§ 870-m. Exceptions. (a) In the case of an amusement device, viewing stand or tent operated in a carnival, fair or amusement park located in a city having a population of over one million, a permit or license issued by such city shall satisfy the requirements of section eight hundred seventy-d of this article, provided that all the requirements for issuance of a permit by the commissioner have been satisfied.

(b) This article shall not apply to the use of a viewing stand or tent on any state or county fairgrounds or to the use of a viewing stand or tent owned, leased or operated by any bona fide religious, charitable, educational, fraternal, service, veteran or volunteer firefighter organization; except that it shall apply to any private owner or lessee who operates an amusement device, viewing stand or tent on a state or county fairground, or for or on behalf of such organization.