

Local Law # _____ of 2019 **Filming** Regulations for the Village of Chestnut Ridge

Chapter **Filming**

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As used in this chapter, the following terms shall have the meanings indicated:

FILMING

The taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in video games, on cable television, or in theatres or for institutional use, including the use of any public lands to facilitate same. Filming shall include setup and breakdown time. Filming of news stories within the Village of Chestnut Ridge shall not be subject to the provisions of this chapter.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to Universal Pictures, Warner Brothers (including New Line Cinema), Castle Rock Entertainment, Village Road Show and Bel-Aire, Paramount (including MTV Films and Nickelodeon Movie), 20th Century Fox (including Fox Searchlight), Sony/Columbia, Disney/Miramax, MGM/United Artists, and Dreamworks. The term "major motion picture" shall also include any film for which the budget is at least \$500,000; any recurrent weekly television series programming (such as for HBO, Showtime, Cinemax), made for TV motion picture, any commercial, video game, or made for cable television movie.

PERSON

An owner of property, or any applicant for a permit under this chapter.

PRIVATE LANDS

All other areas within the Village of Chestnut Ridge, including areas zoned for residential as well as business use.

PUBLIC LANDS

Any and every public building, street, highway, sidewalk or square, public park or playground, or other public place within the jurisdiction and control of the Village of Chestnut Ridge.

§ _____ -2 Permit required; limitations; fee.

A.

No person shall film or permit filming within the Village of Chestnut Ridge without first obtaining permission from the Village Board of Trustees, and thereafter receiving a permit from the Village Clerk, which permit shall set forth the location of such filming, the date or dates when filming shall take place and such other information as may be required by the Village Board. No permit shall be issued in the absence of a fully completed application form. A permit shall be required for each location.

B.

No permit shall authorize filming for more than three consecutive days in any one location. Additionally, no filming shall take place at any one location within 30 days of an initial shoot, or in excess of six days in any one calendar year, regardless of the number of permits utilized in reaching this maximum. Either or both of the limitations set forth in the subdivision may be extended only if the filming requested constitutes a major motion picture as defined in this chapter.

C.

Applications for permits shall be obtained in the office of the Village Clerk during normal business hours. Applications for such permits shall be in a form approved by the Board of Trustees and shall be accompanied by a permit fee of \$250.00 as hereinafter set forth.

D.

If a permit is issued and, due to inclement weather or other good cause, filming does not take place on the dates specified, the Village Clerk may, at the request of the applicant who shall certify that filming did not take place on the dates specified, issue a new 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 permit.

§ -3 Issuance of permits.

A.

No filming permits shall be issued by the Village of Chestnut Ridge unless applied for as follows:

(1)

Applications to film a major motion picture, as defined in this chapter, shall be submitted no less than 30 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

(2)

All other types of filming shall submit their application 14 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

B.

No filming permits shall be issued by the Village of Chestnut Ridge for filming on public lands unless the applicant submits the Village with satisfactory proof of the following:

(1)

Proof of insurance coverage, naming the Village of Chestnut Ridge as an additional insured, for bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000. Additionally, property damage coverage in an aggregate amount of no less than \$300,000.

(2)

An agreement, in writing, whereby the applicant agrees to defend, indemnify and hold the Village of Chestnut Ridge harmless from any and all liability, expense, claim or damages resulting from the use of public lands.

(3)

The posting of a \$2,500 cash security deposit, or \$2,500 maintenance bond running in favor of the Village of Chestnut Ridge protecting and insuring that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Village ordinances, laws, and rules or regulations will be followed. The Village will return the security deposit or maintenance bond within 21 days after the completion of the filming, provided that there has been no damage to public property or public expense caused by the filming. Monies to repair damage to public property or reimburse public expense may be deducted from the security deposit.

(4)

The hiring of an Ramapo police officer for the times indicated on the permit shall be mandatory in the event that the Ramapo Police Department, in its discretion, determines that the presence of a police officer is required for the filming of a major motion picture as defined in this chapter. The permit holder shall comply with all lawful directives of the Ramapo police officer present for the filming, including but not limited to directives regarding the free passage of pedestrians and traffic over public lands, or to halt filming in the event of a violation of any provisions of this chapter. The Village reserves the right to require the applicant to hire an on-site police officer of the Ramapo Police Department in other filming applications, if, in the discretion of the Village, the proposed production may impede the proper flow of pedestrian or vehicular traffic.

(5)

The hiring of an on-site licensed electrician where existing electrical power lines are utilized by the applicant, or if the applicant does not have a licensed electrician on site.

§ -4 Fees and reimbursement of costs.

The schedule of fees for the issuance of permits authorized by this chapter is as follows, and shall be paid in advance of the issuance of a permit, in cash or by bank or certified check:

A.

Basic filming permit: \$250. Where an applicant requests a waiver of the notice provisions of § -3, the basic filming permit fee shall be \$500.

B.

The daily filming fee for a major motion picture as defined in this chapter shall be \$1,000 per day.

C.

The filming permit for nonprofit applicants filming for educational purposes (no daily rate is required) shall be \$100.

D.

In addition to any fees or costs mentioned in this chapter, the applicant shall reimburse the Village for any lost revenue, such as parking meter revenue, repairs to public property, or revenues the Village may be prevented from earning because of the filming.

§ -5 Rules and regulations.

A.

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 Ramapo Police Department with respect thereto.

B.

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 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 such public lands. All permit holders shall have a designated on-site contact person who shall be available via cell phone to address all inquiries by Village personnel for the duration of the filming.

C.

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for the removal of all equipment, debris and other rubbish from the filming location upon the completion of the filming or upon the expiration of the permit, whichever comes first.

D.

Filming shall be permitted only Monday through Friday between the hours of 7:00 a.m. to 10:00 p.m., except in the Commercial Zoning Districts in the Village where filming shall be permitted only Monday through Saturday 7:00 a.m. through 10:00 p.m. In this connection, the setup of

equipment and vehicles and the breakdown of such equipment and vehicles at the end of the filming shall be accomplished within the permitted time period. Equipment and vehicles are permitted to arrive in the Village prior to 7:00 a.m., but in no event shall equipment be set up earlier than 7:00 a.m. on the day filming is permitted.

E.

The Village Clerk or the Board of Trustees may refuse to issue a permit whenever it is determined, on the basis of objective evidence after a review of the application and a report thereon from the Police Department and by any other applicable Village departments or agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of pedestrian and vehicular traffic or otherwise endanger the public health and welfare or unreasonably disturb the peace and tranquility of adjoining property owners.

F.

Any person aggrieved by a decision of the Village Clerk or the Board of Trustees granting, denying or revoking a permit or a person requesting relief pursuant to Subsection **E** may appeal in accordance with Article 78 of the Civil Practice Law and Rules. Any such appeal must be filed not later than 30 days after the decision of the Board.

G.

The Board of Trustees may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours and days herein described whenever it determines that such a permit may be issued without endangering the public health, safety and welfare and without unreasonably disturbing the peace and tranquility of the neighborhood where it is proposed to film. A public hearing shall be held for every application for a waiver. The Village Board shall fix the time and place and shall give written notification to abutting and adjacent property owners.

§ -6 Violations and penalties; enforcement.

Any person violating this chapter or the rules and regulations contained therein, shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 per day, and/or forfeiture of the security deposit or maintenance bond posted in connection with the issuance of a filming permit.

Where the owner of the premises is not an applicant, the owner and the applicant shall each be liable for violations of this chapter. As to private property, this chapter shall be enforced by the Building Inspector, and as to public property, this chapter shall be enforced by the Police Department. This chapter may also be enforced by direct action of the Board of Trustees. The following acts shall constitute prima facie violations of any filming permit:

A.

Unauthorized street closings.

B.

Illegal parking.

C.

The use of equipment and/or vehicles not disclosed on the application.

§ _____-7 Exemptions.

The provisions of this chapter shall not apply to the filming of news stories by media personnel.

This Local Law shall be effective immediately upon filing with the Secretary of State.