

Staff Report

Report To: City Council
Report From: Andy O'Leary, Facilities Booking Coordinator
Meeting Date: November 7, 2022
Report Code: CS-22-136
Subject: Festival of Northern Lights 2022 – Permit to Discharge
Fireworks

Recommendations:

THAT in consideration of Staff Report CS-22-136 respecting the Festival of Northern Lights (FoNL) permit to discharge fireworks, City Council:

1. Authorizes an exemption to permit the discharge of High Hazard Fireworks by Northstar Fireworks in conjunction with the FoNL Opening Celebration on November 19, 2022; subject to:
 - a. Providing an insurance certificate naming the City as an additional insured in the amount of 2 million dollars; and
 - b. Ensuring the required 50 m fall out zone is free of spectators.

Highlights:

- Fireworks have been part of the opening celebration for the Festival of Northern Lights for many years;
- An exemption of Council is required to permit the discharge of Fireworks in accordance with the Fireworks By-law (2022-050);
- Opening Night celebrations are planned for November 19, 2022 and are open to the public.
- Separate approvals for road closures and use of the Farmers' Market and Market Square have been completed.
- The City has had an agreement with the Festival as an independent, arms-length organization since 2011.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service.

Previous Report/Authority:

This event was previously approved through Report [CS-21-138](#) via resolution number R-211101-010.

Background:

The purpose of this report is to present a request from the Festival of Northern Lights (FoNL) to discharge fireworks in conjunction with the opening night celebration on November 19, 2022.

Analysis:

The Festival of Northern Lights has submitted a request with respect to the discharge of Fireworks in association with the Festival opening celebration on November 20, 2021.

The City's By-law that regulates the sale and use of Fireworks in the City requires the following:

High Hazard Fireworks

16) No Person shall Use High Hazard Fireworks and High Hazard Flares and Signals in the City without:

- a) complying with all requirements of the Explosives Act and any other Act or Regulation,
- b) providing a certificate of insurance to the satisfaction of the City;
- c) ensuring a review of the proposed use is undertaken from Owen Sound Fire and Emergency Services, and
- d) receiving an exemption to this by-law granted by Council by resolution or by-law.

Exemptions by Council

17) Council may, at their discretion, provide an exemption by resolution or by-law to any provision of this by-law subject to any conditions Council may

see fit to impose, including but not limited to, requiring liability insurance naming the City as an additional insured.

18) Where an exemption to this by-law has been granted by Council, a breach of any of the terms or conditions of the exemption may, at the discretion of an Officer, render the exemption null and void.

Safety Guidelines

19) Every Person shall adhere to Fireworks Safety Guide outlined in Schedule A of this by-law when using Fireworks in the City.

20) Every Person shall immediately dispose of Fireworks that fail to discharge in a safe manner having regard to:

- a) the instructions or guidelines provided by the manufacturer, and
- b) proper Fireworks handling procedures, including those contained in schedule A of this by-law.

21) No person shall Use Fireworks in the City except in accordance with this bylaw and the Explosives Regulations of the Explosives Act.

Northstar Fireworks has provided the Fireworks for the opening night celebrations for the FoNL since 2002.

The fireworks location is along the Sydenham River and provides spectators with the required 50 m safety zone.

Northstar meets or exceeds all safety and professional requirements as outlined in the Bylaw, including the Fireworks Safety Guide included as Schedule A to Bylaw 2022-050. The Fire Chief has been consulted concerning the request and supports the request subject to Northstar Fireworks providing an insurance certificate naming the City as an additional insured in the amount of \$2 million and ensuring that the 50 m fall out zone is clear of spectators.

Financial Implications:

The 2022 City budget financial support for the FoNL was budgeted at \$20,000.

No change in the in-kind support provided by City staff is anticipated.

Communication Strategy:

The Festival is responsible for promoting and marketing the event. The city does provide support for these efforts.

Consultation:

Fire Chief and Fire Safety Officer.

Attachments:

1. Request by FoNL regarding Discharge of Fireworks
2. FoNL Site Map

Recommended by:

Andy O'Leary, Facilities Booking Coordinator
Pamela Coulter, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Andy O'Leary, Facilities Booking Coordinator at aoleary@owensound.ca or 519-376-4440 ext. 1255.