

AGENDA ADDENDUM

REGULAR MEETING OF COUNCIL

Monday, November 1, 2021

7:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road

North Vancouver, BC

Watch at <https://dnvorg.zoom.us/j/65345321120>

Council Members:

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



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AGENDA ADDENDUM

THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA

5. ADOPTION OF MINUTES

5.2 October 12, 2021 Public Meeting

Recommendation:

THAT the minutes of the October 12, 2021 Public Meeting are received.

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**DISTRICT OF NORTH VANCOUVER
PUBLIC MEETING****Proposed Amendments to the Fireworks Regulation Bylaw**

REPORT of the Public Meeting held at 7:09 p.m. on Tuesday, October 12, 2021 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Mayor M. Little
Councillor J. Back (via Zoom)
Councillor M. Bond
Councillor M. Curren
Councillor B. Forbes (via Zoom)
Councillor J. Hanson
Councillor L. Muri (via Zoom)

Staff: Mr. B. Hutchinson, Fire Chief
Mr. W. Kennedy, Deputy Fire Chief
Mr. J. Gordon, Manager – Administrative Services
Mr. M. Armstrong, Assistant Chief – Public Safety
Ms. G. Lanz, Deputy Municipal Clerk
Ms. C. Walker, Chief Bylaw Officer
Ms. S. Dale, Confidential Council Clerk
Ms. K. Hebron, Committee Clerk
Ms. A. Reiher, Council Liaison/Support Officer

1. OPENING BY THE MAYOR

Mayor Little welcomed everyone and advised that the purpose of the Public Meeting was to give Council the opportunity to hear the community's views on the Fireworks Regulation Bylaw.

He noted that this meeting will be held in a hybrid format with a combination of in-person and electronic participation by some members of council, staff and the public.

Public participation in this meeting is being accommodated by speakers having signed up in advance, as stated in the Notice of Meeting, as well as observers being provided the Zoom meeting information on the DNV website and in the Notice of Meeting. Those observing the meeting via Zoom who did not sign up in advance to speak but decide to do so once the meeting is underway, may either use the Raise Hand function if participating using a computer or press *9 on your telephone keypad if participating by phone.

The electronic means being employed for this meeting allow for effective two-way audio and/or video communications via the Zoom software.

As always, written submissions will be received by the Municipal Clerk, on behalf of, and shared with, Council, at any time. These may be submitted to input@dnv.org

Therefore, in this manner, all persons will be afforded a reasonable opportunity to be heard and to present written submissions.

Mayor Little stated that:

- We will first go through the established speakers list. At the end of the speakers list, the Chair may call for any other speakers not on the speakers list – speakers in the Council Chamber will raise hand, those participating through Zoom will use the Raise Hand function, or if participating by telephone, by pressing *9 to raise hand;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and approximate street address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute opportunity;
- Any additional presentations will only be allowed at the discretion of the Chair;
- Please do not repeat information from your previous presentations and ensure your comments remain focussed on the bylaw under consideration this evening;
- If you have provided a written submission there is no need to read it as it will have already been seen by Council. You may summarize or briefly reiterate the highlights of your submission but ensure your comments pertain to the bylaw under consideration at this Meeting;
- Council is here to listen to the public, not to debate the merits of the bylaw. Council may ask clarifying questions;
- The Clerk has a binder containing documents and submissions related to the bylaw which Council has received and which you are welcome to review. This is available online at [DNV.org/agenda](https://dnv.org/agenda);
- Everyone at the meeting will be provided an opportunity to speak; and,
- This meeting is being streamed live over the internet and recorded in accordance with the *Freedom of Information and Protection of Privacy Act*.

2. INTRODUCTION OF BYLAW BY CLERK

Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4)

Ms. Genevieve Lanz, Deputy Municipal Clerk, introduced the proposed bylaw, stating that Bylaw 8516 proposes to amend Fireworks Regulation Bylaw 7456, 2004 to:

- Prohibit the sale, possession and use of consumer fireworks in the District of North Vancouver;
- Regulate the sale of fireworks for public display, requiring a valid District of North Vancouver business licence and specifying conditions for sale; and,
- Regulate the discharge of fireworks for public display, requiring a valid Display Event Permit issued by the Fire Chief, and professional certification.

3. PRESENTATION BY STAFF

Mr. Brian Hutchinson, Fire Chief, provided an overview of Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4), elaborating on the introduction by the Deputy Municipal Clerk. Chief Hutchinson advised that:

- The Fireworks Regulation Bylaw 7456, adopted in 2004, requires a permit to purchase, possess or discharge consumer fireworks. Fireworks may only be discharged on private property, and only on Halloween night 6 p.m.-10 p.m., by permit;

- In response to complaints and safety concerns, in 2005, regulations regarding noisemakers were added;
- A business licence and permit is required to sell fireworks, and in 2010, the vendor deposit was increased to \$1500 due to ongoing contraventions, and vendors were further limited to stop sales on Halloween at 9 p.m., to curb late night purchases and discharge;
- In regards to sales of consumer fireworks, vendors are required to:
 - Obtain a short term business licence for each location;
 - Obtain a Permit to Sell Fireworks issued by the District Fire Chief;
 - Provide a refundable bond of \$1500, copy of insurance, and copy of inventory;
 - Pass a fire safety inspection and review of inventory;
 - Restrict sales or display except from October 25 to 9 p.m. on October 31;
 - Only sell to customers with a District fireworks permit to purchase/discharge;
 - Keep accurate records, reconciliation of inventory and permit fees; and,
 - Obtain a Highway Use Permit for any sign installation on District property;
- To discharge fireworks in the District, persons must:
 - Obtain a District permit for a nominal fee to purchase or discharge;
 - Be at least 19 years old;
 - Discharge only on private property, with that owner's permission; and,
 - discharge on October 31, between 6 p.m.-10 p.m., as required on permit;
- During the weeks leading up to and after Halloween 2020, Council heard from residents who expressed concerns regarding safety, noise disturbances, impact on pets, and environmental impacts;
- Council also heard from residents who enjoy personal use and the desire for it to continue; and,
- If Council resolves to consider the recommendation to ban consumer fireworks sales and use, staff will prepare a robust communication strategy to educate the public across all platforms and will continue to work collaboratively with neighbouring municipalities.

4. REPRESENTATIONS FROM THE PUBLIC

4.1. Mr. Dan Curry:

- Spoke in support of the use of fireworks on October 31 between 6 p.m.-10 p.m.;
- Commented that the demand for fireworks has increased and will continue to do so as the population increases;
- Commented that residents will still be able to purchase fireworks online or from the Squamish Nation; and,
- Opined that until a federal ban is enacted a municipal ban will be ineffective.

4.2. Mr. Perry Logan:

- Spoke on behalf of the Canadian National Fireworks Association (CNFA);
- Expressed concerns with safety issues;
- Commented that education is important to raise awareness on the negative impact fireworks have on the environment;
- Suggested that most people are not aware of the District's Fireworks Regulation Bylaw;
- Noted that residents would still be able to purchase fireworks online;
- Spoke to the Good Neighbourhood Program which encourages residents to be safe, celebrate, and clean-up;

- Noted that the use of fireworks has increased during the COVID-19 pandemic; and,
- Urged staff to work closely with the CNFA before reporting back to Council.

4.3. Ms. Cyndi Gerlach:

- Commented that Halloween is a difficult time for her family as they cannot participate in other festivities;
- Noted that her family looks forward to firework celebrations; and
- Urged Council to consider the impact on families that enjoy fireworks.

4.4. Ms. Emily Pickett:

- Spoke on behalf of the Vancouver Humane Society;
- Expressed concerns on the impact fireworks has on pets and the environment;
- Noted that fireworks are associated with causing fear and anxiety for household pets;
- Commented that garbage from fireworks left on the streets is a threat to the environment; and,
- Mentioned that the City of North Vancouver and the City of Vancouver have banned the use and sale of fireworks.

4.5. Ms. Yingyan Zhu:

- Spoke in support of banning fireworks;
- Commented on the negative impact on pets and wildlife;
- Opined that fireworks are an outdated way to celebrate; and,
- Noted that fireworks are banned in many cities.

4.6. Mr. Peter Teevan:

- Acknowledged that fireworks can be traumatizing for pets;
- Commented that fireworks bring neighbourhoods together;
- Noted that in the last seven years, only twenty-five complaints were received in the District;
- **Questioned if the complaints received are attributed to the four-hour period on Halloween, if they were on private property, and if there were permits issued;**
- **Opined that the proposed bylaw will only punish those who are complying with the current Fireworks Regulation Bylaw and that the current bylaw should be enforced;**
- Commented that many District bylaws are not enforced;
- Commented that people will still be able to purchase fireworks online and from the Squamish Nation;
- Suggested that residents can prepare for the use of fireworks between 6 p.m. and 10 p.m.; and,
- **Opined that the proposed bylaw is further limiting residents' behaviour.**

4.7. Ms. Alison Wood:

- Spoke in support of banning commercial fireworks;
- Commented on the effects to the environment with regards to pollution;
- Expressed concerns with the excessive noise to wildlife; and,

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- Opined that there are other positive ways to bring communities together on Halloween.

4.8. Mr. Juan Palacio:

- Expressed concerns regarding property damage;
- Opined that fireworks are not dangerous if used properly;
- Commented that the possession and discharge of illegal fireworks will continue to happen; and,
- Spoke to the importance of educating and communicating with residents.

4.9. Ms. Karry Eilers:

- Spoke in support of banning fireworks;
- Commented that fireworks are discharged outside of the permissible hours;
- Expressed concerns with the impact on the environment and wildlife;
- Commented on the negative impact with those suffering from mental health issues; and,
- Opined that there are other ways to celebrate these occasions without damaging the earth.

4.10. Mr. Hazen Colbert:

- Commented that many people enjoy fireworks on special occasions;
- Acknowledged that there are serious concerns from residents who are negatively impacted by fireworks; and,
- Suggested deferring this item to the Fire Chief as it is his area of expertise.

4.11. Nadine:

- Commented on her fond memories of enjoying fireworks;
- Spoke to the negative impacts of fireworks;
- Suggested following in the footsteps of other municipalities who have banned the sale and use of fireworks; and,
- Opined that there are other ways to come together as a community to celebrate.

In response to a question from Council, staff advised that the terms of the Display Event Permit includes but is not limited to, conditions regarding the location and method of safe storage of fireworks; the time, location and manner of discharge of fireworks; and, fire safety precautions.

In response to a question from Council, staff advised that firefighters could light consumer grade fireworks and anything larger would require certification from the National Resources of Canada.

In response to a question from Council, staff advised that many of the animal, noise and environmental complaints do not specify the time of day or date of the offence. Many complaints are not directed at the illegal use; however, firework use outside the authorized dates and times does come into play at times.

In response to a question from Council, staff advised that the Squamish Nation and the Tsleil-Waututh Nation are aware of the proposed changes to the District's Fireworks Regulation Bylaw but are still planning to operate.

In response to a question from Council, staff spoke to the glitches in the District of North Vancouver's fireworks permitting system and noted that the RCMP have a hard time differentiating between the District of North Vancouver and the City of North Vancouver as it relates to responding to resident complaints.

In response to a question from Council, staff advised that if the sales and use of consumer fireworks are banned, staff will prepare a robust communication strategy to educate the public across all platforms.

In response to a question from Council, staff advised that the RCMP would have the authority to issue tickets; however, the District would focus on educating residents.

In response to a question from Council, staff advised that RCMP and Park Ranger staffing levels are increased on Halloween evening.

In response to a question from Council, staff advised that the District of West Vancouver currently allows the sale and discharge of consumer fireworks, but advises that their Council will be considering a bylaw similar to the City of North Vancouver in the near future.

In response to a question from Council, staff advised that a certificate of insurance would be required evidencing that the applicant has comprehensive general liability insurance with a coverage limit of not less than \$5 million per occurrence, names the District as an additional named insured, contains a waiver of subrogation, and has a deductible of not more than \$5,000 unless the District consents in writing to a higher deductible.

In response to a question from Council, staff advised that neighbourhood firework displays are often occurring on private property.

In response to a question from Council, staff advised that municipalities that have banned fireworks have seen a significant decrease in use; however, individuals are still able to purchase fireworks online and from the Squamish Nation and the Tsleil-Waututh Nation.

4.12. Mr. Peter Teevan, SPEAKING A SECOND TIME:

- Questioned why the District would permit any fireworks if they are bad for the environment and traumatizing to residents, pets and wildlife;
- Noted that the staff report does not discuss education;
- Opined that a fine of up to \$50,000 is steep and that liability is unclear;
- Suggested that residents can prepare for the use of fireworks between 6 p.m.-10 p.m.; and,
- Suggested that staff focus on enforcing the current Fireworks Regulation Bylaw.

4.13. Ms. Emily Pickett, SPEAKING A SECOND TIME:

- Commented that wildlife does not have the luxury of preparing for the use of fireworks between the hours of 6 p.m.-10 p.m.; and,
- Urged Council to take leadership on the climate emergency noting that fireworks do not align with this initiative.

4.14. Mr. Corrie Kost:

- Questioned if the proposed bylaw would be enforced on Halloween 2021;
- Expressed concerns with the possession and discharge of illegal fireworks;

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- Commented that the sale of alcohol in the District of North Vancouver is not restricted to District residents; and,
- Expressed concerns with regards to the negative impact fireworks has on the environment.

Staff advised that the proposed bylaw would come back for Council's consideration this Fall and would not **impact Halloween 2021**.

4.15. Ms. Jinyan Yu, SPEAKING A SECOND TIME:

- Commented that wildlife does not have the luxury of preparing for the use of fireworks between the hours of 6 p.m.-10 p.m.; and,
- Commented that fireworks may trigger mental health issues.

4.16. Mr. Dan Curry, SPEAKING A SECOND TIME:

- Urged Council to take a common-sense fact-based approach;
- Opined that people will continue to use fireworks illegally even if they are banned; and,
- Mentioned that guide dogs are trained specifically to not respond to firework noise.

4.17. Ms. Karry Eilers, SPEAKING A SECOND TIME:

- Commented that not all guide dogs are trained to not respond to firework noise;
- Spoke to the climate crisis; and,
- Opined that just because something has been done a certain way does not mean it has to be done the same way going forward.

6. COUNCIL RESOLUTION

MOVED by Councillor HANSON

SECONDED by Councillor CURREN

THAT the October 12, 2021 Public Meeting is closed;

AND THAT "Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4)" is returned to Council for further consideration.

CARRIED
(8:39 p.m.)

CERTIFIED CORRECT:

Confidential Council Clerk

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