

# **Guest Code of Conduct, Noise & Fireworks Regulations**

## **Town of South Bruce Peninsula By-Laws**

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## **Guests:**

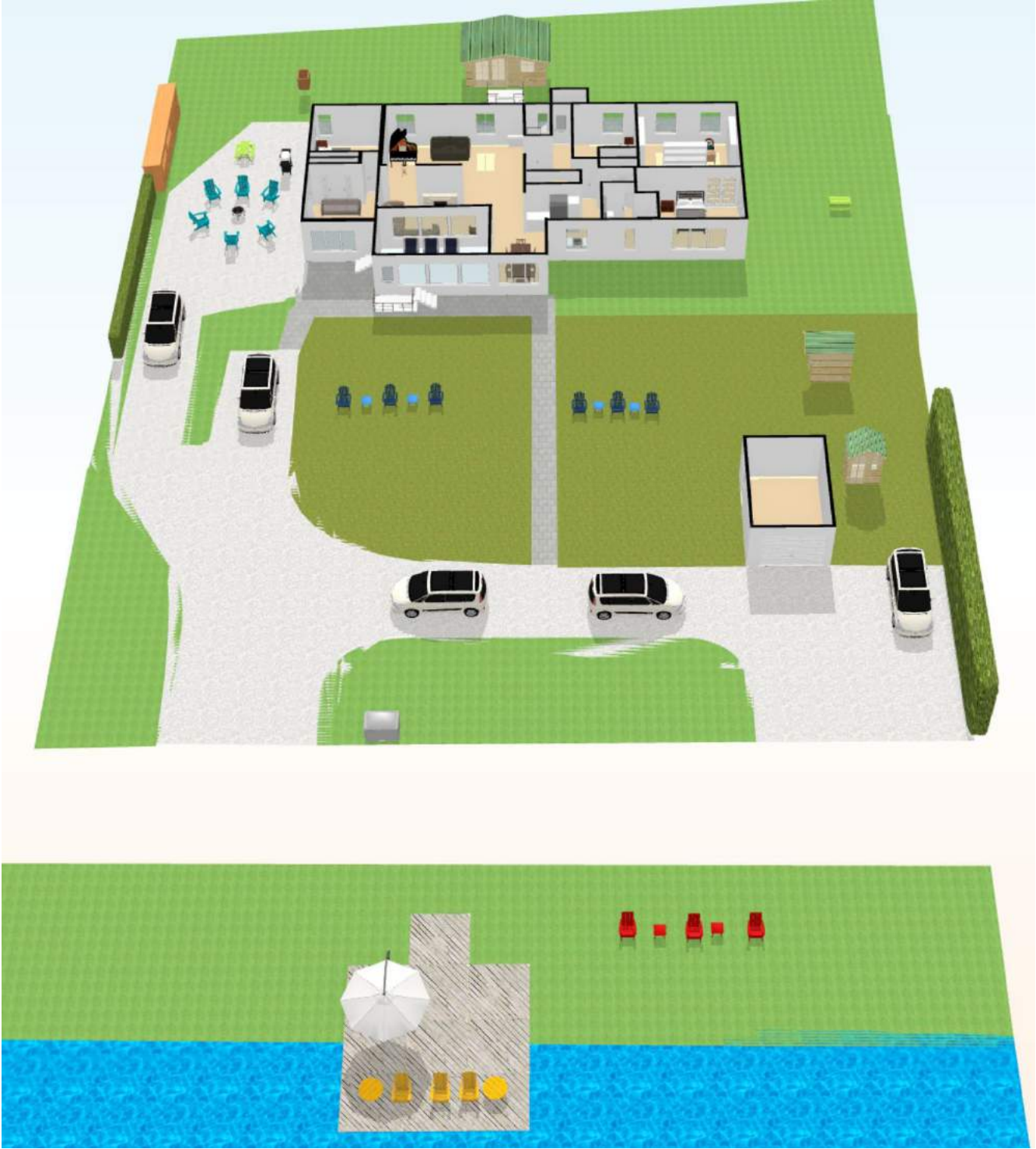
**Please read and abide to the above code of conduct and municipal by-laws as required by law.**

**Noise fines are outlined on pages 14 and 15 with strict enforcement in effect.**

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws

### Site Plan



# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws

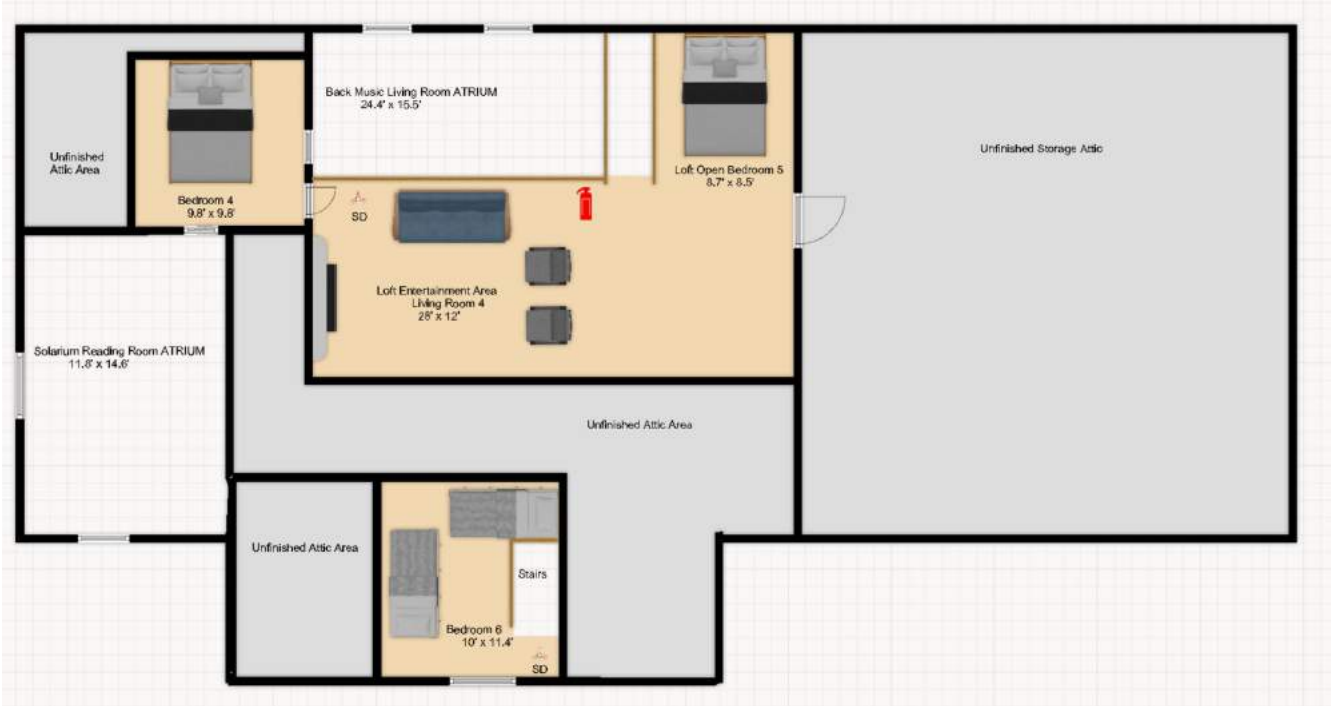
### Ground Floor - Plan



# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws

### Second Floor - Plan



# Guest Code of Conduct, Noise & Fireworks Regulations

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# Short Term Rental Accommodation

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### Short Term Rental Accommodation By-Law Renter's Code of Conduct

#### 2. Objective of the Code

- 2.1 The objective of the code is to establish acceptable standards of behaviour for owners and renters to minimize any adverse impacts on the neighbours and the surrounding neighbourhood, whether they be social, environmental or any other types of impacts.
- 2.2 In providing the acceptable standards, owners and renters are provided with the tools to ensure that they abide by the required standards and avoid penalties, fines and charges.

#### 3. Occupation

- 3.1 The renter must make themselves aware of the neighbourhood in which they are renting a short term rental accommodation.

#### 4. Guiding Principles

- 4.1 The guiding principles for short term rental accommodations are:
  - 4.1.1 The premises and property that you are occupying is a home.
  - 4.1.2 Respect the neighbours and the neighbourhood.
  - 4.1.3 Leave the premises and property as you found it.

# Guest Code of Conduct, Noise & Fireworks Regulations

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### Short Term Rental Accommodation

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#### 5. Maximum Number of Renters and Guests

- 5.1 The maximum number of residents, renters and guests (including those not staying overnight) permitted at a short term rental accommodation shall be limited to no more than two (2) persons per guest room (bedroom), at any given time. Please refer to the approved number as included on the licence.
- 5.2 In addition to Section 5.1, children of the renter under the age of 12, will be permitted and in the circumstance where the renter is bringing their children under the age of 12, no more than three (3) persons per guestroom (bedroom), including the children will be permitted.

#### 6. Noise

- 6.1 No person shall make noise which causes a disturbance, nor may they conduct themselves in a way that is likely to disturb area residents.
- 6.2 Examples of noise that is likely to disturb area residents includes but is not limited to:
  - 6.2.1 Loud music.
  - 6.2.2 Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour.
  - 6.2.3 Late evening and/or early morning disturbances.
  - 6.2.4 Yelling, shouting, singing, fighting or conversing loudly.
  - 6.2.5 Revving of engines or racing of vehicles to and from the short term rental accommodation.
  - 6.2.6 Idling.
  - 6.2.7 Fireworks.
  - 6.2.8 Outdoor speakers.
  - 6.2.9 Exceeding occupancy limits.
  - 6.2.10 Swearing and uttering profanities.
- 6.3 Renters and their guests are not allowed to disturb neighbours or interfere with their enjoyment of their properties/premises.
- 6.4 Failure to comply with these requirements may result in legal action including but not being limited to charges under the Noise By-Law and under the Short Term Rental Accommodation By-Law. Charges can be laid against the renter and the owner.

# Guest Code of Conduct, Noise & Fireworks Regulations

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### Short Term Rental Accommodation

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#### **7. Access and Parking**

- 7.1 Please familiarize yourself and your guests with the parking requirements as they relate to the short term rental accommodation.
- 7.2 All short term rental accommodations have vehicle parking requirements which are approved as part of the licensing process. Vehicles are not permitted to be parked on any area which is not specifically approved as a parking area.
- 7.3 More vehicle than parking spaces are not permitted on the property.

#### **8. Recycling and Garbage**

- 8.1 Please familiarize yourself and your guests with the locations for the storage and disposal of garbage and recycling.
- 8.2 If garbage and recycling are not properly managed, legal action may be taken including but not being limited to charges under the Property Standards By-Law, the Waste Management By-Law and under the Short Term Accommodation By-Law.

#### **9. Fire and Occupant Safety**

- 9.1 All short term rental accommodations shall have operating smoke alarms.
- 9.2 Carbon monoxide alarms must be installed outside of the sleeping areas.
- 9.3 The owner shall regularly test the alarms to ensure that they are operational.
- 9.4 If a renter discovers that any of the alarms are not operational, the renter shall immediately notify the property owner of the deficiency.

#### **10. Functions and Parties**

- 10. Short term rental accommodation renters are not to host functions or parties at the short term rental accommodation.

#### **11. Additional Responsibilities**

- 11.1 As an owner, renter and guest of the Town of South Bruce Peninsula, you must ensure that you are familiar with all by-laws, regulations, policies, guidelines, legislation and applicable law as it relates to the Town of South Bruce Peninsula.
  - 11.2 The owner, renter and any guests should expect that there is zero tolerance for non-compliance.
  - 11.3 It should be expected that non-compliance will mean that you will be visited by Town By-Law Enforcement Officers and charges will be laid.
  - 11.4 Strict adherence to this Renter's Code of Conduct and the requirements in the Short Term Rental Accommodation By-Law is expected and required, without exception.
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# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



# Short Term Rental Accommodation

The Corporation of the Town of South Bruce Peninsula

By-Law Number 28-2016

Being a By-Law to Prohibit and Regulate Unusual Noises  
and Noises Likely to Disturb the Inhabitants of the Town  
of South Bruce Peninsula

**Whereas** Section 9 of the Municipal Act, 2001 c.25 as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

**And whereas** Section 129 of the Municipal Act, 2001, c.25 as amended, authorizes municipalities to pass by-laws to prohibit and regulate noise;

**And whereas** Council deems it desirable to pass a by-law for the prohibition or regulation of noise within the Town of South Bruce Peninsula.

**Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:**

### 1. Short Title

This by-law may be known as the "Noise By-Law".

### 2. Definitions

For the purpose of this by-law, the following definitions apply:

- 2.1 **"Agricultural Operation"** means as contained in the Farming and Food Production Protection Act, 1998, S.O. 1998 C.1 as amended, or any successor legislation.
- 2.2 **"Animal"** means any member of the animal kingdom other than a human and without limiting the generality of the foregoing, includes dogs, cats and birds.
- 2.3 **"Council"** means the Council of the Corporation of the Town of South Bruce Peninsula.
- 2.4 **"Construction"** means the erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose and includes any work in connection therewith.
- 2.5 **"Construction Equipment"** means any equipment or device designed and intended for the use in construction work or material handling, including but not limited to a bulldozer, excavator, trencher, jack hammer, crane, loader, scraper, paver, compactor, roller, grader, concrete mixer, off-highway haulers or trucks, tractor, ditchers, air compressor, pile drivers, pneumatic or hydraulic tools, generators, pumps or other material handling equipment.



# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



## Short Term Rental Accommodation

- 2.6 **“Holiday”** means any holiday as set out as a holiday in the Retail Business Holidays Act, R.S.O. 1990, Chapter R.30 or any successor thereof.
- 2.7 **“Idling”** means the operation of a combustion engine of a vehicle while the vehicle is not moving forward or in reverse and not being used to operate auxiliary equipment essential to basic operation of the vehicle.
- 2.8 **“Noise”** means sound that is of such a volume or nature that it is likely to disturb the inhabitants of the Town.
- 2.9 **“Officer”** means person appointed as a By-Law Enforcement Officer, a Police Officer or any individual duly appointed to enforce the by-laws of the Town.
- 2.10 **“Point of Reception”** means any point on the premise occupied by a person where sound or vibration originating from other than those premises is received.
- 2.11 **“Stationary Source”** means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction or a conveyance as contained in the Ministry of Environment’s NPC publications, which cover individual sources such as heating, ventilation and air conditioning equipment, rotating machinery, impacting mechanical sources, generators burner, grain dryer, all activities taking place in a facility such as an industrial facility, commercial facility, ancillary transportation facility, aggregate extraction facility, warehousing facility, maintenance and repair facility, snow disposal sites, routing locating and unloading facilities (supermarkets, assembly plants, etc.) and includes other sources such as race tracks.
- 2.12 **“Special Event”** means an event as defined in the Town’s Special Events Policy and that is recognized by the Town as a special event.
- 2.13 **“Town”** means the Corporation of the Town of South Bruce Peninsula.
- 2.14 **“Zoning By-Law”** means the Comprehensive Zoning By-Law as adopted by Council and amended from time to time.

### 3. General Provisions

- 3.1 Any person who owns property in the Town is liable for allowing noise to be made by person(s) on said premises, providing the owner of said premises has been notified that said noise is taking place and has taken no action to remedy the situation.

### 4. General Prohibitions

- 4.1 Except to warn of danger or emergency, no person shall ring any bell, blow any horn, shout or make any unusual noise or noises likely to disturb the inhabitants of the Town or allow or permit such noises to be made.
- 4.2 Notwithstanding the provisions contained in Section 4.1, the following noises at point of reception are deemed to be noises likely to disturb the inhabitants of the Town:

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

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- 4.2.1 The persistent noise made by an animal except an animal used for and located on a property of an agricultural or livestock based use as set out in the Town Zoning By-Law.
- 4.2.2 The playing of any radio, public address system, amplified sounds producing device or other sound device which can be heard over 30 meters from the stationary source or other source of the sound.
- 4.2.3 The operation of any combustion engine without an effective muffling device.
- 4.2.4 The racing of any motorized vehicle and squealing of vehicle tires other than in a racing event regulated by-law.
- 4.2.5 The noise caused by construction and use of construction equipment that is clearly audible at point of reception between 9:00 pm of any day and 7:00 am of the following day (or 9:00 am if the following day is a Sunday or Holiday).
- 4.2.6 The detonation of fireworks or explosive devices.
- 4.2.7 Shouting, whistling, calling, hooting, singing or similar sounds in or adjacent to any public street or public place.
- 4.2.8 The sound caused by the use or operation of a lawnmower, chainsaw, leaf-blower or any other such noise generating tool or device that is clearly audible at a point of reception between 10:00 pm of any day and 7:00 am of the following day (or 9:00 am if the following day is a Sunday or Holiday).
- 4.2.9 The sound of operations of a quarry or pit audible at a point of reception between 7:00 pm of any day and 7:00 am of the following day and all day Sunday and Holidays unless as otherwise permitted by an approved quarry license.
- 4.2.10 The noise associated with unloading, loading, packing, delivering or otherwise handling any container, product or material unless necessary for the maintenance of essential services or the moving of a private household between 11:00 pm of any day and 7:00 am of the following day.
- 4.2.11 The noise associated with the operation of waste and refuse collection machinery, waste and refuse storage equipment/facilities/containers or waste and refuse compacting equipment between 11:00 pm of any day and 7:00 am of the following day.

#### **5. Idling Provisions**

- 5.1 No person shall cause or permit the idling of an engine or motor in or on any motor vehicle or attached auxiliary equipment for a continuous period exceeding 10 minutes.
- 5.2 No person shall cause or permit the idling of an engine or motor in any loading or bus loading zone, as signed and approved by Council from time to time.
- 5.3 Notwithstanding the generality of the foregoing, Section 5.1 and 5.2 do not apply to the following provisions:

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

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- 5.3.1 Police, fire or emergency medical service vehicle while engaged in operational activities, including training and patient transfer activities.
  - 5.3.2 Vehicles assisting in an emergency activity including tow trucks while engaged in hooking up to or moving another vehicle.
  - 5.3.3 Vehicles required to remain motionless because of an emergency, traffic (congestion and signals), weather conditions or mechanical difficulties over which the driver has no control.
  - 5.3.4 Mobile work (delivery) vehicles while they are in the course of being used for their function but excluding a passenger vehicle or bus between 7:00 am of one day and 9:00 pm of the same day (9:00 am on Sundays and Holidays).
  - 5.3.5 During weather conditions where outside temperatures are over 27 degrees Celsius or below 5 degrees Celsius where idling may be necessary for the operation of air conditioning or heating equipment as long as the vehicle is occupied.
  - 5.3.6 Vehicles engaged in the course of a special event.
  - 5.3.7 Vehicles transporting a person where a medical doctor certifies in writing for medical reasons that a person in a vehicle requires temperature or humidity to be maintained within a certain range and where the medical note is up to date and is kept with the vehicle operator.
  - 5.3.8 Vehicles where idling is required as part of the repair process or to prepare a vehicle for service while the vehicle is in the possession or on the property of a commercial vehicle repair facility.
  - 5.3.9 Agricultural vehicles and such equipment unlicensed under the Highway Traffic Act and used exclusively for operations off the public highway in the performance of agricultural work or animal husbandry.
  - 5.3.10 Armoured vehicles where a person remains inside the vehicle while guarding the contents of the vehicle or while the vehicle is being loaded or unloaded.
  - 5.3.11 Commercial vehicles using heating or refrigeration systems powered by the motor or engine for the preservation of perishable cargo.
  - 5.3.12 A vehicle whose engine is being operated to boost the battery of another vehicle, or which vehicle is connected to an external stationary device which relies on the power of the vehicle to carry out work.
  - 5.3.13 Prevailing low temperatures making longer idling periods necessary, immediately after starting the motor or engine.
  - 5.3.14 The original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded.
  - 5.4 No person shall permit mobile work (delivery) vehicles to idle from 9:00 pm of one day to 7:00 am of the following day (9:00 am on Sundays and Holidays) unless they fall within one of the exemptions contained herein.

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

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#### **6. General Exemptions**

- 6.1 Notwithstanding any provision to the contrary, the provisions contained in this by-law do not apply as follows:
  - 6.1.1 During an emergency jeopardizing the health, safety or welfare of the public.
  - 6.1.2 Where the Town, its servants, employees, contractors or agents are carrying out Town operations and construction.
  - 6.1.3 To noise created by the activity of snow removal.
  - 6.1.4 To the use of implements of husbandry in the operation of agricultural endeavours.
  - 6.1.5 To the operation of construction equipment when used in a cemetery in conjunction with interment services.
  - 6.1.6 In all areas of the Town designated as agricultural in the Zoning By-Law.
  - 6.1.7 To the ringing or sounding of bells or chimes associated with church activities.
  - 6.1.8 To the operation of auditory safety or warning devices or signals utilized as traffic control devices.
  - 6.1.9 To working service animals such as hearing-ear dogs, seeing-eye dogs or other similar working animals while making the sound required in the course of their working duties.
  - 6.1.10 To the authorized use of fireworks and explosives as per the Town Fireworks By-Law.
  - 6.1.11 To any special event approved by the Town of South Bruce Peninsula.

#### **7. Exemptions by Council**

- 7.1 Despite the provisions of this by-law, any person may apply to Council for an exemption to any provision of this by-law with respect to any noise to allow such person to emit, cause or permit such noise for the period of time set out in such application. Council may grant such exemption, in form of a resolution, grant an alternative exemption or refuse such exemption and may set out conditions to be met as Council sees fit for any exemption granted.
- 7.2 Any appeal to Council must be made before the noise is to occur. An appeal to Council may not be made after an infraction has occurred.
- 7.3 Where an exemption is granted by Council, breach of any of the terms or conditions of the exemption shall render the exemption null and void.
- 7.4 Every person applying for an exemption shall follow the Towns Procedural By-Law with respect to making a delegation to Council.

# Guest Code of Conduct, Noise & Fireworks Regulations

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### Short Term Rental Accommodation

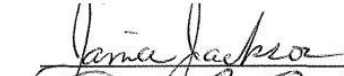

#### 8. Penalty

- 8.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalty specified by the Provincial Offences Act, R.S.O. 1990, c.P.33 as amended.
- 8.2 An Officer of the Town shall enforce the provisions of this by-law in accordance with the provisions set forth herein.

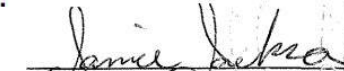

#### 9. Force and Effect

- 9.1 Where any provision or clause is found to be invalid by a court of competent jurisdiction, that provision or clause shall be considered to be severed from the by-law and will not affect the other provisions contained herein.
- 9.2 Any by-law or a portion thereof that is inconsistent with this by-law is hereby repealed.
- 9.3 This by-law shall take effect upon the final passing thereof.

Read a first and second time this 19th day of April, 2016.

 **Mayor**  
 **Clerk**

Read a third time and finally passed this 19th day of April, 2016.

 **Mayor**  
 **Clerk**

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



## Short Term Rental Accommodation

The Town of South Bruce Peninsula

By-Law 28-2016

Prohibit and Regulate Noise  
Part 1 Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating of Defining Offence	Column 3 Set Fine
1	Ring a bell, blow a horn or shout	Section 4.1	250.00
2	Make or allow or permit any unusual noise likely to disturb the inhabitants of the Town	Section 4.1	250.00
3	Persistent noise made by an animal	Section 4.2.1	250.00
4	Playing of any radio, public address system, amplified sounds producing device or other sound device heard over 30 meters	Section 4.2.2	250.00
5	Operation of any combustion engine without an effective muffling device	Section 4.2.3	250.00
6	Noise from racing of any motorized vehicle and squealing of vehicle tires	Section 4.2.4	250.00
7	Noise caused by construction equipment when prohibited	Section 4.2.5	250.00
8	Noise from the detonation of fireworks or explosives	Section 4.2.6	250.00
9	Shouting, whistling, calling, hooting, singing or similar sounds adjacent to public street or public place	Section 4.2.7	250.00
10	Sounds by lawnmower, chain-saw, leaf-blower or other noise generating tool or device when prohibited	Section 4.2.8	250.00
11	Operations of a quarry or pit when prohibited	Section 4.2.9	250.00

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



## Short Term Rental Accommodation

The Town of South Bruce Peninsula

By-Law 28-2016

Prohibit and Regulate Noise  
Part 1 Provincial Offences Act

Item	Column 1 Short Form Wording	Column 2 Provision Creating of Defining Offence	Column 3 Set Fine
12	Noise associated with unloading, loading, packing, delivering or otherwise handling any container, product or material when prohibited	Section 4.2.10	250.00
13	Noise associated with the operation of waste and refuse collection machinery when prohibited	Section 4.2.11	250.00
14	Noise associated with the operation of waste and refuse storage equipment/facilities/containers when prohibited	Section 4.2.11	250.00
15	Noise associated with the operation of waste and refuse compacting equipment when prohibited	Section 4.2.11	250.00
16	Idling of an engine or motor for a continuous period exceeding 10 minutes	Section 5.1	250.00
17	Idling of an engine or motor in any loading or bus loading zone	Section 5.2	250.00
18	Idling of any mobile work (delivery) vehicles when prohibited	Section 5.4	250.00

**Note: The general penalty provision for the offences listed above is Section 8.1 of By-Law Number 28-2016, a certified copy of which has been filed.**

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



## Short Term Rental Accommodation

The Corporation of the Town of South Bruce Peninsula

### By-Law Number 122-2015

#### Being a By-Law to Regulate the Sale, Storage and Setting Off of Fireworks and Pyrotechnics and to Provide for the Requirement for Permission for Fireworks Displays in the Town of South Bruce Peninsula

**Whereas** Section 120 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that a local municipality may prohibit and regulate the manufacture, storage, keeping and transportation of dangerous substances and explosives in the municipality and that a by-law may require a permit and may impose conditions for obtaining, continuing to hold and renewing the permit including requiring the submission of plans;

**And whereas** Section 121 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks and may prohibit activities unless a permit is obtained from the municipality and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

**And whereas** Section 7.1 (1) of the Fire Protection and Prevention Act, 1997, S.O. 1997, C.4 as amended provides that a council of a municipality may pass by-laws regulating fire prevention including the prevention of spreading fires;

**Now therefore** the Council of the Corporation of the Town of South Bruce Peninsula enacts as follows:

#### 1. Short Title

1.1 This by-law shall be known as the "Fireworks By-Law".

#### 2. Definitions

2.1 In this by-law:

**"Authority Having Jurisdiction"** means the individual authorized by Natural Resources Canada to authorize fireworks displays and the Fire Chief of the Corporation of the Town of South Bruce Peninsula and may be referred to as "AHJ".

**"Canada Day"** means July 1 in any year.

**"Clerk"** means the Clerk of The Corporation of the Town of South Bruce Peninsula and shall include any designate.

**"Council"** means the Council of The Corporation of the Town of South Bruce Peninsula.

**"Explosives Act (Canada)"** means the Explosives Act, R.S.C. 1985, c. E-15.

**"Family Fireworks"** means an outdoor, low hazard, recreational firework that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the Explosives Act (Canada).



# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

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**“Fire Chief”** means the Fire Chief of The Corporation of the Town of South Bruce Peninsula, and shall include any designate.

**“Firecracker”** means any class of fireworks that explodes when ignited and does not make any significant display or visible effect after the explosion but does not include caps for toy guns or Christmas crackers.

**“Fireworks”** means explosive and pyrotechnic devices that are designed to produce colorful effects with sound added as a secondary function in some instances.

**“Fireworks display”** means an outdoor, high hazard, recreational firework that is classed as a subdivision 2 of Division 2 of Class 7 of the Explosives Act (Canada) and further includes pyrotechnics as classified in Subdivision 5, Division 2, Class 7 in the regulations under the Explosives Act (Canada).

**“Fireworks Supervisor”** means a person who has successfully completed an approved Fireworks Supervisor course offered pursuant to the Explosives Act (Canada).

**“Public Highway”** means any allowance, lane, avenue, street, way, drive or road whether open or unopened.

**“Independence Day”** means July 4 in any year.

**“Officer”** means a municipal by-law enforcement officer, provincial offences officer, police officer or the Licensing officer.

**“Permit”** means a permit to hold a fireworks display issued pursuant to this by-law.

**“Person”** includes a corporation and its directors and officers, and their heirs, executors, assignees and administrators or other legal representatives of an individual and their respective successors and assignees.

**“Prohibited firework”** includes but is not limited to cigarette loads or pings, exploding matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes as may be included on the list of prohibited fireworks as published from time to time under the Explosives Act (Canada).

**“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.

**“Town”** means The Corporation of the Town of South Bruce Peninsula and its locality, including its geographic area.

**“Vendor”** means owner or operator of any building, structure, trailer, roadside stand, vehicle or any other conveyance where fireworks are being sold.

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

“Victoria Day” means the Monday preceding May 25 in any year.

#### 3. Prohibitions

##### Sale of Fireworks

- 3.1 No person shall sell or retail in the Town any fireworks to anyone under the age of eighteen (18) years.
- 3.2 No person shall sell fireworks in the Town without displaying in his/her shop or place of business, at a point adjacent to the fireworks being sold, a copy of this by-law and copies of the brochure provided by the Authority Having Jurisdiction.

##### Display for Sale and Storage of Fireworks

- 3.3 No person shall store fireworks that are displayed for sale within any building, in any bin, lot, or bundle that exceeds a weight of twenty-five (25) kilograms.
- 3.4 No person shall store fireworks in any manner that would expose the fireworks to direct sunlight.
- 3.5 No person shall display or exhibit any fireworks in any window of any store or shop within the Town.

##### Setting Off of Fireworks

- 3.6 No person shall set off any fireworks within the limits of the traveled portion (including any sidewalks) of any public highway or in any public park, on or in any building or structure, or other public place including any beach area owned or operated by the Town of South Bruce Peninsula, nor within the limits of any shopping plaza.
- 3.7 No person shall set off any fireworks within the Town except on Victoria Day, Canada Day or Independence Day or the day immediately preceding Victoria Day, Canada Day or Independence Day or any special day established by Council except at the fireworks displays held after permission has been granted by the AHJ or a family fireworks approved by the AHJ.
  - 3.7.1 No person shall set off any fireworks except during the hours of 7:00 p.m. and 11:00 p.m.
  - 3.7.2 Notwithstanding the provision of the by-law in relation to day and time, any other day or time for the setting off of fireworks may be recognized by resolution of the Council of the Town of South Bruce Peninsula.

##### Fireworks Display

- 3.8 No person shall set off a display of fireworks within 183 meters (600 feet) of a nursing home, public hospital, home for the aged, any premises or place where explosives, gasoline, or other highly flammable substances or highly combustible material are manufactured, sold or stored or within 183 meters (600 feet) of a church or a public, separate, secondary or other school, unless the consent of the owner of such church or school, or an agent or representative of such owner, is obtained.

# Guest Code of Conduct, Noise & Fireworks Regulations

## Town of South Bruce Peninsula By-Laws



### Short Term Rental Accommodation

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#### **Holding of Fireworks Displays**

- 3.9 No person shall hold a fireworks display in the Town unless the person has obtained permission from the AHJ, pursuant to the requirements of this by-law.

#### **Firecrackers**

- 3.10 No person shall sell or offer for sale firecrackers within the Town.
- 3.11 No person shall set off any firecrackers within the Town.

#### **4. Requirements of Vendor for the Sale of Fireworks**

- 4.1 No vendor shall sell fireworks without ensuring that:
- (i) "No Smoking" and "Fireworks" signs are prominently displayed within the sales area;
  - (ii) The "No Smoking" prohibition is enforced at all times within *3 meters (10 feet)* of the building housing the fireworks; and
  - (iii) Fire extinguishers are supplied in accordance with the Ontario Fire Code and sellers have been trained to operate the same.

#### **5. Requirements for a Fireworks Display**

- 5.1 No person shall apply for permission for a fireworks display without:
- (i) Filing with the Fire Chief/AHJ a completed application on the form copied from the Display Fireworks Manual.
  - (ii) Submitting a site plan showing:  
The location of the proposed fireworks display;  
The clearance from adjacent properties; and  
The access to be provided for fire and emergency vehicles.
  - (iii) Providing a certificate of insurance in the amount of two million dollars (\$2,000,000) liability including a cross liability clause and naming the Town as an additional insured.
- 5.2 If the requirements as set out in this by-law have been complied with, the Fire Chief shall grant the applicant permission for a fireworks display.
- 5.3 Notwithstanding Section 5.2 herein, the Fire Chief may impose additional conditions on the applicant as they relate to the issuance of permission as is deemed advisable and considering the particular circumstances of the request.
- 5.4 The fee to apply for or obtain permission for a fireworks display shall be in accordance with the Town Fee-By-Law.

# Guest Code of Conduct, Noise & Fireworks Regulations

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## Short Term Rental Accommodation

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### 6. General

- 6.1 The sale, handling and discharge of fireworks shall conform to Section 5.2.2 of the Ontario Fire Code (O. Reg 213/07) as may be amended from time to time.

### 7. Inspection

- 7.1 No person shall prohibit any Officer at any reasonable time from inspecting the premises where fireworks are being stored or sold to ascertain whether or not the provisions of this by-law are being carried out.

### 8. Offence and Penalties

- 8.1 No person(s) shall willfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, right, functions, powers or authority under this by-law.
- 8.2 Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person(s), the Officer may require the name, address and proof of identity of the person(s), and the person(s) shall supply the required information.
- 8.3 Every person who violates a provision of this by-law is guilty of an offence and upon conviction is liable to the penalty provided in Section 61 of the Provincial Offences Act R.S.O. 1990 Chapter 33 as amended from time to time.

### 9. Enforcement

- 9.1 This by-law will be enforced by the Fire Chief, AHJ and Officers subject to their authority at law.

### 10. Word Usages

- 10.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular number includes the plural and the plural the singular.

### 11. Severability

- 11.1 If any section or sections of this by-law are declared by a court of competent jurisdiction to be invalid, such section or sections shall be deemed to be severable and shall not affect the validity of this by-law as a whole or any part thereof and all other sections of the by-law shall be deemed to be separate and independent therefrom and enacted as such.

### 12. Conflict and Repeal

- 12.1 In the event of any conflict between any provisions of this by-law and any other by-law passed, the provisions of this by-law shall prevail.
- 12.2 Any by-law or portion thereof which is inconsistent with this by-law is hereby repealed.

# Guest Code of Conduct, Noise & Fireworks Regulations

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### Short Term Rental Accommodation

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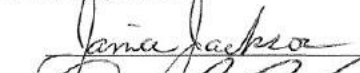
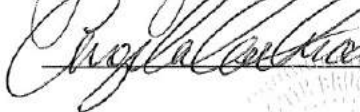
#### 13. Exemption

- 13.1 It is hereby declared for greater certainty that for purposes of this by-law respecting the setting off of family fireworks on Victoria Day, Canada Day or Independence Day, or the day immediately preceding Victoria Day, Canada Day or Independence Day or any special day established by Council, on land belonging to a private residence by the owner or tenant of such residence or a person authorized by him to do so shall not be deemed to be a fireworks display.
- 13.2 The sale or setting off of pyrotechnical signaling devices for marine, military, railway or highway purposes shall not be deemed to be, respectively, the sale or setting off of fireworks.

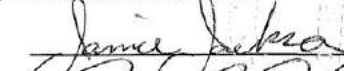
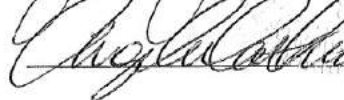
#### 14. Effective Date

- 14.1 This by-law comes into full force and takes effect on the final day of passage.

Read a first and second time this 3<sup>rd</sup> day of November, 2015.

 Mayor  
 Clerk

Read a third time and finally passed this 3<sup>rd</sup> day of November, 2015.

 Mayor  
 Clerk