

Application for fireworks display

Village Code 67-1, Authority to grant permits for fireworks display

Pursuant to Subdivision 1 of 405.00 of the Penal Law of the State of New York, the Mayor is hereby designated the permit authority to grant and issue permits for the public display of fireworks in accordance with the following provisions of 405.00 of the Penal Law.

Subdivision 2 of 405.00 of the Penal Law of the State of New York

- a) The name of the body sponsoring the display and the names of the persons actually to be in charge of the firing of the display:

- b) The date and time of day at which the display is to be held:

- c) The exact location planned for the display:

- d) The age, experience and physical characteristics of the persons who are to do the actual discharging of the fireworks:

- e) The number and kind of fireworks to be discharged:

- f) The manner and place of storage of such fireworks prior to the display:

g) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained and the location of all nearby trees, telegraph or telephone lines or other overhead obstructions:

- Please attach diagram

(The actual point at which the fireworks are to be fired shall be at least two hundred feet from the nearest permanent building, public highway or railroad or other means of travel. At least fifty feet from the nearest above ground telephone or telegraph line, tree or other overhead obstruction. The audience at such display shall be restrained behind lines at least one hundred and fifty feet from the point at which the fireworks are discharged. The only persons in active charge of the display shall be allowed inside these lines.)

h) Such other information as the permit authority may deem necessary to protect persons or property:

- Please attach a copy of current Licenses/Permits to Deal in or Manufacture Explosives from the State of New York Department of Labor Division of Safety & Health and from the Department of the Treasury Bureau of Alcohol, Tobacco and Firearms

Subdivision 3 of 405.00 of the Penal Law of the State of New York

All applications for permits for the public display of fireworks shall be made at least five days in advance of the date of the display.

All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearby as possible in a vertical direction. That any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining.

No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than thirty miles per hour.

All persons in actual charge of firing the fireworks shall be over the age of eighteen years, competent and physically fit for the task.

There shall be at least two such operators constantly on duty during the discharge and that at least two soda-acid or other approved type fire extinguishers of at least two and one-half gallons capacity each shall be kept at as widely separated points as possible within the actual area of the display.

No permit granted and issued hereunder shall be transferable.

After such permit shall have been granted, sales, possession, use and distribution of fireworks for such display shall be lawful solely therefore.

No permit may be issued to conduct a public display of fireworks upon any property where the boundary line of such property is less than five hundred yards from the boundary line of any property which is owned, leased or operated by any breeder as

defined in subdivision four of section two hundred forty-four of the racing, pari-mutuel wagering and breeding law.

Subdivision 4 of 405.00 of the Penal Law of the State of New

Before granting and issuing a permit for a public display of fireworks as herein provided, an adequate bond from the applicant or from the person to whom a contract for such display shall be awarded.

The bond shall not be less than one million dollars, conditioned for the payment of all damages, which may be caused to a person or persons or to property.

The bond shall run to the Village and shall be for the use and benefit of any person or persons or any owner or owners of any property so injured or damaged, and such person or persons or such owner or owners are hereby authorized to maintain an action thereon, which right of action shall accrue to the heirs, executors, administrators, successors or assigns of such person or persons or such owner or owners.

In lieu of such bond, an indemnity insurance policy naming the Village of Dundee as additional insured with liability coverage and indemnity protection equivalent to the terms and conditions upon which such bond is predicated.

Permit Fee is \$50.00, payable prior to issuance of permit.