



TOWNSHIP OF WEST ORANGE

66 MAIN STREET, WEST ORANGE, N.J. 07052

Department of Planning and Development

FILMING PERMIT

Date Received: _____	Date Issued: _____
Permit#: _____	Approved By: _____

PERMIT FEES

- \$ 250.00 Basic Filming Permit
- \$ 25.00(Non-for-Profit Organization, Students)
- \$ 2000.00 Daily Filming Fee (In Addition to Basic Filming Permit)
- \$ 5000.00 Daily Filming Fee Major Motion Picture (In Addition to Basic Filming Permit)

Company Name: _____

Street Address _____

City, State, Zip Code: _____

Telephone: _____ Email: _____

Contact Person: _____

Telephone: _____ Email: _____

FILMING LOCATION

- Residential – Address: _____
- Public Land – Address: _____
- Other _____ Address: _____ Date(s) _____

of Filming: From _____ To _____ Time: _____

From _____ To _____

Location Manager: _____

Telephone: _____ Email: _____

Film Title/Project Description: _____

- Proof of Insurance (See Attached)
- Posted Cash Bond (\$2,500.00)
- Posted Maintenance Bond (\$5,000.00)
- Agreement of Indemnification (See Attached)
- Proof of Services and Notification of Adjacent Owners



TOWNSHIP OF WEST ORANGE

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Department of Planning and Development

REQUIRED INSURANCE PRIOR TO USE OF TOWNSHIP FACILITIES AND LOCATIONS

Permission to use Township facilities shall not be granted unless the completed application form, fees, and required proof of insurance coverage is received by the Department of Planning and Development prior to the close of business at least 48 hours before the requested shooting date.

FAILURE TO DELIVER PROOF OF REQUIRED INSURANCE COVERAGE WILL RESULT IN CANCELLATION OF TENTATIVE RESERVATION.

INSURANCE REQUIRED

1. BODILY INJURY:

A. for any one (1) person, the amount of one million (\$1,000,000.00) dollars

and

B. for any occurrence in the aggregate amount of five million (\$5,000,000.00) dollars.

2. PROPERTY DAMAGE:

A. for each occurrence and in the aggregate amount of one million (\$1,000,000.00) dollars.

THE FOLLOWING STATEMENT MUST BE SIGNED AND NOTARIZED AND IS MADE AN INTEGRAL PART OF THE ATTACHED APPLICATION:

_____ agrees to indemnify and save harmless the TOWNSHIP (Name of Organization) WEST ORANGE, NEW JERSEY, its members and agents from any and all liability for damages, for injury to the person or property of its owner or another and against and from all suits and actions and all costs and damages (including, without limitation, attorneys' fees and loss of business claims) to which the Township of West Orange may be put resulting from use of Township facilities and/or locations.

Signed: _____ Print Name: _____

Title: _____ Date: _____

State of _____

County of _____

Subscribed and sworn to (or affirmed) before me this ____ day of _____, 20____, by

_____. Personally

Known ____ OR Produced Identification ____.

Notary Public

25-24.7 **Filming.**

- a. *Purpose.* The purpose of this section is to ensure the safety, health and welfare of all persons when **filming** operations are sought to occur within the Township. The Township desires to encourage **filming** within the Township in an organized, efficient and controlled manner.
- b. *Definitions.* For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings set forth below:

Filming shall mean the taking of motion pictures and television shows either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses within the Township. **Filming** shall also include all rehearsals, preparations and assembly and dismantling of all equipment and structures, including but not limited to scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures and food.

Major motion picture shall mean any film or series of filmings for which the budget is greater than five million (\$5,000,000.00) dollars.

Public land shall mean any and every public street, highway, sidewalk, square, public park or playground or any other public places in the Township.

- c. *Permit Required.*
 1. No person or organization shall film or permit **filming** on public land or which shall cause any impact to public land within the Township without first having obtained a permit from the Director of the Department of Planning, (Director) which permit shall set forth the approved location of such **filming** and the approved duration of such **filming** by specific reference by day or dates not to exceed three (3) in duration, except in the case of a major motion picture. Said permit must be readily available for inspection by the Township and any of its employees or agents at all times at the site of the **filming**.
 2. All permits shall be applied for and obtained from the Department of Planning during normal business hours. Applications for such permits shall be in a form approved by the Director and shall be accompanied by a permit fee as set forth in paragraph d. The applicant shall submit a copy of the completed application to the Chief of Police and Fire Chief simultaneous with the submission to the Planning Director.
 3. A permit shall be sufficient to authorize outdoor or indoor **filming** for a period not to exceed three (3) days except in the case of a major motion picture, provided that the maximum number of days of **filming** authorized in any calendar year for premises located in a residential zone where a waiver has been granted by the Director shall not exceed ten (10) days.
 4. If a permit is issued and, due to inclement weather or other good cause, **filming** does not in fact take place on the date specified, the Director may, at a request of the applicant, issue an amended permit for **filming** on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this amended permit.
- d. *Issuance of Permits.*
 1. No permit shall be issued by the Director unless applied for prior to five (5) days before the requested shooting date; provided, however, that the Mayor may waive the five (5) day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
 2. No permit shall be issued for **filming** upon public land unless the applicant shall provide the Township with satisfactory proof of the following:
 - (a) Proof of insurance coverage as follows:

- (1) For bodily injury to one person in the amount of one million (\$1,000,000.00) dollars and any occurrence in the aggregate amount of five million (\$5,000,000.00) dollars.
 - (2) For property damage for each occurrence and in the aggregate amount of one million (\$1,000,000.00) dollars.
 - (b) An agreement in writing whereby the applicant agrees to indemnify and save harmless the Township from any and all liability, expense, claim or damages resulting from use of public land.
 - (c) The posting of a cash bond of two thousand five hundred (\$2,500.00) dollars or a maintenance bond of five thousand (\$5,000.00) dollars running in favor of the Township and ensuring the location utilized will be left after **filming** in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Township Ordinances, laws and regulations will be followed. Within seven (7) days of the completion of the **filming**, the Township will return the bonds if there has been no damage to public property or public land caused by the **filming**. The amount of this bond is subject to final determination by the Township Attorney and Township Council.
 - (d) The hiring of an off-duty police officer for the times specified in the permit, as may be deemed necessary or appropriate by the Police Director or Police Chief.
3. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public land and shall comply with all lawful directives issued by the Township.
 4. The holder of a permit shall conduct **filming** in such a manner as to minimize the inconvenience or discomfort of adjoining property owners attributable to such **filming** and shall, to the greatest extent practicable, abate noise and park vehicles associated with such **filming** off the public streets. The holder shall avoid any interference with previously scheduled activities upon public land and limit, to the extent possible, any interference with normal public activity on the public land. Where the applicant's production activity by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the **filming** at least three (3) days prior to the requested shooting date and be informed that objections may be filed with the Director. Said objections shall form a part of the applicant's application and be considered in the review of same. The Director may impose any necessary or appropriate restrictions as to the time, date, and process of **filming**. Proof of service and notification of adjacent owners shall be submitted to the Township Clerk at least two (2) days before the requested shooting date.
 5. **Filming** in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. Any requests for night scenes or weekends shall be approved in the permit or by a waiver to be granted in accordance with this subsection on five (5) days written notice to all property owners within two hundred (200) square feet or the proposed night time **filming**.
 6. The Director may refuse to issue a permit whenever he or she determines, on the basis of the objective facts and after review of the application and a report thereon by the Police Department that **filming** at the location and/or the time set forth in the application will violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare. Further, the Township reserves the right to require one (1) or more on-site police officers in situations where the proposed productions may impede the proper flow of traffic, the cost of said police officers to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

7. Any person aggrieved by a decision of the Director denying or revoking a permit or a person requesting relief under paragraph d.8. may appeal to the Township Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk. An appeal from a decision of the Director shall be filed within ten (10) days of the Director's decision. The Township Council shall set the matter down for a hearing within thirty (30) days of the date on which the notice of appeal was filed. The decision of the Township Council shall be in a form of a resolution.
 8. The Director may authorize the waiver of any of the requirements or limitations of this subsection, and may authorize **filming** other than the hours herein described or may permit **filming** at a particular location in a residential zone for more than three (3) days, to a maximum of ten (10) days at any one (1) location other than in connection with a major motion picture as further provided for in paragraph d.11., or may waive any other limitation or requirement of this subsection whenever he or she determines that such a permit may be issued without endangering the public health, safety and welfare. In determining whether to issue a waiver under this section, the Director shall consider the following factors:
 - (a) Traffic congestion at the location caused by vehicles to be parked;
 - (b) Applicant's ability to remove film and related vehicles off the public streets;
 - (c) When the applicant is requesting restrictions on the use of public streets or public parking during the course of the **filming**;
 - (d) Nature of the film shoot itself (e.g., indoor, outdoor, day or night);
 - (e) Prior experience of the applicant within the Township, if any; and
 - (f) Consultation with the Mayor and Council.
 9. Copies of the approved permit will be sent to the Police and Fire Departments before **filming** takes place, and to The New Jersey Motion Picture and Television Commission. The applicant shall permit the Fire Prevention Bureau or other Township inspectors to inspect the site and the equipment to be used at any time. The applicant shall comply with all safety instructions issued by the Fire Official or other Township Inspectors and employees.
 10. In addition to any other fees or costs mentioned in this subsection, the applicant shall reimburse the Township for any loss of revenue, such as parking meter revenue, repairs to public property or other revenues or expenses that the Township has either incurred or been prevented from earning because of the **filming**.
 11. The permit shall be readily available for inspection at all times at the site of the **filming**.
- e. *Special Regulations for Major Motions Pictures.*
1. When **filming** is requested with respect to a major motion picture, the approved location of such **filming** and approved duration of **filming** by specific reference by day or date shall not exceed five (5) days in duration or as otherwise determined at the discretion of the Planning Director.
 2. Any days necessary to be used for set up and preparation for a major motion picture **filming** may, in the discretion of the Director, be counted as **filming** days where such set up is anticipated to involve any of the factors set forth in paragraph d.8. above.
- f. *Fees.* In addition to direct reimbursement for all expenses including but not limited to police, fire, public safety, public works, overtime incurred by Township employees and other expenses incurred by the Township for any **filming** that takes place within the Township, the scheduled fees for the issuance of permits authorized by this subsection shall be as follows:
1. Basic **filming** permit: two hundred fifty (\$250.00) dollars.

- (a) Where an applicant requests a waiver pursuant to paragraph c,8., and requires expedited processing of the permit application, the basic **filming** permit shall be five hundred (\$500.00) dollars.
- 2. Daily **filming** fee payable in addition to the basic **filming** permit are as follows:
 - (a) Major motion pictures: \$5,000.00/day
 - (b) Other **filming**: \$2,000.00/day.
- 3. The following groups shall be exempt from the basic **filming** permit and per diem fees, and instead shall be charged only a twenty-five (\$25.00) dollar, one-time fee for **filming**:
 - (a) Not-for-profit organizations; and
 - (b) Students of an educational facility **filming** for educational purposes only.
- g. *Violations and Penalties.* Any person violating this subsection or these rules and regulations or any instructions provided by the Fire Official or any other Township inspector or employee, upon conviction thereof, shall be punished by a fine not exceeding two thousand (\$2,000.00) dollars per day or by imprisonment not exceeding ninety (90) days, or both. A separate defense shall be deemed committed for each day during which the violation occurs or continues. The fines or penalty set forth herein shall be in addition to any other penalties which may be incurred.
(Ord. No. 1669-99 §§ I-VII; Ord. No. 2051-05 §§ II-III)