



Englewood

P.O. Box 228 • Englewood, N.J. 07631
City Clerk's Office (201) 871-6612
FAX (201) 567-4395

PROCEDURES FOR APPLICATION BY MOTION PICTURE/TV COMPANIES FOR USE OF CITY LOCATIONS

- 1 All inquiries are to be directed to the City Clerk's Office.
- 2 Application forms must be filed through the City Clerk's Office prior to the shooting date (30 days for films; 72 hours for commercials).
3. Fees and Escrow Deposits must be made payable to "The City of Englewood" and deposited with the City Clerk's Office at least 48 hours prior to the shooting date.
4. Proof of insurance must be filed in the City Clerk's Office at least 48 hours prior to the shooting date.
- 5 Applicants will be directed by the City Clerk's Office to the appropriate department heads (e.g., Police) for approval.
- 6 Fees are as follows:

Basic Fee (Movies, Commercials) for filming on private property	\$150.00 per day
Additional Fee (Movies, Commercials) for filming on public land, streets, right of way, or public buildings:	\$300.00 per day
Escrow Deposit Fee (to be returned 10 days after completion of filming):	Twice the amount of the permit fee

CITY OF ENGLEWOOD
APPLICATION FOR FILMING

Date _____

Application is hereby submitted by the undersigned to the City of Englewood, N.J., for the use of City facilities as follows:

DATE _____ TIME: From _____ To _____

AREA REQUESTED _____

PURPOSE: _____

I (individually) as authorized representative of the applicant noted below, agree to furnish to the City of Englewood any and all information requested; to notify those businesses or persons who, because of their location, are directly involved in the filmmaking sequence; to provide an on-duty liaison during filming; and to abide by the rules and regulations imposed by the City.

APPLICANT: _____

ADDRESS: _____

_____ PHONE NO _____

REPRESENTED BY: _____ TITLE: _____

SIGNATURE _____

The receipt of this application and/or fee shall not be deemed a grant of the use of the facilities requested.

FEEs, INCLUDING ESCROW DEPOSIT, SHALL BE PAID IN CASH, CHECK, MONEY ORDER, OR CERTIFIED CHECK. Checks or money orders shall be made payable to: City of Englewood.

The City of Englewood reserves the right to reject any and all applications and to impose any additional restrictions and rules in any case.

\$ _____ RECEIVED PAYMENT (Date) _____

ESCROW: \$ _____ (By) _____

APPROVED: CITY OF ENGLEWOOD.

SUBJECT TO THE FOLLOWING _____

Non-compliance with these restrictions will result in immediate revocation of permit and forfeiture of deposit monies.

AN ORDINANCE REGULATING COMMERCIAL AND MOVIE FILMING WITHIN THE CITY OF ENGLEWOOD AND AMENDING CHAPTER 10 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

WHEREAS, the City of Englewood has been the site of occasional television and movie filming which have created problems requiring regulation necessary to preserve the public health, safety and welfare,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, as follows:

SECTION 1. Chapter 10 of the Revised General Ordinances of the City of Englewood entitled "Businesses and Occupations" is hereby amended and supplemented by the addition thereto of Article 10, entitled "Commercial and Movie Filming" to read in full as follows:

"Article 10 - Commercial and Movie Filming.

10-96. Definitions.

"filming" shall mean the taking of still or motion pictures, either on film, video tape, or similar recording medium intended for commercial use for viewing on television, in the theaters or for advertising purposes.

"News Stories" shall mean the reporting or summarizing of information concerning something that has either recently taken place or of current events of general interest and includes such features commonly known as newscasts, news bulletins and news anthology programs.

10-97. Permit Required; Issuance.

(a) No person shall film or permit filming within the City of Englewood without first obtaining a permit, which permit shall set forth the location of such filming and the date or dates when filming shall take place.

(b) Permits shall be obtained in the office of the City Clerk and the application permit shall be in a form approved by the City Clerk and shall be accompanied by a fee as set forth herein, or as may hereafter be established by ordinance. Permits shall be issued in accordance with the procedures governing the issuance of licenses and permits, generally appearing as Article 7 in Chapter 3 hereof.

(c) A permit shall be sufficient to authorize outdoor or indoor filming for one (1) day within a period of not more than ten (10) days beginning on the date of issuance of the permit. If the filming does not take place on the dates specified in the permit due to inclement weather or other good cause, the City Clerk may issue a new permit at no additional fee.

(d) No more than ten (10) such permits may be issued for any location within any calendar year unless a waiver is obtained pursuant to Section 10-102 hereof.

10-98. Conditions for Issuance of a Permit.

No permit shall be issued for filming with the City of Englewood unless the applicant for such permit:

(a) Provides liability insurance coverage for bodily injury of not less than \$100,000 per person, property damage of not less than \$50,000 per person and aggregate coverage for both bodily injury and property damage, per occurrence, of not less than \$500,000.

(b) Specifies in writing that the City of Englewood will be indemnified and saved harmless from any and all liability or damages.

(c) Obtains the permission of the owners where the filming takes place on private property.

(d) Agrees to comply with all lawful directives issued by the Englewood Police Department, Fire Department and other departments where deemed necessary and to reimburse the City of Englewood for any police, fire or other City personnel.

(e) Deliver to the City an escrow deposit in an amount equal to twice the permit fee. Such escrow shall be held by the City pending completion of the filming or the expiration of the permit. The escrow may be used by the City to reimburse the City for any costs required to be paid by the applicant

hereunder.

(f) Provide notice to property owners of properties located, and residents residing, within 200 feet of the property lines of the premises for which the permit is requested as measured along public streets. Such notice shall be in writing and shall advise the property owner or resident of the date or dates upon which filming is to take place and the location of the premises where the filming is to take place. Such notice shall either be personally served or served by Certified Mail/ Return Receipt Requested upon the property owners or residents entitled to receive notice at least 48 hours prior to the commencement of filming. Service by Certified Mail shall be complete upon the receipt of such mail by the residents and property owners. Upon the written request of the applicant, the City shall, within 72 hours, make and certify a list from the current tax duplicates of the addressee of property located within the City of Englewood within 200 feet of the property lines of the premises for which the permit is requested, together with the names and addresses of the record owners thereof. Notice to owners and residents of properties in adjoining municipalities shall be given by personal service or by Certified Mail to the clerk of such adjoining municipality. Failure to give notice to a resident or property owner of premises not shown on the list shall not invalidate the permit. Prior to commencing filming, the applicant shall file an affidavit of proof of service with the City Clerk.

10-99. Regulations.

(a) In residential zones, filming shall be permitted only Monday through Friday between the hours of 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.

(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. 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.

(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 removing all equipment, debris and other rubbish from the filming location upon completion of filming or the expiration of the permit, whichever comes first. Should the holder of the permit fail to remove all equipment, debris and other rubbish within the time period specified, the City may remove same at the expense of the applicant and the applicant shall reimburse the City for the cost thereof.

(d) The applicant shall notify the City Clerk at least 72 hours before filming in order to give the City Clerk sufficient opportunity to notify the affected departments so that they may have an authorized representative inspect the site and take such other measures as may be necessary to protect the public health, safety or welfare.

(e) The holder of the permit shall comply with all lawful directives issued by the Englewood Public Safety Department and comply with all other applicable laws. When, in the judgment of the Director of Public Safety, or his designee, the presence of police, fire or code enforcement personnel are required in connection with the filming, the applicant shall reimburse the City for the cost of such personnel.

(f) The holder of the permit shall not conduct filming in such a manner as to preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written consent from the owner and occupant thereof.

(g) Vehicles used in connection with the filming, including vehicles of personnel associated with such filming, shall be parked off the public right

of way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right of way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Englewood and the cost thereof shall be reimbursed to the City by the applicant.

(h) The holder of the permit shall not suffer or permit any lights used in connection with the filming to shine directly into any windows upon any other property nor suffer or permit any noise, in excess of the limitation specified in the City's noise ordinances, to extend across property lines. In the event of a violation hereof, the City may abate such violation and charge the cost thereof to the applicant who shall reimburse the City for such cost.

10-100. Denials and Revocation of Permits.

In accordance with the procedures governing the denial and revocation of permits appearing in Article 7, Chapter 3 hereof, the City Clerk may refuse to issue a permit or revoke a permit, whenever he determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other agencies involved with the proposed filming site, that filming at the location and/or time set forth in the application would violate any law or ordinance 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 vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

10-101. Appeals.

Any person aggrieved by a decision of the City Clerk granting, denying or revoking a permit may appeal to the City Council in accordance with the procedures governing such appeals appearing in Article 7, Chapter 3 hereof.

10-102. Waivers.

The City Manager may authorize a waiver of any of the requirements or limitations of this ordinance if he determines that strict compliance with such limitations will impose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety and welfare; providing, however, the City Manager must report any such waiver to the City Council at their next meeting giving the reasons for the waiver.

10-103. Fees.

The fee schedule for permits authorized under this ordinance shall be as follows:

Filming on private property	\$150.
Additional fee for filming public land, streets, right-of-way, or public buildings	\$300.

10-104. Exemptions.

The provisions of this ordinance relating to the requirement for and the issuance of permits shall not apply to the filming of news stories, provided, however, that such filming shall comply with the following regulations:

(a) In residential zones, such filming shall, to the extent possible, occur only Monday through Friday between the hours of 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.

(b) Such filming shall be conducted in such a manner as to minimize the inconvenience or discomfort to adjoining property owners or the interference with previously scheduled activities or normal public activities upon public lands.

(c) Such filming shall be conducted so as to minimize the creation and spread of debris and rubbish during filming and, upon the completion of the filming, those conducting the filming shall remove all equipment, debris and other rubbish from the filming location.

(d) To the extent practical, advance notification

shall be furnished to the City Clerk or such filming.

(e) Such filming shall comply with all lawful directives issued by the Englewood Public Safety Department.

(f) Such filming shall be conducted in such a manner as not to preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written permission from the owner and occupant thereof.

(g) Vehicles used in connection with the filming, including vehicles of personnel associated with such filming, shall be parked off the public right of way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right of way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Englewood and the cost thereof shall be reimbursed to the City by the owner thereof.

(h) Lights used in connection with the filming shall not shine directly into any window upon other property nor shall any noise from the filming extend across property lines in excess of the limitation specified in the City's noise ordinance.

10-105. Penalty.

Any person violating any part of this ordinance shall be subject to a fine not to exceed \$500 or imprisonment for a term not to exceed ninety (90) days, or both."

SECTION 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any sentence, section, clause or other 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, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 4. This ordinance shall take effect immediately upon passage and publication as required by law.

Ord. No. 89-6

Introduced: April 18, 1989

Amended: May 2, 1989 by resolution

Adopted: May 16, 1989

Fees: Ord. No. 95-03

Introduced: February 21, 1995

Adopted: March 7, 1995

**REQUIRED INSURANCE
PRIOR TO USE OF
CITY FACILITIES**

Permission to use City of Englewood facilities shall not be granted unless the completed application form, fee, and required proof of insurance coverage is received by the City Clerk prior to the close of business at least 48 hours before the date requested.

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

INSURANCE REQUIRED

1. BODILY INJURY:

- A. For any one (1) person in the amount of \$500,000.00
- B. For any occurrence in the amount of \$1,000,000.00

2. PROPERTY DAMAGE:

- A. For any one (1) accident in the amount of \$50,000.00
- B. For any aggregate occurrence in the amount of \$100,000.00

**THE FOLLOWING STATEMENT MUST BE SIGNED
AND IS MADE A PART OF THE ATTACHED APPLICATION.**

_____ agrees to indemnify and save harmless the City
(Name of Organization)
of Englewood, 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 to which the City of Englewood may be put resulting from use of City facilities and/or premises.

Signed: _____

Title: _____