

**ROLA DAHBOUL
TOWNSHIP CLERK**

**TOWNSHIP OF WEEHAWKEN
400 PARK AVENUE
WEEHAWKEN, NJ 07086
Tel: 201-319-6022-24 * Fax 201-866-8763**

APPLICATION FOR PERMIT TO FILM OR PHOTOGRAPH ON PUBLIC LANDS

NAME OF THE APPLICANT: _____

ADDRESS: _____

PHONE () _____ FAX () _____

REQUESTED FILMING DAYS(S): _____

EXACT LOCATION OF FILMING: _____

NUMBER OF ACTORS, CREW AND ALL OTHERS WHO WILL PARTICIPATE IN FILMING: _____

ESTIMATE NUMBER & DESCRIPTION OF TYPES OF VEHICLES TO BE USED BY THE CREW, INCLUDING VEHICLES FOR TRANSPORTATION: _____

DESCRIPTION OF ARRANGEMENTS FOR PARKING FOR CREW & WORK VEHICLES: _____

DESCRIPTION OF SANITARY ARRANGEMENTS TO BE MADE FOR CREW AND BYSTANDERS: _____

DESCRIPTION OF ALL LOCATIONS AREAS FOR FILMING AND INCIDENTAL ACTIVITIES: _____

DESCRIPTION OF CLEANUP METHODS TO BE USED: _____

DESCRIPTION OF ANY SPECIAL ELECTRICAL REQUIREMENTS AND THE METHODS OF SATISFYING THOSE REQUIREMENTS, INCLUDING ALL ELECTRICAL PERMITS REQUIRED: _____

.....
THIS PERMIT MUST BE AVAILABLE FOR INSPECTION UPON DEMAND ON THE FILMING SITE AT ALL TIMES DURING FILMING OPERATIONS.
PERMIT TO FILM ON PUBLIC LANDS WITHIN THE TOWNSHIP OF WEEHAWKEN SHALL BE VALID FOR THE TIME AND PLACE SPECIFIED IN THIS APPLICATION, ONLY WHEN SIGNED BY THE TOWNSHIP MANAGER, AND WITNESSED AND SEALED BY THE TOWNSHIP CLERK BELOW.

Dated: _____

Township Manager

Township Clerk

Pursuant to ordinance #17-1990:

THIS APPLICANT MUST SUBMITTED AT LEAST 10 DAYS PRIOR TO THE REQUESTED FILMING DATE WITH APPROPRIATE FEES (FEES ARE NOT TO BE COMBINED)

(Minimum Performance Deposit will be determined upon review of the application)

NON-REFUNDABLE PERMIT APPLICATION FEE: \$ 25.00

NON-REFUNDABLE PERMIT FEE FOR FILMING ON PUBLIC LAND:\$ 500.00

NON-REFUNDABLE PERMIT FEE FOR NON-PROFIT APPLICANTS:\$ 25.00

CERTIFIED CHECK FOR PERFORMANCE DEPOSIT IN THE AMOUNT OF \$1,000.00 MINIMUM

CERTIFICATE OF INSURANCE NAMING "TOWNSHIP OF WEEHAWKEN AS INSURER.

MONEY ORDERS AND CHECKS MADE PAYABLE TO "TOWNSHIP OF WEEHAWKEN"

.....

AGREEMENT BY APPLICANT O INDEMNIFY TOWNSHIP OF WEEHAWKEN

APPLICANT: _____

IN CONSIDERATION OF THE PRIVILEGE OF FILMING IN PUBLIC LANDS WITHIN THE TOWNSHIP OF WEEHAWKEN, DOES HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS TO THE TOWNSHIP OF WEEHAWKEN, ITS BOARDS, AGENCIES, DEPARTMENTS, OFFICERS, AGENTS AND EMPLOYEES, FROM AND AGAINST ANY AND ALL LOSSES, CLAIMS, DAMAGES AND EXPENSES, INCLUDING BUT NOT LIMITED TO ATTORNEYS FEES AND OTHER COST OF LITIGATION, ARISING OR RESULTING IN ANY WAY FROM APPLICANTS FILMING ACTIVITIES.

DATED: _____

PRINT NAME AND TITLE _____

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT _____

OFFICE USE ONLY

CASH

M.O

CERTIFIED CHECK

PERMIT APPLICATION FEE

FILMING PERMIT FEE

MINIMUM PERFORMANCE DEPOSIT

CERTIFICATE OF INSURANCE _____

DATE APPLICATION COMPLETED _____

TOWNSHIP OF WEEHAWKEN

HUDSON COUNTY, NEW JERSEY

AN ORDINANCE TO REGULATE CERTAIN
COMMERCIAL FILMING AND PHOTOGRAPHY
WITHIN THE TOWNSHIP OF WEEHAWKEN AND
TO ESTABLISH FEES AND PROCEDURES
THEREFORE

ORDINANCE # 17 - 1990

WHEREAS, the Township of Weehawken has been the site of occasional television, movie and other commercial still and motion filming; and

WHEREAS, said filming has created certain problems which require special regulation; and

WHEREAS, such regulation is necessary to preserve the public, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Weehawken, County of Hudson and State of New Jersey as follows:

Section 1. Definitions.

FILMING - The taking of still or motion pictures, either on film, videotape or similar recording equipment, for any purpose.

PUBLIC LANDS - Any and every public street, highway, sidewalk, square, park or playground and all other public places within the Township which are within the jurisdiction and control of the Township.

Section 2. Permit Required.

a. No person, firm, corporation or other entity shall commence filming within the Township of Weehawken without first obtaining a permit from the Township therefor. The permit shall set forth the location of the filming and the date or dates when filming shall take place and must be readily available for inspection by Township officials at all times at the site of the filming.

b. Application for permits shall be obtained from the office of the Township Clerk during normal business hours. Completed applications must be submitted to the Township Clerk at least ten (10) days prior to the requested filming date and must be accompanied by a permit fee in the amount established by this ordinance. With each application, the applicant shall provide the following information:

- i. The number of actors, extras, crew and all other persons who will participate in the filming;
- ii. The estimated number and description of types of vehicles to be used by the crew, including vehicles used for transportation;
- iii. A description of arrangements for parking for crew and work vehicles;
- iv. A description of sanitary arrangements to be made for crew and bystanders;
- v. A description of crowd control measures;

vi. A description of all location areas for filming or incidental activities;

vii. A description of cleanup methods to be used;

viii. A description of any special electrical requirements and the methods of satisfying those requirements, including all electrical permits required;

ix. Such other information as required by the Township to protect the health, safety and welfare of residents of the Township.

c. All applications for filming within the Township of Weehawken shall be reviewed and acted upon by the Township Manager or his designee.

d. One (1) permit shall be required for each location.

e. Permits must be obtained no more than ninety (90) days in advance of the first scheduled filming date and shall be valid for a period of no more than four (4) days of filming.

Section 3. Rules and Regulations Governing Issuance of Permits.

a. Filming shall be permitted only Monday through Friday. In no event shall filming be permitted in a residential area after 11:00 PM.

b. No permit shall be issued for filming unless the applicant provides to the Township of Weehawken:

i. A certificate of insurance naming the Township of Weehawken the assured under a policy of insurance providing coverage as follows:

(1) for bodily injury to any one person in the amount of \$1,000,000 and any one occurrence in the aggregate amount of \$3,000,000; and

(2) for property damage, each occurrence in the aggregate amount of \$500,000; and

ii. A written agreement to indemnify and save harmless the Township of Weehawken from any and all liability, expenses (including but not limited to attorneys fees and other costs of litigation), claims and damages resulting in any way from the applicant's filming activities.

c. Where the applicant's activities, by reason of location or otherwise, will directly involve or affect any business, merchant or resident, the applicant shall, within three (3) days after the filing of the application, give written notice to all those affected describing the activities and informing them that objections thereto may be filed with the Township Clerk. Any objections received will be considered by the Manager or his designee in connection with the application.

d. The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Weehawken Police Department with respect thereto.

e. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to the filming and shall, to the extent practicable, abate noise and park vehicles associated with the filming off the public streets. The holder shall avoid any interference with previously scheduled activities on public lands and limit, to the extent possible, any interference with normal activity on public lands.

f. The applicant shall make every effort to cooperate with residents to minimize the inconvenience caused by filming in residential areas and shall give affected residents at least three

(3) days notice of parking restrictions and all other inconveniences, such as may be allowed by the Township pursuant to the permit.

g. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris during filming and shall be responsible, immediately upon the completion of filming or the expiration of the permit, whichever occurs first, for removing all equipment and debris from the filming location and restoring all affected lands to the same condition as existed prior to the filming activities.

h. As a condition of the issuance of any permit hereunder, the applicant shall provide to the Township a certified check in the amount of one thousand dollars (\$1,000), or such higher amount as may be deemed appropriate by the Manager or his designee, to ensure the performance of all obligations of the applicant under this ordinance and the permit issued hereunder. Any money remaining after full performance of all obligations shall be returned to applicant.

i. Each film location shall have such number of off-duty, Weehawken police officers (or other officers approved by the Director of Public Safety) as may be determined by the Director of Public Safety, the cost for which shall be paid by the applicant, in advance.

j. When it is deemed appropriate by the Manager or his designee, an on-site licensed electrician may be required, at the applicant's expense.

k. No public street in the Township may be closed in connection with the filming activities without the permission of the Mayor and Township Council.

l. The Manager or his designee may require any fire, electrical, building, plumbing or other inspections of the filming location and equipment as he deems appropriate, at the applicant's expense.

m. If a permit is issued and, due to adverse weather or for other good cause, filming does not take place on the dates specified in the permit, the Manager or his designee may, at the request of the applicant, issue a revised permit for filming on alternate dates, without an additional permit fee.

n. The Township Manager or his designee may refuse to issue a permit, and may revoke a permit already issued, whenever, in his judgment, he determines that:

(i) the applicant has not complied with the requirements for a permit as set forth herein; or

(ii) filming at the location or during the time set forth in the application would:

(A) violate any law or ordinance;

(B) unreasonably interfere with the use and enjoyment of adjoining properties;

(C) unreasonably impede the free flow of vehicular or pedestrian traffic; or

(D) otherwise not be in the best interests of the public health, safety or welfare; or

(iii) the applicant has not established that it has provided adequate measures for parking, sanitary facilities, crowd control and cleanup.

o. Any person aggrieved by a decision of the Township Manager or his designee denying or revoking a permit may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Township Clerk within ten (10) days of the decision in question. The Mayor and Council shall set the matter down for a hearing within thirty (30) days of the day on which the notice of appeal was filed. In the event that the Mayor and Council does not hold a hearing on the

appeal within that time, the decision of the Township Manager or his designee shall be deemed affirmed by the Mayor and Council.

p. A copy of the permit shall be sent to the Director of Public Safety at least three (3) days before filming is permitted to commence. The applicant shall allow any and all inspections of the site and the equipment to be used, as may be deemed appropriate by the Manager or his designee. The holder of a permit shall comply with all safety instructions issued by the Director of Public Safety and any Township inspectors.

Section 4. Fees.

Fees shall be as follows:

- a. Permit application fee, which shall accompany the application: twenty-five dollars (\$25);
- b. Filming permit for filming on public land: five hundred dollars (\$500); and
- c. Filming permit for non-profit applicants filming for educational purposes on public land: twenty-five dollars (\$25).

All fees are non-refundable.

Section 5. Penalties.

Any person violating this ordinance or the provisions of a permit issued hereunder shall be subject to a fine not to exceed \$500 or imprisonment for a term not to exceed 30 days, or both.

Section 6. Exemptions.

Exempt from the requirements to obtain a permit under this ordinance are the following:

1. filming of news stories;
2. filming intended solely for private, non-commercial use involving two (2) or fewer crew members;
3. filming in connection with weddings provided that the applicant provides to the Township of Weehawken the following:
 - (i) Proof of insurance coverage for bodily injury to any one person in the amount of \$500,000.00 and any one occurrence in the aggregate amount of \$1,000,000.00 and for property damage, each occurrence in the aggregate amount of \$300,000.00; and
 - (ii) Completed short form application and application fee in the amount of \$50.00.

Section 7. Severability.

If any portion of this ordinance or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid or unenforceable, that portion shall be deemed severed from, and shall not impair the validity or enforceability of, the balance of this ordinance.

Section 8. Effective Date.

This ordinance shall take effect immediately upon passage and publication as required by law.

INTRODUCED: Sept. 12, 1990
AMENDED: Sept. 26, 1990
WITHDRAWN: _____
ADOPTED: Sept. 26, 1990