

# OFFICE OF THE HAMBURG TOWN CLERK

## CATHERINE A. RYBCZYNSKI, TOWN CLERK AND PERMIT AUTHORITY

A permit is hereby granted for the public display of fireworks in accordance with Section 405.00 of the Penal Law and place or places named as follows:

**NAME OF PERMITTEE:** Skylighters of New York, LLC  
**ADDRESS:** PO Box 1357, Orchard Park, New York 14127  
**DATE:** September 18, 2021 (9:00 pm to 10:00 pm) 20 minute duration  
**PLACE:** Miller's Farm, 5292 Bayview Rd., Hamburg, NY 14075  
(Private Event)

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, or 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.

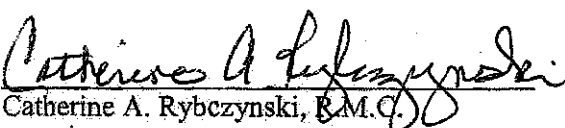
1. The audience at such display shall be restrained behind lines at least one hundred fifty (150) feet from the point at which the fireworks are discharged and only persons in actual charge of the display shall be allowed inside these lines.
2. All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, unless such fireworks are to be fired from the shore of a lake, or other large body of water, when they may be directed in such manner that the falling residue from the deflagration will fall into such lake or body of water.
3. Any fireworks which remain unfired after the display concludes shall be disposed of in a way safe for the particular type of fireworks remaining.
4. No fireworks display shall be held during any windstorm in which the wind reaches a velocity of more than thirty (30) miles per hour.
5. All the persons in actual charge of firing the fireworks shall be over the age of eighteen years, competent, and physically fit for the task.
6. There shall be at least two (2) such operators constantly on duty during the discharge. The persons actually in charge of the firing of the display shall possess a valid certificate of competence as a pyrotechnician as required under the general business law and article sixteen of the labor law.
7. At least two (2) pressurized water or other approved fire extinguishers of at least two and one-half (2 ½) gallon's capacity each shall be kept at as widely separated points as possible within the actual area of the display.
8. No permit granted and issued hereunder shall be transferable.

9. After a permit has been granted, sales, possession, use, and distribution of fireworks for such display shall be lawful solely therefor.
10. No fireworks may be fired, under any circumstances, 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 by subdivision four of section two hundred forty-four of the Racing, Pari-Mutuel Wagering and Breeding Law.
11. The applicant shall protect neighboring property from damage by the fireworks display by all reasonable means and if property is damaged the applicant shall restore the property as nearly as possible to its original condition.
12. Town of Hamburg shall be named as additional insureds on all policies excepting Workers Compensation. All policies shall be primary over any and all collectible insurance, and shall provide that they will not be cancelled, allowed to expire or restrictively modified without thirty (30) days prior written notice to the Town of Hamburg. Additional insured status applies for a minimum of two (2) years. Additional insured coverage on ISO AI endorsement CG2010 (11/85) OR both CG2010 and CG2037, or an equivalent form. There shall be no exclusions, modifications or endorsements to the subcontractor's general liability policy arising from work provided by subcontractors, use of pyrotechnic devices or fireworks or any other activities or services contracted for, either enumerated or implied, by the Town of Hamburg.

It is understood and agreed that if any changes or alterations are made in the insurance policy as set forth in certificate and endorsements submitted to the permit authority, or if the policy or endorsements are changed or cancelled before the date or dates of the displays, the permit hereby granted is to become null and void.

Dated this 10<sup>th</sup> day of September, 2021

  
\_\_\_\_\_  
Permittee

  
\_\_\_\_\_  
Catherine A. Rybczynski, R.M.C.  
Town Clerk and Permit Authority for the  
Town of Hamburg, New York.

(SEAL)

**THIS PERMIT MUST BE ON THE GROUNDS AT THE POINT OF DISPLAY.**