



THE BOROUGH OF ROSELLE PARK

N E W J E R S E Y

110 EAST WESTFIELD AVENUE, ROSELLE PARK, NJ 07204

WWW.ROSELLEPARK.NET

FILMING PERMIT APPLICATION

A. APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

Point of Contact / Responsible Party: _____

Telephone Number: _____ E-Mail: _____

B. FILMING LOCATION

Common Name: _____
(If Applicable)

Street Address: _____

Will any private property be impacted by filming? If so, please list locations. _____

If yes was indicated above, please attach a copy of the notice of filming to be owners of impacted private properties.

C. DURATION OF FILMING

Dates & Times of Filming: _____

D. DISCRIPTION OF FILMING

Summary of requested filming activities (please attached additional pages if necessary): _____

E. APPLICANT CERTIFICATION

I, _____, the applicant and/or the duly authorized responsible party to for applicant, certify and affirm that I have reviewed and understand the provisions of Section 4-5 of the Code of the Borough of Roselle Park and, by affixing my signature to this form, do hereby agree to comply and bind myself to its provisions.

Furthermore, I, _____, the applicant and/or the duly authorized responsible party to for applicant, agree to indemnify and save harmless the Borough of Roselle Park from any and all liability, expense, claim for damages for personal injury and property damage resulting from the use of public lands attributed to the issuance of this permit.

Signature

Date

Print Name

***** USE BY BOROUGH CLERK'S OFFICE ONLY *****

APPLICATION CHECKLIST

___ Application received seven (7) days prior to filming (or waived).

___ Proof of insurance coverage provided as follows:

1. For bodily injury to any one (1) person in the amount of \$500,000.00, and any occurrence in the aggregate of \$1,000,000.00.
2. For property damage for each occurrence in the aggregate of \$300,000.00.

___ Cash / Maintenance Bond received in the amount not less than \$2,000.00.

___ Hire of off-duty Roselle Park Police Officer for filming confirmed (confirmed with RPPD).

___ Proof of service to private property impacted by filming (if applicable).

___ All applicable fees paid (see schedule below).

FEE SCHEDULE				
Fees	<u>Major Motion Pictures</u>	<u>Non-Profits Educational Purposes</u>	<u>Student Films</u>	<u>All Others</u>
Application	\$ 100.00	\$ 25.00	\$ 0.00	\$ 75.00
Filming	\$ 1,000.00 / day	\$ 0.00	\$ 0.00	\$ 500.00 / day

All above requirements being met, the forgoing application is approved and a permit issued:

Signature

Date

Print Name

**ENABLING CODE ADOPTED BY
THE MAYOR AND COUNCIL OF THE BOROUGH OF ROSELLE PARK
(AS AMENDED IN ORDINANCE NO. 2530)**

4-5.1 Definitions.

As used in this chapter:

“Equipment” is defined as anything more than a hand-held camera, camera on a tripod, or other handheld items. These items include bounce-boards, boom mics, and other staging items.

“Filming” shall mean the taking of still or motion pictures either on film or videotape or similar recording medium for commercial or educational purposes intended for viewing on television, in theaters, video receivers, on computer/internet, or for institutional uses. The provisions of this section shall not be deemed to include the filming of news stories within the Borough of Roselle Park and shall not include filming by local Roselle Park community access television.

“Major Motion Picture” shall mean any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers; including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel Aire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM United Artists.
- H. Dreamworks.
- I. Any film for which the budget is at least \$5,000,000.
- J. Recurrent weekly television series programming.

“Public Lands” shall mean any and every public street, highway, sidewalk, square, public park or playground or any other public place within the Borough which is within the jurisdiction and control of the Borough of Roselle Park.

“Student Films” shall mean any Motion picture, television or still photography produced to satisfy a course or curriculum requirement at an accredited educational institution. The student filmmaker must supply proof that he/she is currently enrolled in any such educational institution.

4-5.2 Permit Required.

a. No person or organization shall film or permit filming on public property within the Borough without first having obtained a permit from the office of the Borough Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. No permit shall authorize filming more than three (3) consecutive days in any one (1) location, and in no event shall filming at one (1) location within the Borough exceed a total of six (6) days in any one (1) calendar year, regardless of the number of permits utilized in reaching this six (6) day maximum. This six (6) day limitation may be extended under the conditions set forth in subsection 4-5.3k. for a major motion picture. The permit must be readily available for inspection by Borough officials at all times at the site of the filming.

b. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough and shall be accompanied by a permit fee in the amount established by this section.

c. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Borough Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this section. No additional fee shall be paid for this permit.

d. Prior to application submission, the applicant is to give notice to any owner of private property impacted by the motion picture filming.

4-5.3 Filming Where No Permit is Required.

a. Productions using hand-held camera, camera on tripod, hand-held props and/or hand-held equipment, not asserting exclusive use of Borough property, not using prop weapons, prop vehicles, stunts, actors in police uniform and not requesting parking privileges for production vehicles do not need a permit as outlined in Subsection 4-5.4.

b. Standing on a Borough sidewalk, walkway of a Borough bridge or within a Borough park while using a hand-held camera and not otherwise asserting exclusive use of Borough property is NOT an activity that requires a permit.

c. Permits are not required for casual photographers, tourists or credentialed members of the media.

4-5.4 Filming Location Credit Required.

In all cases where a permit is or is not required, the production credits shall include the phrase, at minimum, "Filmed on location in Roselle Park, New Jersey."

4-5.5 Issuance of Permits.

a. No permits shall be issued by the Borough Clerk unless applied for on or before seven (7) days before the requested shooting date, provided, however, that the Borough Clerk may waive the seven (7) day period if, in the Borough Clerk's judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

b. No permit shall be issued for filming upon public lands unless the applicant shall provide the Borough with satisfactory proof of the following:

1. Proof of insurance coverage as follows:

(a) For bodily injury to any one (1) person in the amount of five hundred thousand (\$500,000.00) dollars and any occurrence in the aggregate amount of one million (\$1,000,000.00) dollars.

(b) For property damage for each occurrence in the aggregate amount of three hundred thousand (\$300,000.00) dollars.

2. An agreement in writing pursuant to which the applicant agrees to indemnify and save harmless the Borough of Roselle Park from any and all liability, expense, claim for damages for personal injury and property damage resulting from the use of public lands.

3. The applicant is to post a cash or maintenance bond in an account not less than two thousand (\$2,000.00) dollars covering the Borough in the event of any and all damage, cost or expense incurred by the Borough (including but not limited to damage to the land, improvements and personal property and the removal and disposal of the debris, rubbish and equipment) caused by the applicant's activity. Notwithstanding the above, the Borough of Roselle Park reserves the right to increase the amount of the required bond due to circumstances including but not limited to, the anticipated length of time of the filming, the number of individuals involved in the filming, the nature and amount of equipment and/or motor vehicles that will be required in the filming and any other reasonable circumstances. The Borough will be entitled to invade and/or withdraw from the cash or maintenance bond the cost of repairing the damage as described above and shall return to the applicant the unused portion of same within thirty (30) days of making the determination of that cost.

4. The hiring of an off-duty Roselle Park Police Officer for the times indicated on the permit.

c. The holder of the 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 Roselle Park Police Department with respect thereto.

d. 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 such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The permit holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on public lands. 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 seven (7) days prior to the requested shooting date and be informed that objections may be filed with the Borough Clerk, the objections to form a part of the applicant's application and be considered in the review of the application. Proof of service of notification to adjacent owners shall be submitted to the Borough Clerk at the time the permit application is submitted.

e. Filming in residential zones shall be permitted Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. provided that all requests for night scenes shall be approved in the permit to be granted in accordance with paragraph h. hereof. The set-up, production and breakdown required by all filming shall be included in the hours set forth herein.

f. The Borough Clerk may refuse to issue a permit whenever the Borough Clerk determines on the basis of objective facts and after a review of the application and a report thereon by the Police Department and other Borough agencies involved with the proposed filming site. Such decision shall set forth that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare. Further, the Borough reserves the right to require one (1) or more on-site Patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of the Patrolmen 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.

g. Any person aggrieved by a decision of the Borough Clerk denying or revoking a permit or a person requesting relief pursuant to paragraph f. may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk. An appeal from the decision of the Borough Clerk shall be filed within ten (10) days of the Borough Clerk's decision. The Borough Council shall set the matter down for a hearing within thirty (30) days of the day on which the notice of appeal was filed. The decision of the Borough Council shall be in the form of a resolution to be adopted at the first regularly scheduled public meeting of the Borough Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision.

h. The Borough Clerk may authorize filming other than during the hours herein described. In determining whether to allow an extension of hours under this section, the Borough Clerk shall consider the following factors:

1. Traffic congestion at the location caused by vehicles to be parked on the public street.
2. Applicant's ability to remove film-related vehicles off the public streets.
3. When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming.
4. The nature of the film shoot itself, e.g., indoor or outdoor; day or night.
5. Prior experience of the film company/applicant with the Borough, if any.
6. Consultation with the Borough ward representatives of the ward in which the filming is to take place.

i. Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Prevention Bureau or other Borough inspectors to inspect the site and the equipment to be used. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Borough inspectors.

j. In addition to any other fees or costs mentioned in this section, the applicant shall reimburse the Borough for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

k. *Special Regulations for Major Motion Pictures.*

1. When filming is requested for a major motion picture, the approved location of such filming and the approved duration of such filming by specific reference to day or dates may exceed six (6) days, subject to the approval of the Borough Clerk, in duration if good cause is shown for a need to film beyond six (6) days.

4-5.6 Fees.

The schedule of fees for the issuance of permits authorized by this section are as follows:

a. *Major Motion Pictures.*

1. Permit Application Fee: A non-refundable application fee of one-hundred dollars (\$100.00), payable upon submission of application to the Borough Clerk.

2. Daily Filming Fee: A non-refundable fee of one-thousand dollars (\$1,000.00) per day of filming, payable upon the issuance of permit by the Borough Clerk.

b. *Non-Profit Organizations Filming for Educational Purposes.*

1. Permit Application Fee: A non-refundable application fee of twenty-five dollars (\$25.00), payable upon submission of application to the Borough Clerk.

2. Daily Filming Fee: There shall be no daily filming fee for such organizations. Such organizations shall be required to await issuance of a permit by the Borough Clerk prior to the start of filming.

c. *Student Films for Educational Documentary or Public Television Purposes.*

Students seeking to film for educational documentaries or public television purposes shall be exempt from both the application and daily filming fees otherwise imposed. Students or such student groups shall be required to await issuance of a permit by the Borough Clerk prior to the start of filming.

d. *All Others Requiring a Permit.*

1. Permit Application Fee: A non-refundable application fee of seventy-five (\$75.00) dollars, payable upon submission of application to the Borough Clerk.

2. Daily Filming Fee: A non-refundable fee of five-hundred dollars (\$500.00) per day of filming, payable upon issuance of permit by the Borough Clerk.

4-5.7 Violations and Penalties.

Where the owner of the premises is not the applicant for a permit required by this section, both the owner of the private property and the applicant shall each be liable for violations hereof. Any person violating this chapter or these rules and regulations, upon conviction thereof, shall be punished by a fine not exceeding one thousand (\$1,000.00) dollars per day or by imprisonment in the County jail for a term not exceeding thirty (30) days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.