

# WIZARD FIREWORKS

A division of Port Fire Pyrotechnics and Special Effects

*Council*

October 30, 2007

Ms. Sheila Birrell, Town Clerk  
Town of Markham Anthony Roman Centre  
101 Town Centre Boulevard  
Markham, Ontario  
L3R 9W3

Dear Mayor and Members of Markham Council:

I am the owner of Wizard Fireworks, a company that has been selling family fireworks in Markham for the past 16 years without incident. I have passed every annual inspection by both the Markham Fire Department and the Markham Bylaw department and have maintained a safe working environment for my staff and the community.

On October 22, 2007, the General Committee met to discuss several issues including the proposed changes to the Markham fireworks by-law. After several deputations and a brief discussion, it was decided that the proposed changes to the distance separation for mobile vendors was insufficient and was ultimately rejected by the Committee.

I could not help but notice that the only person who raised concerns about suggested problems of mobile vendors was an individual who is a seasonal retailer, who operates a temporary outlet and to my knowledge does not belong to any fireworks association that promotes the safe sale, storage or handling of this product.

I am concerned that the General Committee's decision regarding the distance separation of mobile vendors is an attempt to eliminate the competition for seasonal retailers who operate from an occupied building.

As a result, I offer the following points of discussion regarding the sale of fireworks from a mobile facility:

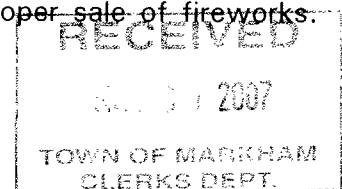
**1 Safety of mobile outlets.**

It's a long recognized fact that the safest place for the sale of family fireworks is an isolated mobile trailer, where the sales staff have one job and one job only; promoting the safe use and sale of this product, unlike the numerous variety stores (usually attended by one unknowledgeable clerk) as they are constantly distracted by having to sell everything from nuts to bolts.

When customers want to be educated in the safe use and storage of family fireworks, they usually purchase their fireworks from a reputable and well established mobile outlet where the staff are knowledgeable and can answer their questions correctly.

Wizard Fireworks sells family fireworks from trailers, equipped with side doors. We have always used two-exit trailers and fire extinguishers are supplied for each employee as is required by the federal government, who regulate the safe and proper sale of fireworks.

1025 LYTTON COURT PICKERING ON L1W 3Z2  
PHONE/FAX: 905-509-4864



As mobile vendors are fewer and more visible than variety stores, they are more prone to be being inspected by the authorities. As a result, they must operate to a much higher standard than those practiced by most variety stores.

Variety stores selling this product are too numerous to be properly monitored by bylaw enforcement and the fire department within such a short selling period (seven days before Canada Day and Victoria Day), as per the current by-law.

## **2. Reducing separation distances**

With respect to the extended separation distance for a mobile retail outlet from an occupied building or parked cars and roadways of 40m and 20m respectfully, I do not understand how such distances can be required given most variety stores who sell fireworks have cars parked in front of their stores (a distance of only 3-4') and the distance to the roadway is unrestricted.

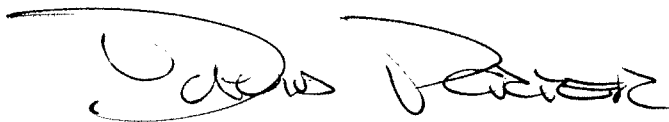
As a mobile vendor I support the reduction in separation distances as it is extremely difficult to find legal locations with a separation distance of 40m from an occupied building. We supply a number of service clubs in the community who use the sale of fireworks as a source of fundraising for their organization, and the 20m/40m requirements makes it almost impossible for them to find a legal location.

The explosive division of the federal government restricts the quantity of fireworks allowed in a location based on weight, and Bulletin # 51 is very specific as to how this product is to be displayed, handled and stored. As a result, the amount allowed in these mobile outlets has been drastically reduced which should allow for a reduction in the required separation distances that the former bylaw required.

In conclusion, I ask that Markham Council reconsider the General Committee's decision to maintain the existing separation distances in favour of a more realistic and practical separation distance as supported by Markham staff.

Thank you for your time and consideration regarding this important matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'David Porter', with a stylized flourish at the end.

David Porter  
President and owner of Wizard Fireworks  
A division of Port Fire Pyrotechnic and Special Effects  
Member of the Canadian Pyrotechnic Council  
Member of the Canadian Fireworks Association  
Member of the Pyrotechnic Guild International