



# BUREAU OF FIRE SERVICES

VILLAGE OF STILLWATER, NEW YORK

1 School Street P.O. Box 507  
Stillwater NY, 12170-0507

## FIREWORKS APPLICATION INSTRUCTIONS

### Introduction

A wide variety of fireworks and activities have chosen to make the Village of Stillwater their home due to its natural beauty, diverse cultures, and the variety of locations available for use. Each of these fireworks displays helps to contribute to the dynamic atmosphere found in the Village of Stillwater. The following pages include the Village of Stillwaters fireworks application instructions. The Village's goal is to assist fireworks organizers in planning safe and successful fireworks displays that create minimal disruption to the communities surrounding the firework displays. Upon the submission of a fireworks application, you may be required to meet with the Village's staff to review various aspects of your fireworks display. While many Village departments joined together to make this process convenient yet comprehensive, please be aware that in some cases you may have to contact county or state agencies to complete the required application. Doing so in a timely fashion will avoid delays in processing your application. On behalf of the Village of Stillwater, we thank you for contributing to the spirit and vitality of our Village. Best wishes for a successful fireworks event.

### Procedure

Please be advised that Penal Law section 405.00 regulates fireworks display permits issued by a municipality, imposes certification requirements as administered and enforced by NYS Commissioner of Labor, and mandates that displays conform to the standards of the NFPA. Applicants are responsible for complying with all Federal, State and Local Laws relating to the display of fireworks. Penal Law section 405(3) requires that all applications for permits for the display of fireworks be made at least five (5) days in advance of the display. However, in order to ensure adequate time in which to review and consider the permit, the Village requires applicants to submit an application at least thirty (30) days in advance of the display. The boundary line of the property where the fireworks display is proposed cannot be within five hundred (500) yards of the boundary line of a property which is owned, leased, or operated by a certified breeder as defined in subdivision 4 of section 251 of the racing, pari-mutuel, wagering and breeding law (<https://www.nybreeds.com/newyork-state-farm-directory/>). All permit applications shall be fully completed, printed, legible, and submitted to the Village of Stillwater Bureau of Fire Services, Village Hall, 1 School St., PO Box 507 Stillwater NY, 12170. Permit applications may be filed as early as 12 months prior to a fireworks event. Applications for fireworks other than previously described must be submitted with all required attachments no less than THIRTY (30) days prior to your fireworks display. Fireworks applications received after the required time period may not be accepted. The City reserves the right to allow exceptions to this. Applications will be accepted on a first come, first-serve basis for new fireworks displays. The Village reserves the right to dedicate particular days for annual fireworks displays that have taken place for the past three (3) consecutive years. The Village reserves the right to have calendar blackout dates. The Village will consider fireworks applications for days that are considered holidays for Village employees, but if Village employees are required for the event, approval is contingent on employee availability. Holiday fireworks displays requiring the assistance of Village staff will be charged the holiday labor rate. Attendance of

fireworks that use any public right-of-way (street, sidewalk, etc.) must be open to the public. The permit process begins when you submit an application. Acceptance of your application should in no way be construed as final approval or confirmation of your request. The Village of Stillwater Bureau of Fire Services has the authority to deny a permit application for reasons that include, but are not limited to, the determination that:

- the application is not complete or has not met the established timelines
- public safety is at risk
- the proposed resources are not adequate to handle the fireworks
- the quality of life for surrounding communities will be unreasonably impacted
- vehicular traffic flow will be inappropriately compromised
- the Village cannot provide the needed resources
- elements of the fireworks are in violation of the Village of Stillwater Local Law or Regulations, or State or Federal Laws
- the fireworks applicant has unpaid financial obligations to the Village from previous fireworks displays

## **APPLICATION INFORMATION**

### **Fireworks Publicity**

You must obtain approval of the fireworks application PRIOR to promoting, marketing, or advertising for it. A Fireworks Permit will not be issued until the application contains all required certificates and permissions. Advanced advertisement of a fireworks display will not influence the decision to approve/disapprove the fireworks display. Any printed advertising or promotional materials must contain contact information for people who can answer questions and arrange for special accommodations **per Attachment A** in the Fireworks Permit.

### **Costs and Fees**

Fireworks organizers have the option of providing volunteers to collect and remove trash/recycling or to pay the Village to complete such task. Failure to break-down or clean-up per the committed timeline in the application will result in the organization being financially responsible for any costs incurred by the Village for substitute services as a result of the fireworks AND a two hundred (\$200) dollar fine for non-performance of the executed application. Fireworks applicants with unpaid financial obligations to the Village will not be considered for future fireworks displays.

### **Fireworks Organizer and Contact Information**

The fireworks organizer is the designated individual who has been authorized to apply for the permit and to plan the fireworks display. This person must be available to work closely with the Village of Stillwater Bureau of Fire Services throughout the permitting process. During your fireworks display, a contact person must be available on-site. The contact person shall provide the Village with a cellular telephone number, or pager number, or designate some other way to contact him/her during the fireworks event. The contact person is required to have full authority to act on behalf of and make decisions for, any sponsoring organization for all segments of the fireworks display. Failure to communicate and coordinate problems with Village representatives on the day of the fireworks display may result in denial of future fireworks displays.

### **Crowd Control and Security**

Fireworks organizers are required to provide a safe and secure environment for their fireworks display. This may be accomplished through sound pre-planning and by anticipating potential problems and concerns. The

size, type, location, and time of the fireworks, as well as fireworks activities, are all areas that need to be analyzed in depth. The Police and/or Fire Departments will assess the level of security required for your fireworks display.

### **Fireworks Accessibility Plan**

“Accessible” describes a site, building, facility, or portion thereof that can be approached, entered, and used by all people. It is the applicant’s responsibility to comply with all village, county, state and federal accessibility requirements that are applicable to the fireworks safety and security. All indoor and outdoor sites for fireworks must be accessible to persons with disabilities. If a portion of the area is inaccessible, an alternate area must be provided with the same activities that are in the inaccessible area.

### **Emergency Evacuations and Cancellation of Fireworks**

The Village reserves the right to suspend your activities and announce the need to clear the area for emergency vehicles and personnel in the event of a natural or man-made emergency or severe weather during your fireworks display. Fireworks organizers shall assist emergency personnel in evacuating employees, volunteers, and the public from the area. A contingency plan shall be prepared in case the fireworks display needs to be canceled, postponed, or relocated due to public safety concerns including adverse weather conditions.

### **Anti-Discrimination and Equal Opportunity Obligations**

In accordance with Village laws the sponsoring organization will not discriminate against any employee, applicant for employment, sub-contractor, supplier of materials or services, or program participant because of actual or perceived: age, creed, color, disability, ethnicity, familial status, gender, height, immigration or citizenship status, marital status, national origin, race, religion, sexual orientation, socio-economic status, or weight.

### **Insurance Requirements**

Please provide the insurance required within the application for both you the applicant and your fireworks display contractor.

### **Anticipated Attendance Over 5,000 People**

If your fireworks display attendance is expected to be FIVE THOUSAND (5,000) or more, you must apply and provide the following permits from the New York State Department of Health prior to submitting a Fireworks Application with the Village. This application is the NYS Department of Health Part 18 Public Gathering Permit. Please provide a Public Gathering Permit issued by the NYS Department of Health for any fireworks display whose participants and attendance is expected to be FIVE THOUSAND (5,000) individuals or greater. Website Address is: <http://www.health.ny.gov/professionals/ems/emsforms.htm>.