

BUREAU OF FIRE PREVENTION
TOWN OF ORANGETOWN
20 Greenbush Road
Orangeburg, New York 10962
(845) 365-0204 x10

APPLICATION FOR FIREWORKS DISPLAY PERMIT

(not for fireworks display in preparation for or in connection with television broadcasts)

Ref: NY State Penal Law, Article 405.00

We hereby apply to the Town of Orangetown for a fireworks display permit pursuant to the provisions of Article 405 of the Penal Law of the State of New York. The application for the permit MUST be made at least thirty (30) days in advance of the display. The original application form, with a detailed diagram and all required attachments, must be submitted to the Bureau of Fire Prevention of the Town of Orangetown for circulation to the Town Board and all necessary departments of the Town. If a permit is granted, an on-site review, both prior to and on the date of the display, shall be conducted by the Bureau of Fire Prevention. The applicant attests that the proposed display outlined in this application conforms to all provisions of the Town Code of the Town of Orangetown, and the laws of the State of New York. Fireworks displays shall comply with the requirements of NYS Penal Law §405.00; and the NFPA 1123 and 1126.

SITE INSPECTION FEE: \$300.00 (payable to: Bureau of Fire Prevention, Town of Orangetown)

NAME OF APPLICANT: _____

Application Date: _____

Public Fireworks Display:	YES	NO
Private Fireworks Display:	YES	NO
Town Property:	YES	NO

Display Date/Time: _____

Proposed Rain/Wind Date/Time for display: _____

Expected Duration of Display: _____ (minutes)

OTHER LICENSE(S)/PERMIT(S) REQUIRED:

Requires a Commercial Amusement Ordinance License

(Chap. 7 of Town Code);(See Town Clerk)	YES	NO
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Requires a Permit for Use of Public Park/Town Facility

(Chap. 7A of Town Code); (See Parks & Recreation Dept)	YES	NO
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Requires "Request for Use of Town Property"

(Chap.7A of Town Code); See Orangetown Police)	YES	NO
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Requires "Road Closing Permit Application"

(Chap. 7A of Town Code); See Highway Dept.)	YES	NO
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Requires "Application for Permit to Close a County Road";
See Rockland County Highway Department

YES	NO
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Requires "Special Use Permit Application" (Form PERM 33a);
See NYS Department of Transportation

YES	NO
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FOR OFFICE USE ONLY:	<u>SITE DATA:</u> Display Location/Discharge Point (be specific; include address of site): _____ _____
	Site Data: Section – Block – Lot: _____ - _____ - _____
	<u>OWNER OF SITE:</u> Name and Address: _____ _____
	Contact Phone: _____ Mobile Phone : _____
	(A) <u>SPONSOR OF THE SHOW</u> Name: _____ Address: _____ _____
Contact Person: _____ Phone: _____ Mobile Phone: _____	
Supplier of Fireworks: _____ Address: _____ _____	
<u>DISPLAY COMPANY:</u> *** Attach a copy of the NYS Dept. of Labor Explosives License: Company Name: _____ Address: _____ _____	
Contact Person: _____ Phone: _____ Mobile Phone: _____ NYS Dept. of Labor Explosives License#: _____ Expires: _____	

FOR OFFICE USE ONLY:	<p>Certified Pyrotechnician(s) – Name(s) of Certified Pyrotechnician(s) who will be in charge of the display and authorized assistants that will be working on the show (<i>for any additional Pyrotechnicians or Authorized Assistants attach a separate sheet</i>). See 12 NYCRR 61-2.1 through 61-2.7.</p> <p>***Attach a copy of the valid Certificate of Competence as a Pyrotechnician issued by the Commissioner of Labor of New York State for each Certified Pyrotechnician.</p> <p>NOTE: PHOTO I.D. OF ALL TECHNICIANS AND ASSISTANTS HANDLING OR FIRING PYROTECHNICS IS REQUIRED.</p> <p>Name of Supervising/Designated Operator Certified Pyrotechnician: _____</p> <p>Address: _____</p> <p>Phone: _____</p> <p>Certificate #: _____ Expires: _____</p>
	<p>*** Supervising/Designated Operator Certified Pyrotechnician <u>MUST</u> PROVIDE A VERIFIED STATEMENT that he/she has confirmed that each and any authorized assistant(s) are: at least 18 years of age; trained in how to perform the assigned tasks; and educated about safety hazards.</p> <p>Name of Additional Certified Pyrotechnician #1: _____</p> <p>Address: _____</p> <p>Phone: _____</p> <p>Certificate #: _____ Expires: _____</p>
	<p>Name of Additional Certified Pyrotechnician #2: _____</p> <p>Address: _____</p> <p>Phone: _____</p> <p>Certificate #: _____ Expires: _____</p>
	<p>Authorized Assistants: Names of the individuals who are authorized by the operator to work on the show, identified either by their certificate number and expiration date, if they are certified, or by their age and phone number, if they are not certified.</p> <p>Name: _____</p> <p>Address: _____</p> <p>Phone: _____ Age: _____</p> <p>Certificate #: _____ Expires: _____</p>

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	<p>(B) DISPLAY CONTENT (include <u>number</u> and <u>kind</u> of fireworks/pyrotechnics to be displayed and discharged; attach additional pages if necessary): _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p>(C) How will fireworks be stored immediately prior to display (detail physical location, manner and place of storage) :</p> <p>_____</p> <p>_____</p>
	<p>(D) Location of FOUR (4) approved type fire extinguishers: (<i>must be kept at as widely separate points as possible within the actual area of display</i>):</p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p>(E) If rained out (or cancelled due to wind), fireworks be stored (detail manner and location and place of storage): _____</p> <p>_____</p>
	<p>(F) Other such information that the Chief of Police and/or the Chief of the Bureau of Fire Prevention deems necessary to protect persons or property:</p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p>(G) For OUTDOOR DISPLAYS NOT before a proximate audience, attach a WRITTEN PLAN AND A DIAGRAM OF THE AREA (including distances) where the display will take place (the "Emergency Action/Incident Response Plan"), showing:</p> <ul style="list-style-type: none">a. location where the fireworks will be discharged from;b. the location of, and distance to all buildings, highways, lines of communications;c. showing the location of the audience, including the lines behind which the audience will be restrained; andd. the location of all nearby trees, telegraph or telephone lines or other overhead obstructions or other structures or devices that could be affected by the display or fallout from it;e. and the location of the four (4) fire extinguishers.

FOR OFFICE USE ONLY:	<p>(H) The fireworks display shall be conducted in conformance to the provisions of NYS Penal Law §405.00 and the rules promulgated by the New York State Commissioner of Labor pursuant to §462 of the Labor Law, and as required by the Town of Orangetown, including but not limited to:</p> <ul style="list-style-type: none">a. The actual point at which the fireworks are to be fired shall be at least two hundred (200') feet from the nearest permanent building, public highway, railroad or other means of travel and at least fifty (50') feet from the nearest above-ground telephone or telegraph line, tree or other overhead obstruction;b. The audience of such display shall be restrained behind lines at least one hundred fifty (150') feet from the point at which the fireworks are discharged, and that only persons in active charge of the display shall be allowed inside these lines;c. All fireworks that fire a projectile shall be set up so that the projectile will go into the air, as near as possible, in a vertical direction, unless the fireworks to be fired from the shore of a lake or other large body of water, when they may be directed in such a manner that the falling residue from the deflagration will fall into such lake or body of water;d. Any fireworks that remain unfired after the display has been concluded shall be immediately disposed of in a safe way for that particular type of fireworks remaining;e. No firework display shall be held during a windstorm in which the wind reaches a velocity of more than thirty (30 m.p.h.) miles per hour; the Town of Orangetown Fire Inspector shall confirm wind velocity with the Rockland County Fire Dispatch Center (44 Control) prior to the show;f. All of the persons in actual charge of firing the fireworks shall be over the age of eighteen (18) years, competent and physically fit for the task;g. There should be at least two (2) such operators constantly on duty during the discharge, andh. at least four (4) approved type fire extinguishers (of at least two and one-half (2 ½) gallons' capacity each) shall be kept as widely separated as possible within the actual area of display;i. the location of the fire extinguishers shall be shown on the diagram;j. The four (4) portable fire extinguishers shall include:<ul style="list-style-type: none">i. two (2) pressurized water extinguishers; andii. two (2) dry powder with a minimum rating of 2A-40BC;k. A copy of the approved permit and plan shall be kept on site and be available for review;l. Any significant changes to the plan shall be approved, in writing, by the Chief of the Bureau of Fire Prevention, or his authorized agent/representative, prior to the performance.
	<p>(I) No permit granted and issued hereunder shall be transferable. After such permit has been granted, the sale, possession, use and distribution of fireworks for such display shall be lawful solely thereunder.</p>
	<p>(J) For <u>Indoor displays</u>, in addition to the information provided or to be provided hereinabove, include a written plan and diagram for how you intend to use the pyrotechnics as required by the New York State Penal Law §405.10; That plan and diagram shall be submitted at least thirty (30) days prior to the performance and SHALL include: In addition to the State Licenses and Certificates already included in this application, proof of Federal ATF Licenses (if required); Proof of experience of the pyrotechnician in charge; Proof of experience with the types of devices being used and a description of duties of any authorized assistants; Point of assembly of the pyrotechnic devices; Manner and place of storage of the pyrotechnic materials and devices; Material Safety Data Sheets (MSDS) for the pyrotechnic materials to be used; Certification that set, scenery, and rigging materials are inherently flame-retardant or have been treated to achieve</p>

FOR OFFICE USE ONLY:	<p>flame retardancy; Certification that all materials worn by performers in the fallout area during the use of pyrotechnic effects are inherently flame-retardant or have been treated to achieve flame retardancy; For indoor displays attach a diagram of the area where the display will take place, showing location where the fireworks will be discharged from, the location of, and distance to the audience, the location of sprinklers and the fallout radius for each pyrotechnic device used; A copy of the approved permit and plan shall be kept on site and be available for review; Any significant changes to the plan shall be approved by the Chief of the Bureau of Fire Prevention and/or his authorized agent/representative, prior to the performance.</p>
	<p>(K) Proof of Insurance or Bond (Minimum Five Million (\$5,000,000.00) Dollars). <i>Please attach a copy of the policy certificate or other proof of insurance or Bond conditioned for payment of all damages which may be caused to a person(s) or to property by reason of the display so permitted and arising from any action of the permittee, its agents, employees, contractors or subcontractors.</i> Such bond shall run to the <u>TOWN OF ORANGETOWN</u> and shall be for the use and benefit of any person(s) or any Owner(s) of such property so injured or damaged and such bond shall provide that such person(s) shall have the right to maintain an action thereon which right action shall accrue to their heirs, executors, administrators, successors or assigns. In lieu of the bond, an indemnity insurance policy of the same coverage and containing the same terms and conditions as the bond will be accepted.</p>
	<p>(L) Evidence of New York State Workers Compensation and Disability Benefits coverage. <i>Please submit proof of NYS Workers Compensation and Disability Benefits coverage.</i></p>
	<p>(M) NO PERMIT MAY BE ISSUED TO CONDUCT A DISPLAY OF FIREWORKS UPON ANY PROPERTY WHERE THE BOUNDARY LINE OF SUCH PROPERTY IS LESS THAN FIVE HUNDRED (500) 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 FIFTY-ONE OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW.</p>
	<p>(N) I authorize the Chief of the Bureau of Fire Prevention and/or Fire Inspector(s) and/or authorized agents or representatives of the Bureau of Fire Prevention of the Town of Orangetown to conduct an on-site review of the location of the Display/Discharge Point of the fireworks:</p> <ol style="list-style-type: none"> 1) with the pyrotechnician for site review to determine feasibility of site; and 2) after issuance of the permit, on the Display date at least three (3) hours prior to the discharge of fireworks. <p>The fee for these reviews is THREE HUNDRED AND 00/100 (\$300.00) DOLLARS; payment by check to: <i>Bureau of Fire Prevention, Town of Orangetown</i>; and payment of this fee must be at least five (5) business days prior to the fireworks display. This fee is non-refundable. No further fee is required if the show is cancelled due to a rain/wind delay.</p>
	<p>(O) I attest that the information contained in this permit application is accurate, true and complete to the best of my knowledge, and I understand that false statements made in this permit application are subject to the applicable versions of the NYS Penal Law. I understand that a Fireworks Display Permit granted and issued by the Town of Orangetown is NOT TRANSFERABLE.</p>
	<p>(P) Denial of Permit: The Bureau of Fire Prevention shall notify the applicant <u>in writing</u> of a denial of the issuance of a Fireworks Display Permit. Such denial of the application shall state the reasons why the application has been denied.</p>

FOR OFFICE USE ONLY:	<p>(Q) Appeal of Denial of Permit: An applicant denied the issuance of a Fireworks Display Permit by the Bureau of Fire Prevention may appeal such decision <u>in writing</u> to the Town Board by filing such appeal with the Town Clerk, Town of Orangetown, 26 Orangeburg Road, Orangeburg, New York 10962, within thirty (30) days from the date of denial of the application. The written appeal shall state the applicants position with respect to the determination being appealed and will state the relief requested. The Town Board's approval or disapproval of the appeal shall be final and conclusive. See Town Board Resolution #380 of 2011, dated June 14, 2011.</p> <p>_____ Signature of Applicant</p> <p>_____ Print Name of Applicant</p> <p>_____ Date</p>
	<p style="text-align: center;">DO NOT WRITE BELOW THIS LINE – FOR OFFICIAL USE ONLY</p> <p>Bureau of Fire Prevention review by: _____ Date: _____ Comments: _____</p> <p>Town Clerk review by: _____ Date: _____ Comments: _____</p> <p>Police Department review by: _____ Date: _____ Comments: _____</p> <p>Highway Department review by: _____ Date: _____ Comments: _____</p> <p>OBZPAE review by: _____ Date: _____ Comments: _____</p> <p>Parks Recreation review by: _____ Date: _____ Comments: _____</p> <p>Town Attorney review of Bond/Insurance by: _____ Date: _____ Comments: _____</p>