TOWN OF BUSTI

Code Enforcement Office
125 Chautauqua Avenue
Busti, New York 14750

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

1. Applicant Information:

   a. Entity sponsoring the display: _____

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

   **A sealed copy of a resolution of the Board of Directors of the corporation, authorizing and directing the person executing the application to act on behalf of the corporation must be attached.*

   c. The names of all persons actually in charge of the firing of the display:
   _____
   _____

2. The display is to be held:

   a. <u>Primary Date</u>:

   Date: _____ Day of the week: _____
   Display will start at: _____ Display is to end at:_____

b. <u>Alternative Date (if any)</u>:

   Date: _____ Day of the week: _____
   Display will start at: _____ Display is to end at:_____

3. Identify the exact location of all properties and property owners to be used directly, indirectly or incidental to the proposed display (attach additional sheets as necessary).

4. State the nature of the applicant's interest in the property identified in paragraph 3 and attach copies of all documents creating such interest.

5. Attach a statement, in affidavit form, detailing the program and plans of the display in its 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 names, addresses of the persons actually in charge of the firing of the display.
b. The names, addresses, ages, experience and physical characteristics of the person who are to do the actual discharging of the fireworks.
c. The number and kind of the fireworks to be discharged.
d. The manner and place of storage of such fireworks prior to the display.

6. 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 communications, the lines behind which the audience will be restrained and the location of all nearby trees or telephone lines or other overhead obstructions, and the locations and descriptions of fire extinguishers.

7. Attach a statement detailing proposed traffic control, if any, in the area within one (1) mile of the display.

8. Attach a statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.

9. Bond/Insurance Information:

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: _____
Tel. No.: _____

b. Attach either a

(1) bond in the amount of $1,000,000 as required in Section 405.00 of New York's Penal Law, conditioned for the payment of all damages which may be caused to the Town of Busti 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 Busti and shall be for the use and benefit of any person(s) or any owner(s) of any property so injured or damaged, or.

(2) indemnity insurance policy, with minimum coverage of $1,000,000 naming the Town of Busti as an additional named insured; said policy shall also include as additional named insureds the property owners listed in paragraph 3 and any other persons or organizations as determined by the Code Enforcement Officer on a case by case basis.

10. Certify that the actual point at which the fireworks are to be fired:

			(circle)	
a.	Shall be at least 200 feet from:			
	(i)	the nearest permanent building,	Yes	No
	(ii)	public highway,	Yes	No
	(iii)	railroad, or	Yes	No
	(iv)	other means of travel.	Yes	No
b.	Shall be at least 50 feet from:			
	(i)	the nearest above-ground telephone/telegraph line	Yes	No
	(ii)	tree	Yes	No
	(iii)	other overhead obstruction	Yes	No

11. Certify that the audience at such display shall be restrained behind lines at least 150 feet from the point at which the fireworks are discharged. Yes No

12. Certify that only persons in active charge of the display shall be allowed within the lines referenced in No. 11 Yes No

13. Certify that all fireworks that fire a projectile shall be so set that:

a. the projectile will be launched into the air in as near a vertical direction as possible Yes No

b. the fireworks are to be fired from the shore of a lake or other large body of water so that falling residue will fall into the lake or other body of water. Yes No

14. Certify that any fireworks that remain unfired after the display is concluded shall be disposed of immediately in a manner safe for the particular type of fireworks remaining Yes No

15. Certify that no fireworks display shall be held during conditions in which the wind reaches a velocity of more than 30 m.p.h. Yes No

16. Certify that all persons in actual charge of firing the fireworks shall be:

a. over the age of 18 years,	Yes	No
b. competent, and	Yes	No
c. physically fit for the task.	Yes	No

17. Certify that there shall be at least two qualified operators on constant duty during the discharge. Yes No

16. Certify that at least two soda acid or other approved type fire extinguishers of at least 2 ½ gallons capacity shall be kept at points as widely separated as possible within the actual area of display. Yes No

17. NOTE: All permit recipients shall be required to give written notice to all property owners within 500 feet of the display location upon the issuance of a permit hereunder.

18. APPLICANT AGREES TO HOLD THE TOWN OF BUSTI AND ALL OFFICERS AND EMPLOYEES THEREOF HARMLESS AND FREE FROM ANY AND ALL DAMAGES AND CLAIMS ARISING UNDER OR BY VIRTUE OF SAID PERMIT, IF GRANTED.

Dated: _____

_____
Signature of Applicant

If Applicant is an Individual:

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

_____, being duly sworn, deposes and says that he is the applicant for the above-described permit, that all statements contained herein are true to the best of 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 _____, _____

_____
Notary Public

If Applicant is a Partnerhip:

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

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

_____
Signature of Partner

Sworn to before me this _____
day of _____, _____

_____
Notary Public

If Applicant is a Corporation:

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

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

_____
Signature of Applicant

Sworn to before me this _____
day of _____, _____

_____
Notary Public