

LOCAL LAW NO. 5 OF 2026 OF THE VILLAGE OF WATKINS GLEN, NEW YORK

A LOCAL LAW AUTHORIZING AND REGULATING FIREWORKS DISPLAYS IN THE VILLAGE OF WATKINS GLEN

BE IT ENACTED by the Board of Trustees of the Village of Watkins Glen, County of Schuyler, State of New York, as follows:

SECTION 1. TITLE

This Local Law shall be known as “Local Law No. 5 of 2026 – Fireworks Displays.”

SECTION 2. LEGISLATIVE INTENT AND PURPOSE

A. The Board of Trustees of the Village of Watkins Glen (the “Village”) recognizes that public fireworks displays can be an important part of community celebrations and events.

B. The Board further recognizes that fireworks, if not properly controlled, present significant risks to public health, safety, and welfare, including risks of fire, personal injury, property damage, and public disturbance.

C. It is the purpose of this Local Law to:

- (1) Authorize public fireworks displays within the Village only under controlled conditions;
- (2) Establish a local permitting process and safety standards consistent with New York Penal Law Article 405, the New York State Uniform Fire Prevention and Building Code, and applicable national standards; and
- (3) Ensure that any such displays are conducted by qualified professionals with adequate insurance and safety measures in place.

SECTION 3. STATUTORY AUTHORITY

This Local Law is adopted pursuant to the authority granted to villages by the New York State Constitution, the Municipal Home Rule Law, the Village Law, and New York Penal Law Article 405, and any successor statutes or regulations.

SECTION 4. DEFINITIONS

As used in this Local Law, the following terms shall have the meanings indicated:

A. "Applicant" shall mean the person, firm, corporation, organization, or entity that submits an application for a fireworks display permit under this Local Law.

B. "Board" shall mean the Board of Trustees of the Village of Watkins Glen.

C. "Display" or "Fireworks Display" shall mean the ignition, firing, or discharge of fireworks, pyrotechnic devices, or other similar explosives for public entertainment or ceremonial purposes, whether outdoors or indoors, including but not limited to aerial displays, ground displays, and proximate audience displays.

D. "Fireworks" shall have the meaning set forth in Article 405 of the New York Penal Law and any successor provisions, and shall include "dangerous fireworks," "display fireworks," and any other similar regulated pyrotechnic devices used for public displays.

E. "Permit" shall mean a written authorization issued by the Village permitting the conduct of a fireworks display in accordance with this Local Law and applicable laws and regulations.

F. "Professional Pyrotechnician" shall mean a person or entity duly licensed or certified, as required by New York State law, to conduct fireworks displays and handle display fireworks.

G. "Village" shall mean the Village of Watkins Glen, Schuyler County, New York.

H. "Village Clerk" shall mean the duly appointed Clerk of the Village of Watkins Glen, or his or her designee.

SECTION 5. PERMIT REQUIRED; PROHIBITION WITHOUT PERMIT

A. No person, firm, corporation, organization, or entity shall conduct, sponsor, or cause to be conducted any fireworks display within the Village without first obtaining a valid permit issued pursuant to this Local Law.

B. The private, unpermitted use, possession, sale, or discharge of fireworks or dangerous fireworks within the Village remains prohibited except as expressly authorized by New York State law and this Local Law.

SECTION 6. PERMITTING AUTHORITY

A. The Village Clerk is hereby designated as the official responsible for receiving and processing applications for fireworks display permits.

B. In reviewing applications, the Village Clerk shall consult with:

- (1) The Chief of the Village Fire Department (or designee);
- (2) The Chief of Police or head of the Village's law enforcement agency (or designee);
and
- (3) The Village Code Enforcement Officer.

C. The Board shall have final authority to approve, approve with conditions, or deny any application for a fireworks display permit.

SECTION 7. PERMIT APPLICATION REQUIREMENTS

A. Form and Content. Applications for a fireworks display permit shall be submitted in writing on a form approved by the Village Clerk and shall include, at a minimum:

- (1) The name, address, telephone number, and email address of the Applicant and, if different, the event sponsor;
- (2) The name and New York State certification/license number of the professional pyrotechnician or fireworks contractor who will conduct the display;
- (3) The proposed date, start time, and anticipated duration of the display, and any rain date(s);
- (4) The exact location of the proposed launch site(s) and spectator viewing areas, including a site plan or map showing distances to nearby buildings, public ways, parking areas, overhead utilities, and other relevant features;
- (5) A description of the types and approximate quantities of fireworks to be used;
- (6) A written safety plan addressing: setup procedures, firing procedures, misfire or malfunction procedures, crowd control measures, emergency response arrangements, post-display inspection and cleanup, and any proposed fire protection measures;
- (7) Proof of required insurance, as set forth in Section 8 of this Local Law; and

(8) Any additional information reasonably required by the Village Clerk or reviewing officials to evaluate the application for safety and code compliance.

B. Filing Deadline. Except as otherwise provided herein, applications shall be filed with the Village Clerk not less than thirty (30) days prior to the proposed date of the display. For good cause shown, the Board may waive or shorten this filing requirement in its discretion.

SECTION 8. INSURANCE AND INDEMNIFICATION

A. As a condition of permit approval, the Applicant shall provide proof of commercial general liability insurance, including coverage for the fireworks display, with limits of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate, or such higher limits as may be recommended by the Village's insurance carrier or required by resolution of the Board.

B. The policy shall name the Village of Watkins Glen, its officers, employees, and agents as additional insureds on a primary and non-contributory basis for the event, and shall be endorsed to include Waiver of Subrogation in favor of the Village of Watkins Glen. A certificate of insurance reflecting such coverage and endorsements shall be provided to the Village Clerk prior to issuance of the permit.

C. The Applicant and/or event sponsor shall execute an indemnification and hold harmless agreement, in a form approved by the Village Attorney, agreeing to defend, indemnify, and hold harmless the Village and its officers, employees, and agents from and against any and all claims, damages, losses, and expenses (including reasonable attorneys' fees) arising out of or related to the fireworks display, except to the extent caused by the Village's own gross negligence or willful misconduct.

SECTION 9. COMPLIANCE WITH LAW AND STANDARDS

A. All fireworks displays conducted within the Village pursuant to a permit issued under this Local Law shall comply with:

- (1) New York Penal Law Article 405 and any successor statutes or regulations;
- (2) The New York State Uniform Fire Prevention and Building Code, including all applicable provisions of the Fire Code;
- (3) All applicable standards of the National Fire Protection Association (including but not limited to NFPA 1123, NFPA 1126, or their successors, as applicable); and
- (4) All other applicable Village laws, ordinances, rules, and regulations.

B. Only a professional pyrotechnician or fireworks contractor duly licensed or certified as required by New York State law shall be permitted to conduct or supervise the display.

SECTION 10. REVIEW BY FIRE, POLICE, AND CODE OFFICIALS

A. Upon receipt of a complete application, the Village Clerk shall forward copies to:

- (1) The Chief of the Village Fire Department (or designee);
- (2) The Chief of Police or head of the Village's law enforcement agency (or designee);
and
- (3) The Village Code Enforcement Officer.

B. Each such official shall review the application for safety, fire protection, traffic control, crowd control, and code compliance, and shall provide written comments and recommendations, including any recommended conditions of approval, to the Village Clerk for submittal to the Board.

SECTION 11. CONDITIONS OF APPROVAL; PERMIT RESTRICTIONS

A. The Board may impose such reasonable conditions on any permit as it deems necessary to protect public health, safety, and welfare, including but not limited to:

- (1) Restrictions on the date, time of day, or duration of the display;
- (2) Limitations on the types, sizes, or quantities of fireworks used;
- (3) Requirements for the presence of fire apparatus, fire personnel, and/or emergency medical services on site;
- (4) Requirements for establishing and maintaining secure safety/perimeter zones and spectator setback distances;
- (5) Noise, debris, and post-event cleanup requirements; and
- (6) Any other conditions recommended by the reviewing officials or deemed appropriate by the Board.

B. Each permit shall specify the date(s), time(s), location(s), and conditions under which the display may occur and shall be valid only for the event(s) so described.

SECTION 12. FEES

A. The Board may, by separate resolution or amendment to the Village's fee schedule, establish reasonable application and permit fees to defray the Village's administrative, inspection, and public safety costs associated with fireworks displays.

B. No permit shall be issued until all applicable fees have been paid in full.

SECTION 13. REVOCATION OR SUSPENSION OF PERMIT

A. A fireworks display permit issued under this Local Law may be revoked or suspended by the Board, the Mayor, the Chief of the Village Fire Department (or designee), or the Chief of Police (or designee), if:

- (1) Any material misrepresentation or omission is found in the application;
- (2) The permit holder or its agents fail to comply with any condition of the permit, this Local Law, or any applicable law or regulation; or
- (3) Weather conditions, fire danger, public safety concerns, or other emergent circumstances render the display unsafe in the judgment of the appropriate officials.

B. In the event of revocation or suspension, the Village shall not be liable for any costs, losses, or damages incurred by the Applicant, sponsor, or any other party as a result of such action.

SECTION 14. SUPERVISION: ENFORCEMENT; PENALTIES

A. The Fire Chief of the Village shall be the official for all on-site inspections and supervision, including pre-display and post-display compliance and safety.

B. This Local Law shall be enforced by the Chief of the Village Fire Department, the Village Police Department, and/or such other officials as may be specifically designated by the Board.

C. Any person or entity that conducts, sponsors, or allows a fireworks display within the Village without a valid permit, or in violation of the terms or conditions of an issued permit, shall be subject to:

- (1) The penalties provided under applicable Village ordinances and New York State law, including but not limited to fines and/or imprisonment as authorized by law;
- (2) Revocation or denial of future permits; and
- (3) Any other remedies available at law or in equity, including injunctive relief to prevent or halt an unlawful display.

SECTION 15. NO PRIVATE USE AUTHORIZED

Nothing in this Local Law shall be construed to authorize the private, non-professional, or unpermitted use, possession, sale, or discharge of fireworks or dangerous fireworks within the Village. Such activities remain prohibited except as expressly permitted by New York State law and subject to the permitting and regulatory requirements set forth herein.

SECTION 16. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, firm, corporation, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, part, or application thereof directly involved in the controversy in which such order or judgment shall have been rendered.

SECTION 17. INCONSISTENCY WITH OTHER LAWS

To the extent that any provision of the Village Code or prior local law is inconsistent with the provisions of this Local Law, the provisions of this Local Law shall control. All prior local laws or parts of local laws in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 18. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.