

Sparklers and fountain fireworks legal in Cheektowaga

By **Jim Herr** - June 20, 2018



A big box store in Cheektowaga is selling sparkler type fireworks this year. (Jim Herr/Cheektowaga Chronicle)

CHEEKTOWAGA – The State of New York has modified the penal law this year to allow residents the ability to purchase and use sparklers and ground base fountain-type fireworks.

“In essence what they did was they took the word sparkler out of the definition of fireworks,” said Assistant Chief of Cheektowaga Police Jim Speyer.

Ground-based, spiked, or handheld devices that produce showers of sparks and or color flame, audible crackling, whistling, and smoke are the legal devices you can enjoy this July 4th or at any time of the year for that matter.

Removing the word sparkler from the state’s definition of fireworks also makes them legal under the Town of Cheektowaga’s local law which broadly says, “It shall be unlawful for any person to store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks.”

“The law changed to enable each county to have them, and if you don’t want them, each county can outlaw them if they want,” added Mr. Speyer. “Anything else is illegal, and we’ll take those calls and investigate.”

He’s talking about the big stuff you can get just over the border in Pennsylvania. Devices that rise into the air, explode or produces a report are still illegal.

Several big box stores in Cheektowaga have begun selling the sparkler type of fireworks inside their stores and will soon pitch tents outside in their parking lots as the holiday approaches.

Mr. Speyer warns that while the sparkler-type fireworks are now legal, they still are dangerous.

"They do produce heat so they can cause fires so they should always be used under the supervision of an adult. Most of the time sparklers are for kids and obviously when kids are running around with these things they should be supervised," Mr. Speyer said.

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He also suggests that you make sure the firework is fully extinguished by placing it in a bucket of water.