SUBJECT: Application to Amend City of Hamilton Fireworks By-law 02-285 (HES05003(a)) (City Wide)

RECOMMENDATION:

(a) That the proposed amendment as outlined in Appendix “A” to Report HES05003(a)) to the existing City of Hamilton Fireworks By-law 02-285 as amended by By-law 05-128 (Appendix “B” to Report HES05003(a)) permitting the sale of family fireworks during the year 2006 on Victoria Day and Canada Day, and during the fourteen (14) day period immediately preceding each of those days be passed and enacted.

(b) That this amendment to the Fireworks By-law be passed and enacted again, as per 2005, on a trial basis for the year 2006, with expiration date of July 2, 2006.

(c) That Hamilton Emergency Services (HES) report back to Council following July 2, 2006 with a future strategy/proposal regarding allowable sales periods for family fireworks.

Jim Kay
General Manager / Fire Chief
Hamilton Emergency Services
EXECUTIVE SUMMARY:

The proposed amendment to the Fireworks By-law will have City Wide Implications.

The existing Fireworks By-law (passed by Council on October 9, 2002 and amended on May 16, 2005 for the 2005 sales periods) provides for public safety with respect to the handling, sale and use of fireworks.

The 2005 amendment to the Fireworks By-law provided an opportunity for HES to collect data on responses to fireworks complaints, injuries and other community impacts. This proposed amendment will allow for the collection of another year’s data to be used as comparators. It will also provide an opportunity to observe and evaluate how other municipalities respond to the growing trend towards calling for a total ban on the sale and use of family fireworks.

BACKGROUND:

By-law 05-128, which amended City of Hamilton Fireworks By-law 02-285, permitted the sale of family fireworks on Victoria Day, Canada Day and the fourteen (14) day period immediately preceding those two (2) holidays versus the seven (7) day period. This amendment was repealed on July 2, 2005.

HES requested that other enforcement agencies (Hamilton Police Service and City of Hamilton By-law Enforcement Division) as well as the Fire Suppression and Emergency Medical Services (EMS) Divisions of HES track all incidents related to the use of family fireworks during and around the two (2) sales periods in 2005, as permitted by the By-law. The Fire Prevention Division already tracked the sale of permits and complaints received as they related to family fireworks. Local hospitals were also requested to provide some statistical data.

While this compilation of data would provide us with information directly related to problems associated with the use of family fireworks in the City of Hamilton for the year 2005, there is not any other available and relevant data with which to compare it to. Statistical information from previous years (other than that found in Fire Prevention with respect to permits and complaints) were not kept.

This information will be utilized to determine what time frame will be approved for the sale of family fireworks during 2006 and beyond.

ANALYSIS/RATIONALE:

In 2005, there were a total of 53 incidents in which either enforcement personnel or emergency response personnel responded to events involving family fireworks. The following is a breakdown of each Departments responses:
HES - Fire Prevention Division (19 complaints)
- 10 complaints dealt with the sale of family fireworks by vendors who had not obtained a sales permit
- 5 complaints were for the improper storage of family fireworks at a sales location
- 2 complaints involved the sale of family fireworks to minors
- 2 complaints involved the improper setting off of family fireworks

HES - Fire Suppression Division (16 emergency calls)
- 2 responses resulted in a dollar loss to property ($5K damage to a bus and $1,500 damage to a shed)
- 9 responses involved small fires (grass fires, dumpster fires)
- 1 response involved a child lighting a sparkler inside a home causing smoke conditions in the home
- 1 response involved a vendor smoking in the vicinity of fireworks
- 1 response involved a firework set off in a school
- 2 responses involved neighbours concerned with debris falling from exploded fireworks
- 5 of the 16 responses involved children setting off fireworks

HES – EMS Division (3 responses)
- 2 responses involving children suffering 2nd degree burns to their shoulder areas from fireworks
- 1 response involved a child being injured by a chemical glow stick

Hamilton Police Service (12 emergency calls)
- 5 calls involved children shooting fireworks at homes or on private property (citizens lawns or mailboxes)
- 1 call involved children setting off fireworks in a playground
- 1 call involved a firecracker being set off in a classroom
- 1 call involved fireworks being placed in a plastic bottle and set off
- 1 call involved children setting off fireworks
- 1 call involved the setting off of a firecracker on a bus
- 2 calls involved children shooting fireworks at each other. In one case, a child was sent to hospital with minor burns.
- 8 of the 12 calls involved children maliciously setting off fireworks

Planning & Economic Development Department, By-law Enforcement Division (3 complaints)
- All 3 complaints dealt with fireworks being set off after 11:00 p.m., a violation of the Noise By-law

Local Hospitals
- No statistical information was collected or made available

There is no comparable data for the year 2004 with which to compare these numbers. In 2004, family fireworks were permitted to be sold on Victoria Day, Canada Day and each of the seven (7) days immediately preceding those two holidays. Because of this, our
goal is to track the number of incidents again in 2006, and with the data compiled over this two (2) year period, a decision will have to be made as to whether the number and type of incidents being experienced are acceptable to our community’s safety.

The City of Toronto experienced a large increase in calls associated with the misuse of family fireworks during 2005. These incidents prompted the Ontario Fire Marshal’s Office to issue a Communiqué to all Ontario Fire Departments recommending against backyard or family gathering type fireworks displays, instead recommending that families attend displays put on by trained fireworks professionals and organized by responsible organizations such as municipalities. It also suggests that some municipalities are considering banning the use and sale of family fireworks altogether.

Appendix “C” to Report HES05003(a) is attached for background information and contains a number of news releases and articles written on the subject of banning family fireworks.

**ALTERNATIVES FOR CONSIDERATION:**

An alternative would be to err on the side of safety and to leave the By-law as it currently exists, allowing for the sale of family fireworks on Victoria Day, Canada Day and each of the seven (7) days immediately preceding those two (2) holidays and not changing it to fourteen (14) days.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

There are no financial or staffing implications.

**POLICIES AFFECTING PROPOSAL:**

Not applicable.

**RELEVANT CONSULTATION:**

Corporate Services Department, Legal Services Division provided guidance regarding the by-law amendment.
Planning & Economic Development Department, By-law Enforcement Division provided data referenced in the analysis section of this report.
HES-EMS Division provided data referenced in the analysis section of this report.
Hamilton Police Service provided data referenced in analysis section of this report.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☒ Yes ☐ No
The temporary amendment to the Fireworks By-law is not expected to unduly affect public safety with respect to the handling, sale and use of family fireworks.

**Environmental Well-Being is enhanced.**

☑️ Yes  ☐ No

The temporary amendment to the Fireworks By-law is not expected to unduly affect the environmental well being of citizens. Human health and safety are protected through enforcement of the Fireworks By-law.

**Economic Well-Being is enhanced.**

☑️ Yes  ☐ No

Vendors will have an additional period of time during which they will be permitted to sell family fireworks.

**Does the option you are recommending create value across all three bottom lines?**

☑️ Yes  ☐ No

The proposed amendment to the Fireworks By-law will allow vendors an increased time period during which they are permitted to sell family fireworks while continuing to address public safety issues.

**Do the options you are recommending make Hamilton a City of choice for high performance public servants?**

☐ Yes  ☐ No

Not applicable
CITY OF HAMILTON

BY-LAW NO. 05-____

To Amend Fireworks By-law No. 02-285, as amended, to temporarily Provide an Extended Sale Period

WHEREAS Council desires to amend By-law No. 02-285, as amended, respecting fireworks to provide on a trial basis a fourteen day sale period prior to holidays in place of the current seven day period, and which trial period will expire on July 2, 2006;

AND WHEREAS Section 121 of the Municipal Act, S. O. 2001, Chapter 25 provides that a municipality may regulate or prohibit the sale of fireworks;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 5.3 of City of Hamilton By-law No. 02-285, as amended, is hereby amended to replace the word “seven” with the word “fourteen”.

2. This by-law comes into force and effect on the date of its passing and enactment, and is further repealed on July 2, 2006.

PASSED and ENACTED this day of , 2005.
CITY OF HAMILTON

BY-LAW NO. 02-285

To Regulate the Sale and Use of Fireworks

WHEREAS the Municipal Act authorizes the prohibition and regulation of the sale and use of fireworks;

AND WHEREAS the Council of the former municipalities comprising the City of Hamilton enacted diverse by-laws to prohibit and regulate the sale and setting off of fireworks within their respective geographic areas;

AND WHEREAS it is in the interest of the people of the new City of Hamilton to standardize the regulations and prohibitions applicable to the sale and use of fireworks.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Interpretation

1.1 In this By-law

(a) "child" means a person who is under 18 years of age;

(b) "City" means the City of Hamilton;

(c) "Chief of Police" means the Chief of Police for the City;

(d) "display fireworks" means high-hazard fireworks for recreation, including firecrackers, that are classed under Class 7, Division 2,
Subdivision 2 under the *Explosives Act*, R.S.C. 1985, c. E-17, as amended, and the *Explosives Regulations* under that Act, and includes but is not limited to the classes of fireworks known within the firework industry as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons;

(e) "family fireworks" means low hazard fireworks for recreation that are classed under Class 7, Division 2, Subdivision 1 of the *Explosives Act*, R.S.C. 1985, c. E-17 as the *Explosives Regulations* under that Act, and includes but is not limited to fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers, and other similar devices, but does not include Christmas crackers and paper caps containing not more than twenty-five one-hundredths of a grain of explosive;

(f) "Family Fireworks Sales Permit" means a permit as issued in accordance with section 8;

(g) "Fire Chief" means the City’s Director of Emergency Services;

(h) "firecracker" means a pyrotechnic device that is designed to explode after being ignited without subsequent display or simultaneous visible effect, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, safety flares, or marine rockets;

(i) "Fire Department" means the Hamilton Emergency Services-Fire;

(j) "General Manager" means the General Manager of Community Services;

(k) "magazine" means magazine as defined in the *Explosives Act*, R.S.C. 1985, c. E-17;

(l) "motor vehicle" means motor vehicle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;
(m) “Permit” means permission to hold a fireworks display granted by the City issued under this By-law;

(n) “Pyrotechnics” means pyrotechnics as described in the Pyrotechnics Special Effects Manual issued by the Explosives Regulatory Division of Natural Resources Canada;

(o) “public display” means every setting off or other display of family fireworks or display fireworks except for a display within the scope of section 6.1, and for the sake of greater certainty but without limiting the generality of the foregoing, includes any display that is open to

(i) the general public;

(ii) persons who have purchased tickets to attend the display or a related event; or

(iii) members of the organization sponsoring the display or a related event;

(p) “offer for sale” includes the display of goods as an invitation to treat;

(q) “owner” means the person having effective control over or apparent possession of property or the relevant portion thereof, or where that person cannot be determined, the registered owner of that property, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property;

(r) “prohibited fireworks” means firecrackers, and also those types of fireworks more particularly described in Schedule “A” hereto annexed;

(s) “property” means any public or private land, building, structure or other real property within the City;
(t) "retail sale" means a sale for the purpose of consumption or use and not for resale;

(u) "set off" includes any method of detonating or igniting a firework;

(v) "shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale.

(w) "trailer" means an enclosed vehicle designed so that it may be attached to or drawn by a motor vehicle, and intended for the transport of goods, but does not include,

(i) such a vehicle if attached to a motor vehicle; or

(ii) a farm trailer.

In this By-law,

(a) a word importing the masculine, feminine or neuter gender only includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, bylaw, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, bylaw, rule or regulation or provision enacted in substitution thereof or amendment thereof;

(d) the headings to each section are inserted for convenience of reference only and do not form part of the By-law;

(e) words and abbreviations which have well-known technical or trade meanings are used in the By-law in accordance with those recognized meanings; and

(f) where an officer of the City is named, or a reference is made to an officer of the City, that reference shall be deemed to include a reference to the
designate of that person, as appointed in accordance with policies and procedures of the City in force from time to time.

2. **Ban Against Possession or Use of Firecrackers and Prohibited Fireworks**

2.1 No person within the City shall possess, offer for sale, cause or permit to be sold, or sell any firecrackers or other prohibited fireworks.

2.2 No person within the City shall discharge, fire, set off or cause, or permit to be discharged, fired or set off any firecrackers or other prohibited fireworks.

2.3 The prohibition against the possession of firecrackers under subsection 2.1 does not apply with respect to firecrackers that are within the City solely as a result of their being in transit while being transported by a railway, airline, trucking company or other public carrier.

3. **Sale and Possession of Family Fireworks, etc.**

3.1 No person shall offer for sale, cause or permit to be sold, sell or otherwise distribute family fireworks unless the vendor has obtained a Family Fireworks Sales Permit under this By-law and,

(a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or its successor;

(b) the fireworks are displayed in individual lots that do not exceed 25 kilograms in gross weight;

(c) the fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods; and

(d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.

3.2 No person shall offer for sale, cause or permit to be sold, or sell family fireworks from an outdoor stand, tent, unenclosed trailer, or motor vehicle.
4. **Trailer Sales**

4.1 A vendor applying for a Family Fireworks Sales Permit to sell family fireworks from a trailer shall provide to the City the written permission of the owner of the land on which the trailer is to be parked, together with that application.

4.2 A Family Fireworks Sales Permit granted for the sale of family fireworks from a trailer is valid only for the sale location specified in that permit.

4.3 A person selling family fireworks sold from a trailer shall comply with the guidelines set by the Fire Chief with respect to the sale location for which the permit has been granted.

5. **Display of Fireworks for Sale**

5.1 Fireworks displayed in any shop window shall be mock samples only that contain no explosive compound.

5.2 No person who offers for sale any family fireworks shall, at any time, keep or permit the keeping of any family fireworks in any location in a shop or trailer unless the location is designated and posted as a "no-smoking" area.

5.3 No person shall offer for sale, cause or permit to be sold, or sell family fireworks except on Victoria Day, Canada Day, and during the seven day period immediately preceding each of those days.

5.4 No person shall offer for sale, cause or permit to be sold, or sell family fireworks to any person who is or who appears to be under the age of eighteen years.

5.5 No person storing family fireworks for sale shall store them except as permitted under the *Explosives Act*.

6. **Use of Family Fireworks**

6.1 Subject to subsection 6.2, no person shall set off family fireworks except on Victoria Day and Canada Day and the two days immediately preceding and following each of those days.
6.2 A person who has obtained a Permit to set off a public display of family fireworks as provided in this section may set off such fireworks on the day specified in that permit.

6.3 No child shall set off any fireworks, other than a sparkler where the child is under the supervision of an adult at all times.

6.4 No parent, guardian or person standing in the place of a parent with respect to a child shall permit that child to set off any firework, other than a sparkler where the child is under the supervision of an adult at all times.

6.5 No person shall set off family fireworks on any land of which he or she is not the owner, without obtaining the prior written permission of the owner to do so.

6.6 No person shall set off family fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.

6.7 No person shall store, handle or set off family fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.

6.8 A person who stores fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.

6.9 No person shall hold a public display of family fireworks without a permit issued under this By-law.

**Display Fireworks**

7.1 No person shall sell or otherwise distribute, offer for sale, cause or permit to be sold, or possess for the purposes of sale or distribution, any display fireworks unless,

(a) those fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada) or its successor;

(b) the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Natural Resources (Canada).
7.2 No person shall give, offer for sale, cause or permit to be sold or sell Display fireworks to any person unless that person,
(a) is at least eighteen years of age;
(b) holds a valid Fireworks Supervisor’s Card, and
(c) holds a valid permit issued by the City of Hamilton,

7.3 No person shall set off display fireworks, or advertise that a public display of either display fireworks or family fireworks is to be held within the City, without an appropriate permit issued under section 8.

Permits

8.1 Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may apply to the General Manager of Community Services for a permit to set off or hold a display of Display or Family type fireworks.

8.2 The fireworks supervisor who is named as the applicant in an application under this By-law shall be present in person at all times during which the fireworks are being set up, set off and cleaned up after the conclusion of the display or other setting off of those fireworks.

8.3 Every application for a permit under this section shall be made at least 30 days before the date scheduled for the setting off or holding of the display of display fireworks.

8.4 Before issuing a permit under this section, the General Manager of Community Services shall obtain a report from the Chief of Police confirming that there is no record of the applicant having been convicted of criminal offence relating to arson, malicious mischief, malicious destruction of property, or the improper, careless or willful misuse of fireworks or explosives, or a conviction under this by-law or any of its predecessors, during the 10 year period immediately preceding the date of the application.
8.5 The General Manager of Community Services shall not issue a permit under this section where it is of the opinion that the proposed site at which the fireworks are to be set off or the display is to be held is not suitable for that purpose.

8.6 An applicant for a permit under this section shall provide, together with his or her application,

(a) such information or consents as is required under this By-law;

(b) a fully executed Hamilton Police Services Access to Information waiver authorizing the Chief of Police to disclose information relating to the criminal record of the applicant to the General Manager of Community Services;

(c) evidence of insurance on such terms and in such amount as the City’s Manager of Risk Management may prescribe from time to time;

(d) proof that the applicant has been approved by the Chief Inspector of Fireworks as a Display Fireworks Supervisor;

(e) a description of the site to be used for the setting of the display fireworks or family fireworks, as the case may be, sufficient to identify each site for which application is made;

(f) such further information as the General Manager of Community Services may reasonably require.

8.7 No person shall set off or hold a display of display fireworks at a date, time, location or site except,

(a) on the date and at the time and site specified in the permit; and

(b) upon full compliance with all terms and conditions applicable with respect thereto; and

(c) where the fireworks are to be set-off on property of which the applicant is not the owner, with the prior written permission of the owner of that property.

8.8 A permit issued under this section may be made subject to such terms and conditions as the General Manager of Community Services may consider to be
necessary in the interests of public safety, or to minimize inconvenience to the
general public, or advisable in the circumstances or to give effect to the objects
of this By-law, and every permit holder shall comply with those terms and
conditions.

8.9 Every person to whom a permit is issued under this section shall:

(a) provide and maintain approved fully operational fire extinguishing
equipment ready for immediate use, throughout the time while the
display fireworks are being set-off or displayed, and for a reasonable
period thereafter, at the location or site of the setting off or holding of a
display of display fireworks;

(b) conform to the provisions of the current issue of the Fireworks Manual as
published from time to time by the Explosives Branch of the Department
of Natural Resources (Canada), or any successor publication, for the
setting off or holding of a display of display fireworks;

(c) produce the permit on demand to any police officer or any person
authorized to enforce this By-law; and

(d) permit the inspection of any site where the display fireworks may be
stored, set off or displayed, and the display fireworks themselves
together with all associated equipment, by anyone authorized to enforce
this by-law, forthwith upon demand.

8.10 Every person to whom a permit is issued under this section shall, immediately
after the conclusion of the setting off or holding of a display, carry out a site
inspection and shall

(a) remove all unused or partly used display fireworks from the site;

(b) gather together and remove all debris remaining after use or partial use of
the display fireworks, and

(c) return the site to the condition it was in prior to the setting off or holding
of the display.
8.11 The grounds on which display fireworks are set off or at which a display of such fireworks is held shall be kept under continual surveillance, by a person eighteen years of age or older, until the final site inspection has been completed by permit-holder identified under section 8.10.

8.12 No person shall set off display fireworks,

(a) into, inside of, or closer than 10 meters to, any building, accessory building or structure, or motor vehicle;

(b) within 200 meters of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk; or

(c) within 200 meters of a hospital, nursing home, home for the aged, church or school unless the consent of the Fire Chief and the owner or authorized representative of that facility has been obtained.

8.13 No person shall store, handle or set off display fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of such fireworks.

8.14 A person who stores display fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.

8.15 Except where a permit has been issued for that purpose under section 8, no person shall set off display fireworks, into, in, or on any highway, street, lane, alley, square or other public place.

8.16 A permit issued under this By-law is not transferable.

8.17 Where fireworks cannot be set off or displayed on the date provided in a permit, by reason of weather or some other cause that in the opinion of the General Manager of Community Services or the Fire Chief is sufficient, the Fire Chief may direct the issue of a new permit for some other date.

8.18 Where any holder of a permit fails or refuses to comply with a term or condition to which the permit is subject, the General Manager of Community Services or
the Fire Chief shall immediately revoke the permit and shall forthwith send a
written notice of that revocation to the permit holder.

8.19 The General Manager of Community Services may require an applicant for a
permit under this By-law to provide such information as the General Manager of
Community Services considers necessary or advisable in his or her reasonable
judgment to make an informed decision as to whether or not to grant a permit
under this By-law, and where that information is not provided in the form and
manner required by the Fire Chief, the Fire Department may refuse to issue that
permit.

**Offences**

Every person who contravenes any provision of this By-law is guilty of an offence, and
upon conviction, is liable to the penalties specified by Section 61 of the *Provincial

**Enforcement**

10.1 The following persons are authorized to enforce this By-law:

(a) the General Manager of Community Services and every authorized by-
    law enforcement officer for the City; and

(b) the Fire Chief, the Chief Fire Prevention Officer, and each member of the
    Fire Department designated as an Assistant to the Fire Marshall; and

(c) every police constable.

10.2 From time to time, the General Manager of Community Services may approve
all such forms as may be contemplated under this By-law, including forms of
permit and applications for permit, and an applicant for any permit under this
By-law shall use the appropriate form of application and provide all information
required thereon.
11. **Pyrotechnics**

11.1 No person, other than a person who holds a current and appropriate level of certificate for the type, size, number and location of the pyrotechnic materials in question for the type of pyrotechnic materials being used, shall

(a) have in his or her custody or control, any pyrotechnic materials, unless that person is,

(i) a manufacturer, wholesaler or retailer of such materials who holds all requisite licenses to act in that capacity, and the materials in question are in that person’s custody solely in connection with that business; or

(ii) lawfully carrying the pyrotechnic materials in transit through the City, whether as a public carrier or as an employee of a person described in sub-clause (i); or

(b) perform or carry out any pyrotechnic display, special effects, event, exhibition or operation.

11.2 Every pyrotechnic display, special effects, event, exhibition or operation carried out in the City shall be performed or carried out safely, in accordance with

(a) prevailing best practice in the pyrotechnic trade, and

(b) the specifications, recommendations or requirements, as the case may be, set down in the Pyrotechnics Special Effects Manual as issued and updated from time to time by the Explosives Regulatory Division of Natural Resources Canada.

11.3 For the purposes of this section, “certificate” means a current certificate issued by or under the authority of Natural Resources Canada.
12. Miscellaneous

12.1 The following By-laws regulating the sale and display of fireworks and usage of pyrotechnics are repealed:

(a) By-law No. 79-128, of the former City of Hamilton;
(b) By-law No. 90-198 of the former City of Hamilton;
(c) By-law No. 3811-93 of the former City of Stoney Creek;
(d) By-law No. 95-30 of the former Town of Ancaster,

and all amendments thereto.

12.2 This by-law comes into force and effect on the date of its passing and enactment.

12.3 This by-law may be cited as the Fireworks By-law.

PASSED and ENACTED this 9th day of October, 2002.

MAYOR - Murray Ferguson

CLERK
## SCHEDULE "A"

### Prohibited Fireworks

<table>
<thead>
<tr>
<th>COMMODITY</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cigarette loads or plugs</td>
<td>Small explosive charges designed for insertion in cigarettes or cigars which will cause them to explode after the victim takes a few pulls.</td>
</tr>
<tr>
<td>Exploding matches</td>
<td>Resemble ordinary book matches and are designed to explode after a certain delay, usually about the time they are in position to light a cigarette.</td>
</tr>
<tr>
<td>Sparkling matches</td>
<td>Also resemble the normal book matches but send out a shower of sparks.</td>
</tr>
<tr>
<td>Ammunition for miniature tie clip, cufflink or key chain pistols</td>
<td>A violent type of blank ammunition made up for use as a novelty.</td>
</tr>
<tr>
<td>Auto alarms or jokers</td>
<td>Supposedly designed as burglar alarms but are really for a practical joke; when wired to the ignition system of a car they operate with a loud screeching whistle followed by copious emission of smoke and a loud explosion.</td>
</tr>
<tr>
<td>&quot;Cherry&quot; bombs, M-80 and silver salutes and flash crackers</td>
<td>Very violent firecrackers which annually cause serious injuries; they are considered far too violent and contain an excessive charge of a prohibited fireworks composition.</td>
</tr>
<tr>
<td>Throw-down and step-on torpedoes, and cracking balls</td>
<td>Small objects designed to explode on impact; some of the latter are so shaped and coloured as to look like children’s breakfast cereal or candy balls.</td>
</tr>
<tr>
<td>Exploding golf balls</td>
<td>Designed to explode and emit a cloud of smoke on impact.</td>
</tr>
<tr>
<td>Stink bombs and smoke bombs</td>
<td>Often made to resemble cherry bombs and salutes; are used for practical jokes (also prohibited from importation under Memorandum D33-1 Importation of Offensive Weapons).</td>
</tr>
<tr>
<td>Tear gas pens and launchers</td>
<td>Resemble a pen, may contain a mechanism activated by an explosive, and are supposedly for protection against muggers, but are more commonly used as offensive weapons or as practical jokes (also prohibited under Memorandum D33-1).</td>
</tr>
<tr>
<td>Party poppers and</td>
<td>Designed to project paper streamers or dispense party favours.</td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Table bombs</td>
<td>The smaller ones are made of coloured plastic, shaped like champagne bottles.</td>
</tr>
<tr>
<td>Table rockets and bottle skyrockets</td>
<td>Small fireworks designed to be launched from a table or a bottle and bursting in a shower of sparks or a cloud of smoke.</td>
</tr>
<tr>
<td>Fake firecrackers and other trick devices or practical jokes</td>
<td>Any article which employs or stimulates an explosive or a pyrotechnic for a trick or a joke.</td>
</tr>
</tbody>
</table>
CITY OF HAMILTON

BY-LAW NO. 05-128

To Amend Fireworks By-law No. 02-285 to Temporarily Provide an Extended Sale Period

WHEREAS Council desires to amend By-law No. 02-285 respecting fireworks to provide on a trial basis a ten day sale period prior to holidays in place of the current seven day period, and which trial period will expire on July 2, 2005;

AND WHEREAS Section 121 of the Municipal Act, S. O. 2001, Chapter 25 provides that a municipality may regulate or prohibit the sale of fireworks;

NOW THEREFORE the Council of the City of Hamilton enacts as follows

1. Section 5.3 of City of Hamilton By-law No. 02-285 is hereby amended to replace the word “seven” with the word “fourteen”.

2. This by-law comes into force and effect on the date of its passing and enactment, and is further repealed on July 2, 2005.

PASSED and ENACTED this 16th day of May, 2005.

MAYOR

CLERK
May 24, 2005

Escalating fireworks-related fires

Fire Chief Bill Stewart and the Toronto Fire Services would like to thank the Toronto media for assistance in broadcasting fireworks safety messages both proceeding and during this past Victoria Day weekend.

In spite of our concerted efforts we still had an alarming number of fires that appear to be attributable to fireworks, and some of the aired video footage, both amateur and professional of kids using fireworks as weapons, is indeed, alarming. It is apparent that they fail to appreciate the harmful potential for both injury and fire of these explosives.

Fortunately, there were no serious injuries, but we still have our work cut out for us in trying to cut down on the number of fires, and promote the safe use of fireworks in order to prevent injuries and stop fire-dollar loss. So far this year there have been 34 fires with an apparent ignition source being fireworks, with 31 occurring over the last few days, in total, causing $306,541 in property damage. The fire at Sultan Pool Drive early this morning is still under investigation, but fireworks is suspected. This fire alone gutted two homes and three cars for an estimated preliminary loss of $600,000. This is a significant increase in fireworks-related fires during the past four years.

We need to continue to get the following two messages out:

1. In a non-emergency situation, when you know or suspect that an arson crime has been committed, or to report suspicious activity near a house, garage, alley, railway or other building, call the Toronto Police Service 416-808-2222 extension 0.

2. Keep matches, lighters and fireworks out of reach and out of sight of children. If you suspect a child is setting fires, notify the Toronto Arson Prevention Program for Children 416-338-9390.

We look forward to your continued support as we try to get the message out for the Canada Day long weekend.
June 29, 2005
Media Advisory: Toronto Fire and Toronto Police urge citizens to have a safe holiday long-weekend

Every year, thousands of Canadians, mostly children, are hurt by consumer fireworks such as sparklers and firecrackers. Many are burned, scarred or disfigured by fireworks that are legal, but still very dangerous. Fireworks also cause many fires, often resulting in tragic consequences.

In 2003, five out of six (84 per cent) fireworks injuries seen in emergency rooms were caused by fireworks that regulations permit consumers to use. The risk of fire death or injury relative to exposure shows fireworks as the most risky consumer product.

“Our experiences and the images in the media on the Victoria Day long weekend were quite startling,” said Fire Chief Stewart, “It appears that many do not realize the very real danger and the grave consequences of fireworks misuse – both to themselves and others.” Chief Stewart reiterated that, “fireworks should only be purchased and lit by responsible adults over 18 and then only under very safe conditions.”

“Fireworks have been used as weapons by some who are intent on causing mischief and harm to others,” said Acting Deputy Chief Grant. “The Toronto Police Service would like to see everyone have a safe and enjoyable long weekend and fireworks can add to that enjoyment when they are used properly.”
June 30, 2005
Fireworks recipe for disaster

This morning, while Toronto Fire Services, Toronto Police and Toronto Emergency Medical Services were preparing for a media conference outlining fireworks safety, enforcement and inherent dangers, Toronto Fire crews responded to the report of a house fire.

The first crews to arrive found heavy smoke and flames coming from the row-housing unit on Highfield Road. Taking the extreme heat and humidity into account, they quickly called for a second alarm. The crews did an outstanding job, under these difficult environmental conditions.

Upon investigation, it was discovered that the fire was caused by Roman Candle fireworks being set off in the home.

It appears that people are taking a very cavalier attitude with regards to the inherent danger of fireworks. They are an explosive device and have the potential to inflict serious injury or even be the cause of death. As an example of the potential fireworks danger, sparklers, which most parents give to their children to wave around as an almost harmless toy, burn at a temperature of 1200 degrees Fahrenheit — a temperature that could serious injury.

Toronto Fire reminds citizens that fireworks should only be purchased and lit by responsible adults and encourages everyone to participate in public displays run by professionals. Toronto Fire also reminds everyone to review the important safety tips on the Web sites listed below.

June 30, 2005
Media Advisory: Family fireworks safety

In 2005, Toronto Fire Services responded to 45 calls where fireworks were reported to be the ignition source that resulted in $415,067 of property loss.

Family fireworks are not toys; they are, in fact, powerful pyrotechnic articles. The misuse of fireworks by children and young adults is cause for concern. Toronto Fire Services does not recommend backyard or family-gathering fireworks, or informal neighbourhood displays. Instead, Toronto Fire Services urge people to attend fireworks displays that are presented by trained professionals.
FIREWORKS CAUSE INCREASING CONCERN

(External Distribution)

The fire service was dismayed by the number of fires caused by the careless use of fireworks over the Victoria Day holiday weekend. The misuse of fireworks by children and young adults is cause for concern and has led some municipalities to consider banning the sale and use of consumer/family fireworks.

According to this year’s statistics, Toronto Fire Services reports fireworks as the ignition source for 34 fires. Of these, 31 occurred over the Victoria Day weekend and caused more than $300,000 in property damage. Another recent fire, still under investigation, is believed to also have been ignited by fireworks. This fire gutted two homes and three cars for an estimated preliminary loss of $600,000. Fortunately, there were no fatalities in any of these fires.

The Office of the Fire Marshal (OFM) does not recommend backyard or family-gathering fireworks, or informal neighbourhood displays. Instead, the OFM strongly suggests the public attend fireworks displays prepared and put on by trained fireworks professionals and organized by responsible organizations such as the municipality.

The OFM has developed a fact sheet titled Fireworks Safety Tips and a sample news release to raise public awareness about fire prevention. Both are attached for your information and use. They list safety measures to be taken by those who choose to have backyard or family-gathering fireworks, or informal neighbourhood displays, despite our recommendations.

Fire departments are encouraged to take the news release and fireworks safety tips fact sheet to their local media prior to Canada Day to help ensure the public is made aware of the hazards.

Interviews with local radio, television and print media are also effective methods of raising awareness.
The OFM also asks for your assistance to help us reduce fires and injuries from fireworks by enforcing Article 5.2.2.1. of the Ontario Fire Code, which states that the “manufacture, storage, transportation and sale of fireworks and pyrotechnics shall be in conformance with the Explosives Act (Canada) and the Explosives Regulations made thereunder.” Subsection 120.(1) of the Explosives Regulations (Canada) prohibits the sale of explosives (fireworks) to any person under 18 years of age or who appears to be under 18 years of age and does not produce evidence of being 18 or older. In addition, Part XI of the Explosives Regulations (Canada) has specific requirements for the storage and display of explosives (fireworks) in retail outlets.

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**Fireworks Safety Tips**

**From the Office of the Fire Marshal**

- To minimize the risk of fire and burn injury, the fire service does **not** recommend family fireworks or informal neighbourhood displays.

- The fire service suggests attending public fireworks displays hosted by your municipality or other responsible organization.

- If you still choose to have a family fireworks or informal neighbourhood display, check with your local fire department about regulations pertaining to the handling and discharging of fireworks for these activities.
Blowing up real good

Canada's fireworks industry is booming, but there are safety issues

LIANNE GEORGE

What better way to celebrate the founding of the nation than to gather family and friends in the backyard and ignite a product called Powder Keg? Everyone loves fireworks -- if not for the effects, which are frequently underwhelming, then for the technicoloured packaging, the overwrought names (Dragon's Breath, Vulcan Rainbow Mine, Storm Warning) and the inherent promise of hilarity contained in a party favour equipped with gunpowder and a fuse.

Consider the Burning Schoolhouse ($3.25) -- for decades, the highlight of Canada Day fireworks displays for the 12-and-under set. The anticipation has always been that, as soon as an obliging adult sets fire to the thing, the tiny, red-brick schoolhouse would combust in a fury of hellfire and thunderous booms -- perhaps accompanied by a raucous chorus of Alice Cooper's School's Out. In fact, what you get is a small flare, a faint whistle and, finally, a cardboard box consumed, rather morosely, in a slow burn. It's easily the most dispiriting firework on the market, but every first of July, there it is: the main attraction.

In the past few years, however, thanks to a new generation of higher-quality products imported from China, the calibre of consumer fireworks available in Canada has become much more sophisticated. Sure, you can still buy the classics: the Roman candles (which shoot coloured balls into the air one at a time, producing a series of intermittent poofs), the Grecian fountains (inverted cones that hiss and spray), the wheels (high-pitched, squealing spinners you nail to a fence) and the Brazilian fireworks (noise bombs).

But the biggest new trend in fireworks is the multi-shot cake. These are "repeaters," which means that, with only one fuse to light, they'll shoot a series of fluttering, crackling or whistling comets or mines, creating an enormous, long-lasting, professional effect. According to the staff at Kaboom Fireworks, one of Canada's largest fireworks retail chains, one of the top-selling cakes this year is Piranha ($22.95), which consists of a series of 25 multicoloured explosions that produce a new effect called the swimming fish. "It suspends in the air for a second and then it looks like a school of fish darting out all over the place," says Tom Jacob, Kaboom's general manager. "That's definitely the most popular effect."

Then there are the showstoppers: Flame Thrower, Phantom Wars and Monster Mash, which fire 100 continuous shots, each of them with a secondary effect such as "whizzing," "buzzing," "spinning" or "flowers." At $48.95, they're the most expensive products Kaboom carries. "It's sensory overload," says Allison Greenbaum, who manages one of the chain's Toronto locations. You'll also see more targeted products. For girly-girls, for example, there's a new Roman candle called Party Girl, which fires a series of crackling pink-and-white stars. And for patriots, there are special Canada Day-themed fireworks. One of them -- intended for daytime use -- consists of a rocket that shoots a Canadian flag 75 m into the sky, at which point it sails down attached to a parachute.

But it's not all wholesome family recreation. This past Victoria Day weekend, the Toronto fire department reported "an alarming number" of fireworks-related incidents, including 31 fires that caused a total of $306,541 in property damage. Most of the mischief, media footage later showed, was caused by teenagers engaging in fireworks fights in the streets. "It appears that teens were firing Roman candles at each other and at objects," says district chief Stephan Powell. "Some arsons were caused by fireworks being placed in buildings. As to how the kids obtained the fireworks, we do not know."

For the industry -- a multi-million dollar business in Canada -- it's been a bit of a public relations disaster, with some people calling for a ban on fireworks altogether. "It's ridiculous," says Evan Greenbaum, spokesperson for the Canadian Pyrotechnics Council and owner of Kaboom. "You don't blame spray paint for graffiti." Part of the problem, he says, is that, according to the Canada Explosives Act regulations, anyone can sell consumer fireworks in small quantities without a licence -- which is why convenience stores tend to carry a shelf-full this time of year. Often, however, this means you'll find "renegade" vendors setting up stands on the side of a highway or selling fireworks out of the backs of trucks. And they don't always obey the rules -- primary among them being, no selling to minors. "We support a licensing, enforcement and
regulation scenario," says Greenbaum. "We're looking to create a system whereby we know exactly who's selling fireworks and ensure they're selling according to regulations in a safe and responsible manner."

For obvious reasons, fireworks are a difficult product to manage. The potential liability issues are staggering. "Insurance is astronomically expensive," says Jacob. "It's awful. There's only one company in Canada that will insure for fireworks vendors, so as you can imagine, they charge pretty much whatever they like."

Even with the safety sheets that some retailers hand out, consumers are still guaranteed to sometimes do stupid things. Most misuse of fireworks is unintentional. For instance, maybe someone plants a firework upside down so it shoots into the lawn. Or maybe it's not buried deeply enough, and it topples over and fires out across the grass, skimming the knees of onlookers. Worst-case scenario: some genius tries to "fix" a defective firework. But in some cases, products are misused on purpose. "I've heard of people putting on goggles and some sort of suit and running around having Roman candle fights, which is really stupid," says Jacob. "You're not supposed to hold any firework in your hands, and people know that. Thank God that's a tiny, tiny portion of users." Once in a blue moon, he'll come across a particularly suspicious type. "But the people who want fireworks for surreptitious purposes, they tend to tell you up front," he says. "They'll call and they'll say, 'I'm looking for a quantity of potassium nitrate.' I guess they're not very smart."

For the most part, people enjoy fireworks responsibly. And, so far, business this year is good. People are spending more than they used to. "There is a huge number of customers who are spending over $200 and $300," says Jacob. "Some are spending up to $600 because the larger pieces are really impressive and people seem to want to have big shows." The industry is even experimenting with ways to liven up the Burning Schoolhouse. "One way is to put Flash Flitters in the windows," says Allison Greenbaum. "Then, as it's burning down, it lights these strobe lights and it starts to flash really brightly. That makes it more exciting." It's a start, anyway.
Support for ban on consumer fireworks grows
Twenty-one health and safety advocacy organizations partner to prevent injury & fire

WASHINGTON, DC, June 15, 2005—Twenty-one health and fire safety advocacy organizations came together today to urge consumers not to use fireworks, including sparklers, this Independence Day holiday because of the injuries and damage they cause.

Each year, most people injured by consumer fireworks are children and teens. While the fireworks causing these injuries are legal in the vast majority of states, they can often lead to severe burns, scars and disfigurement. “Every year consumer fireworks injure and maim our children,” said James M. Shannon, president and CEO of the National Fire Protection Association (NFPA), which along with the American Academy of Pediatrics, founded the alliance of health and safety organizations three years ago. “Consumer fireworks are a significant public safety concern shared by doctors, nurses, other health care professionals, and members of the fire service.”

The alliance held a press conference today in the nation’s capital to drive home the safety message and to urge consumers instead to attend public displays of fireworks orchestrated by trained professionals.

Members of the alliance include:

American Academy of Family Physicians  International Association of Fire Chiefs
American Academy of Ophthalmology  International Association of Fire Fighters
American Academy of Pediatrics  International Fire Marshals Association
American Association for Hand Surgery  Metropolitan Fire Chiefs
American Association of Public Health Physicians  National Association of Pediatric Nurse Practitioners
American Burn Association  National Association of State Fire Marshals
American College of Emergency Physicians  National Association of School Nurses
American Society of Plastic Surgeons  National Fire Protection Association
Emergency Nurses Association  National Volunteer Fire Council
Fire Department Safety Officers  Prevent Blindness America
International Association of Arson Investigators

The group also released the following snapshot of the destruction caused by consumer fireworks.

Injuries: In the year 2003, five out of six (84%) of the 9,300 fireworks injuries reported to emergency departments involved fireworks that federal regulations permit consumers to use (formerly known as Class C fireworks). Total injuries were up from 8,800 from 2002. More than one-third (38%) of the 2003 fireworks injuries that presented in emergency departments were to the head, and half (51%) were to the extremities. About 20% of injuries involved the eyes. Nearly two-thirds (63%) of all injuries were burns.

Sixty percent of those injured were age 19 or younger. The highest risk of fireworks injury was to children, ages 5-9, whose risk in 2003 was nine times the all-age risk; in most other years, children ages 10-14 had the highest risk. Males accounted for nearly three-fourths (72%) of all injuries were burns.

Fires: In the year 2002, the latest year for which national fireworks-related fire statistics are available, fire departments responded to an estimated 3,000 structure and vehicle fires started by fireworks. Outdoor fires, however, can no longer be sorted by cause, as a result of fire coding changes beginning in 1999. But traditionally, on the Independence Day holiday, fireworks cause more fires in the U.S. than all other causes of fire on that day combined.

In the year 2002, fires started by fireworks caused $28 million in property damage to structures and vehicles.

Laws: There are currently only six states that ban all consumer fireworks. They are: Arizona, Delaware,
years ago, there were 10 states that banned all consumer fireworks.

The estimated injury risk from legal fireworks was 14 times as high in the states that permitted sparklers and novelties compared to the full-ban states. In states that permit most or all consumer fireworks, the estimated injury risk was 57 times as high compared to states that ban the use of all consumer fireworks.

It is very difficult to enforce restrictions on fireworks use through state laws because residents of a state that prohibits fireworks can often cross a state border to buy the devices. Every year, for example, people from Massachusetts drive into neighboring New Hampshire to buy fireworks from retail stands that set up near the border.

Contact: Margie Coloian, NFPA Public Affairs Office: +1-617-984-7275

Support for NFPA’s fireworks ban grows
The Alliance to Stop Consumer Fireworks aims to prevent injury and fire
NFPA Journal®, June 2005

By Margie Coloian
Twenty health and safety advocacy organizations have joined the National Fire Protection Association in an effort to stop the consumer use of fireworks during this holiday season. The Alliance to Stop Consumer Fireworks, in a press conference at the National Press Club, in Washington, DC, on June 15 voiced strong opposition to the devices that every year injure and maim thousands of people, most of them children.

“Consumer fireworks are a significant public safety concern shared by doctors, nurses, other health care professionals and members of the fire service,” said NFPA President James M. Shannon. Shannon and the other panelists described the devastation caused by consumer fireworks and urged consumers to attend public displays of fireworks orchestrated by professionals.

The alliance, started by NFPA in 2002 when it asked the American Academy of Pediatrics to join with them, grew to 21 member organizations this year and includes:

- American Academy of Family Physicians
- American Academy of Ophthalmology
- American Academy of Pediatrics
- American Association for Hand Surgery
- American Association of Public Health Physicians
- American Burn Association
- American College of Emergency Physicians
- American Society of Plastic Surgeons
- Emergency Nurses Association
- Fire Department Safety Officers Association
- International Association of Arson Investigators
- International Association of Fire Chiefs
- International Association of Fire Fighters
- International Fire Marshals Association
In addition to Shannon, who also hosted the press conference, panelists were Chief Bill Killen, from the International Association of Fire Chiefs; Jon Mark Hirshon, MD, MPH, FACEP, from the American College of Emergency Physicians; Joseph Wright, MD, MPH, from the American Academy of Pediatrics, and Michelle Maloney of Chicago, the mother of 7-year-old Maddi de la Cruz, who was severely burned by a sparkler last year.

Maloney, fighting back tears, described how Maddi was injured during a Fourth of July celebration, attended by children and eight adults, when a lit sparkler hit her shoe, igniting it. The child suffered second- and third-degree burns to her foot and underwent skin graft surgery to help regain her ability to walk. Maddi was also present and answered reporters’ questions after the conference.

“We know that sparklers cause the greatest amount of injury, especially among young children, followed by firecrackers,” said Hirshon. “The toll of these injuries on a person’s quality of life is immeasurable,” he said.

In addition to injuries, every year thousands of fires are started by fireworks. In a typical year, on the Independence Day holiday, there are more fireworks-related fires than any other cause of fire. Damage from these fires to structures and vehicles totaled $28 million in 2002.

Shannon said that only six states ban all consumer fireworks (Arizona, Delaware, Massachusetts, New Jersey, New York and Rhode Island). However, when the Alliance was formed in 2002, there were 10 states that banned them.

NFPA has crusaded against the use of consumer fireworks since 1910.

The press conference was covered by national media, including CNN, NBC, CBS, ABC, as well as Cox, Knight Ridder and Scripps Howard.

*Margie Coloian is NFPA’s Director of Public Affairs.*
Legal or not for consumers, fireworks are too risky for amateurs

Permanent scarring, loss of vision, dismemberment – these are too often the harsh realities of amateur fireworks use. To keep the public safe from fireworks-related injuries and deaths, the nonprofit NFPA urges everyone to treat fireworks, whether legal or illegal for consumers, as suitable only for use by trained professionals. According to NFPA, amateur fireworks use endangers not only the users, but also bystanders and surrounding property and structures. Pyrotechnic devices ranging from sparklers to aerial rockets cause thousands of fires and serious injuries each year.

"Safe and sane fireworks don't exist," says Dr. John Hall, NFPA assistant vice president of Fire Analysis and Research. "When things go wrong with fireworks, they go very wrong, very fast, far faster than any fire protection provisions can reliably respond."

In recent years, fireworks have been one of the leading causes of injuries serious enough to require hospital emergency room treatment. Fireworks can result in severe burns, fractures, or scars or even death or disfigurement that can last a lifetime. The thousands of serious injuries each year typically harm the eyes, head, or hands, and are mostly reported in states where fireworks are legal. Even sparklers, which are considered by many to be harmless, reach temperatures of more than 1,000° F.

"Fireworks are dangerous and unpredictable, especially in the hands of amateurs," says Judy Comoletti, NFPA assistant vice president of Public Education. "The few seconds of pleasure those fireworks may bring are not worth the risk of injury, permanent scarring, or even death."

Wooded areas, homes, and even automobiles have become engulfed in flames because of fireworks. Fireworks-related fires have typically caused at least $20 million in property loss (not adjusted for inflation) each year in recent years. A substantial portion of the structure fire property loss due to fireworks typically involves bottle rockets or other fireworks rockets. These rockets can land on rooftops or wedge within certain structures and still retain enough heat to cause a fire.

"For most people, their family and their home represent the hard work of a lifetime and their hopes for the future," says Dr. Hall. "No one would risk losing what's most important to them if they understood the dangers of fireworks. There are safer alternatives to using fireworks on the Fourth of July."

Public fireworks displays are one of those alternatives. Conducted by trained professionals, these displays are the smartest and safest fireworks alternative for anyone because they are established under controlled settings and regulations. After these displays, or any other time, children should never pick up fireworks that may be left over. Fireworks that have been ignited and fail to immediately explode or discharge can cause injury because they may still be active. Children should always tell an adult if they find fireworks rather than picking up smoking or charred fireworks themselves, which is just too risky.

Clearly, fireworks are capable of devastating and fatal injuries. According to the American Pyrotechnics Association, there are currently six states that ban all consumer fireworks (AZ, DE, MA, NJ, NY and RI). The fireworks banned in these states don't become safer when used in others. Remember, all fireworks should be left to professionals.
Facts & Figures supplied by NFPA

- In 2002, an estimated 3,000 reported structure or vehicle fires were started by fireworks. These resulted in no deaths, 60 injuries and $29 million in direct property damage.

- In 2003, 9,300 people were treated at hospital emergency rooms for fireworks-related injuries. Burns were the leading type of fireworks injury (63%). Contusions and lacerations were second (18%), and were equal in share to burns when the injury was to any part of the head or face, including the eye. Hands or fingers were the part of the body injured in 26% of the incidents. In 20% of the cases, the eye was involved, and other parts of the face or head accounted for 17% of the injuries.

- Pre-teens and teenagers face the highest risk of fireworks injuries. In 2003, 60% of people injured by fireworks were under the age of 20, with 45% of the injuries incurred by those under age 15. The highest injury rate relative to population was for ages 5 to 9, with 8.9 times the risk for the entire population.

- Males accounted for nearly three-fourths (72%) of fireworks injuries.

- From 1997 to 2001, an annual average of eight people were killed in fires started by fireworks. An annual average of seven people were killed directly by fireworks.

- In 2002, fires started by fireworks caused $26 million in direct property damage to structures. Fireworks-related fires have caused roughly $20 million in property loss to structures per year in inflation-adjusted dollars in the past decade.

- Based on the amount of time and quantities in use, fireworks pose a higher risk of fire death than any other consumer product. Although cigarettes are the leading cause of fire death, the risk that someone will die from fire when fireworks are being used is three times the corresponding risk when cigarettes are burning.

- On Independence Day in a typical year, fireworks cause more outdoor fires in the United States than all other causes of outdoor fire combined.

- Six states ban the use of fireworks by consumers (AZ, DE, MA, NJ, NY, and RI). The other 44 states and the District of Columbia permit some or all consumer fireworks.