



Tompkins County Legislature

Governor Daniel D. Tompkins Building
Ithaca, NY 14850

Meeting: 03/24/15 03:30 PM
Department: County Attorney
Category: Local Law
Functional Category: Local Law

SCHEDULED

RESOLUTION NO. DOC ID: 5478

1 **Adoption of Local Law No. B of 2015 - Allowing for Common, Safe**
2 **Items to be Excluded from the Dangerous Fireworks Definition as**
3 **Permitted by New York State Penal Law Section 405(5)(b)**

4 WHEREAS, on November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014
5 which amends the New York State Penal Law, the Executive Law and the General Business Law to place further
6 restrictions on the sale of dangerous fireworks, while at the same time recognizing that certain fireworks should not be
7 labeled as dangerous when they pose little to no danger to the public, and should therefore be available for retail sale
8 and public sale, and
9

10 WHEREAS, Chapter 477 of the Laws of 2014 allows for certain fireworks identified and described as
11 “sparkling devices” to be excluded from the definition of “dangerous fireworks” and “fireworks” set forth in the Penal
12 Law, and to be sold and used in counties that enact a local law authorizing such actions, and
13

14 WHEREAS, Chapter 477 of the Laws of 2014 limits the sale of sparking devices in the State to the time
15 periods from June 1st through July 5th and December 26th through January 2nd each calendar year, and to people
16 eighteen years of age or older, and
17

18 WHEREAS, the Tompkins County Legislature believes that allowing our County residents the use of safe
19 “sparkling devices” will benefit them and our local businesses, and
20

21 WHEREAS, the proposed Local Law and Chapter 477 of the Laws of 2014 are compliant with safety
22 standards established by the National Fire Protection Association (NFPA 1124) for the manufacture, transportation,
23 storage and retail sale of fireworks, and
24

25 WHEREAS, a public hearing was held before the Tompkins County Legislature on April 21, 2015, to hear all
26 persons interested in proposed Local Law No. b of 2015, now therefore be it
27

28 RESOLVED, on recommendation of the Government Operations Committee, That Local Law No. b of 2015 -
29 Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as Permitted by New
30 York State Penal Law Section 405(5)(b) is hereby adopted,
31

32 RESOLVED, further, That the Clerk of the Legislature shall publish in the official newspaper of the County a
33 notice of adoption containing a synopsis of said local law and shall within twenty days file one certified copy in the
34 Office of the County Clerk, and one copy with the Secretary of State.

35 **SEQR ACTION: TYPE II-20**