16, 2010, containing three resolutions that have been passed at the October Annual Conference of the Union of Nova Scotia Municipalities, Resolution 1C Certified Building Official Training, Resolution 2C Certified Building Official-Training Credit Transfer, and Resolution 4C Fireworks.

I am pleased to advise that Resolution 4C has been forwarded to the Nova Scotia Fire Services Advisory Committee for review and recommendation.

I look forward to receiving their recommendations after they next meet.

*The Honourable Marilyn More
Minister*

December 2, 2010