



TOWN OF DURHAM

7309 Route 81, East Durham, NY 12423

Building and Code Department

Telephone: 518-239-6122 ext. 4

Fax: 518-239-4140

APPLICATION FOR PERMIT FOR PUBLIC DISPLAY OF FIREWORKS PURSUANT TO NEW YORK STATE PENAL LAW SEC 405.00

<http://ypdcrime.com/penal.law/article405.htm#>

1. Name, address and telephone number of Applicant sponsoring the display _____

2. Applicant is a(n): Corporation _____
Partnership _____
Individual _____
Other (explain) _____

3. Provide the following for all persons to actually be in charge of the firing of the display – at least two individuals are required (attach additional sheets if necessary):

Primary

a. Eye color _____ Hair color _____ Height _____ Weight _____
b. Date of Birth _____ AFT# _____
c. Permanent home address _____
d. Full local address (if different) _____
e. Telephone number _____
f. Experience _____

Secondary

a. Eye color _____ Hair color _____ Height _____ Weight _____
b. Date of Birth _____ AFT# _____
c. Permanent home address _____
d. Full local address (if different) _____
e. Telephone number _____
f. Experience _____

4. The date(s) and time(s) of day which the display(s) is(are) to be held is(are) if additional space is needed please attach another sheet:

a. Date(s) _____
b. Day(s) of week _____
c. Time display(s) to start _____
d. Time display(s) to end _____
e. Rain Date(s) _____

5. Identify the exact location of all properties to be used directly, indirectly or incidental to the proposed display
Tax Map Id(s): _____

6. Detail the program and plans of the display(s) in its(their) entirety, with particular emphasis on the information required to be disclosed pursuant to section 405.00 of the Penal Law of the State of New York including:
- a. The number and kind of fireworks to be discharged.

 - b. The manner and place of storage of such fireworks prior to the display.

7. Attach 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, and the locations and descriptions of fire extinguishers.
8. Certifies that all of the provisions required by Penal Law Sect. 405.00(3) to be in the permit exist and/or are true.
- a. Provide the name, address and telephone number of the insurance company that has issued the bond or indemnity insurance policy required herein.

Name _____
Address _____
Telephone number _____
 - b. Attach bond in the amount of at least one million dollars or an indemnity insurance policy with liability coverage and indemnity protection naming the Town of Durham as an additional named insured, conditioned for the payment of all damages which may be caused to the Town of Durham or a person or persons or to property, by reason of the display so permitted and arising from any acts of the permittee, its agents, employees, contractors or subcontractors which shall run to the Town of Durham and shall be for the use and benefit of any person(s) or any owner(s) of any property so injured or damaged.
 - c. Provide the following items:
 1. In addition to the State Licenses and Certificate already included in this application, proof of Federal ATF licenses.
 2. Proof of experience of the pyro technician in charge.
 3. Proof of experience with the types of devices being used and a description of duties of any authorized assistants.
 4. Point of Assembly of the pyro technics devices
 5. Manner and place of storage of the pyro technic materials and devices
 6. Material Safety Data Sheets (MSDS) for the pyro technic materials to be used
 7. Certification that set, scenery and rigging materials are inherently flame-retardant or have been treated to achieve flame retardancy.
 8. Certification that all materials worn by performers in the fallout area during the use of pyrotechnic effects is inherently flame-retardant or has been treated to achieve flame retardancy.
 9. 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.
 10. A copy of the approved permit and plan shall be kept on site and available for review.
 11. Any significant changes to the plan shall be approved prior to the performance.
9. **APPLICANT AGREES TO HOLD THE TOWN OF DURHAM, TOWN OF DURHAM TOWN BOARD AND TOWN OF DURHAM CLERK HARMLESS AND FREE FROM ANY AND ALL DAMAGES AND CLAIMS ARISING UNDER OR BY VIRTUE OF SAID PERMIT, IF GRANTED.**

10. APPLICANT ATTESTS THAT THE INFORMATION CONTAINED IN THIS PERMIT APPLICATION IS ACCURATE, TRUE AND COMPLETE TO THE BEST OF THEIR KNOWLEDGE, AND APPLICANT UNDERSTANDS THAT FALSE STATEMENTS MADE IN THIS PERMIT APPLICATION ARE SUBJECT TO THE APPLICABLE VERSION OF NYS PENAL LAW.

Date: _____

Signature of Applicant

If Applicant is an Individual:

STATE OF NEW YORK)
COUNTY OF GREENE) ss.:

_____ being duly sworn, deposes and says that he/she is the applicant for the above-described permit, that all statements contained herein are true to the best of my knowledge and belief, and that the business conducted will be done in the manner set forth in this application.

Signature of Applicant

Sworn to before me this _____
day of _____, 20 _____.

Notary Public

If Applicant is a Partnership:

STATE OF NEW YORK)
COUNTY OF GREENE) ss.:

_____ being duly sworn, deposes and says that he/she is one of the members of the firm of _____, the applicant for the above-described permit, that all statements contained herein are true to the best of my knowledge and belief and that the business conducted will be done in the manner set forth in this application.

Signature of Applicant

Sworn to before me this _____
day of _____, 20 _____.

Notary Public

If Applicant is a Corporation:

STATE OF NEW YORK)
COUNTY OF GREENE) ss.:

_____ being duly sworn, deposes and says that he/she is the (Corporate title) of _____ the applicant for the above-described permit, that all statements contained herein are true to the best of my knowledge and belief; that the business conducted will be done in the manner set forth in this application; and that he/she has signed this application by order of the directors of said corporation.

Signature of Applicant

Sworn to before me this _____
day of _____, 20 _____.

Notary Public