

Office of the Administrative Officer
Borough of Allendale

Permit No.:
Date:

APPLICATION FOR FILMING PERMIT

Applicant Name: _____

Business Address: _____

Contact Person: _____

Telephone Number: _____

E-Mail Address: _____

Date of Filming: _____

Hours of Filming: _____

Location and Nature of Filming (Describe in detail; interior or exterior; day or night; etc...)

CHECK LIST		
	YES	NO
Will residents or businesses be affected by filming? (A copy of letter(s) to be sent to any affected entities and addresses must accompany this application)		
Do you have a licensed electrician on staff?		
Are existing power lines to be utilized?		
Will traffic be affected as a result of filming? (If yes, a Police Officer is required)		
Have you ever been denied a filming permit? (If yes, provide the reasons)		

Take Note: If the applicant is filming on private property a letter from property owner must be attached granting permission to film

**I HEREBY APPLY FOR A PERMIT AND
AND AGREE TO TENDER THE FOLLOWING FEES
AND FURTHER AGREE TO BE BOUND BY CHAPTER
123 OF THE CODE OF THE BOROUGH OF ALLENDALE:**

- I. \$100.00 BASIC FILMING FEE**
- II. \$500.00 x 1 (Days) = \$500.00 DAILY FILMING FEE**

TOTAL: \$600.00

Signature of Applicant or Authorized Representative

All Applications Must Be Sent To
Anne Dodd – Municipal Clerk
Mail: 500 West Crescent Avenue, Allendale, NJ 07401
Fax: (201) 825-1913
E-Mail: annedodd@allendalenj.gov

FOR INTERNAL USE ONLY

Fees Paid	Yes	No
Hold Harmless Agreement	Yes	No
Maintenance Bond (if necessary)	Yes	No
Certificate of Insurance (if necessary)	Yes	No
License Sent to PD, FD, NJ Film Commission	Yes	No

Special Conditions:

Date of Approval

Anne Dodd
Municipal Clerk

George Scherb
Chief of Police



HOLD HARMLESS AGREEMENT

(to be signed by organizations using municipal facilities)

BETWEEN THE BOROUGH OF ALLENDALE

AND

Name of Organization Using the Facility

Address of the Organization (Not Post Office Box)

Telephone Number of the Organization

Type of Organization (Individual, Partnership, Non-Profit Corp., Corporation, Public Entity)

In consideration of the use of _____

on the following dates _____

for the purpose of _____

the undersigned agrees to defend, indemnify and hold the Borough of Allendale and its officers, agents, officials and employees (collectively the "Borough") harmless from any and all liability, suits, actions, claims, costs, expense, damages and/or attorney's fees arising out of the use of the property referred to above.

I understand that this Hold Harmless Agreement also requires that the Borough be indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor or other person attending the event herein referred to.

Unless waived in writing by the Borough, I agree to furnish a Certificate of Insurance specifically naming the Borough of Allendale as additional insured providing general liability coverage including bodily injury and property damage with minimum limits of liability not less than \$1,000,000.

In order to induce the Borough to accept this hold harmless agreement, the following information concerning the intended use of premises is furnished.

- a. Alcoholic beverages (will) or (will not) be served _____.
- b. Total number of persons anticipated _____.

- c. Live entertainment (will) or (will not) be provided _____.
- d. Other _____.

This Agreement shall remain in full force and effect for any continued, additional or postponed date for the event indicated.

This Agreement shall be binding upon the respective heirs, executors, administrators, and successors of the parties hereto.

The rights and obligations of the parties hereto will continue until the earlier of: (1) so long as the Borough is or will be subject to any possible claim or threatened, pending or completed action, suit or proceeding, whether civil, arbitrational, administrative or investigative, that results from, or arises out of, the undersigned's use of the property referred to above; or (2) the termination of this Agreement in writing signed by both the Borough and the undersigned.

This Agreement may only be amended by a written document signed by both the Borough and the undersigned.

The municipality reserves the right to cancel or interrupt the event if the representations set forth therein are not adhered to or if the municipality determines that a situation that might lead to personal injury, property damage or violation of law exists.

Signed this _____ day of _____, 20____ as the binding act in deed of

Name of Organization

Authorized Signature

WITNESS

Print Authorized Name & Title

Chapter 123

FILMING

§ 123-1. Definitions.

§ 123-2. Permits.

§ 123-3. Rules and regulations.

§ 123-4. Fees.

§ 123-5. Exemptions.

§ 123-6. Violations and penalties.

[HISTORY: Adopted by the Governing Body of the Borough of Allendale 6-14-2001.
Amendments noted where applicable.]

§ 123-1. Definitions.

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 video receivers, television or in theaters or for institutional use.

MAJOR MOTION PICTURE/TELEVISION SERIES — 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.
- 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 — Any and every public street, highway, sidewalk, square, public park, playground or any other public place within the Borough which is within the jurisdiction and control of the Borough of Allendale.

§ 123-2. Permits.

- A. No person shall film or permit filming within the Borough of Allendale without first obtaining a permit therefor, which permit shall set forth the location of such filming and the date or dates when filming shall take place. A permit is required to be applied for at least five days prior to the first date that filming is to take place.
- B. Permits shall be obtained in the office of the Borough Administrator during normal business hours. Applications for such permits shall be in a form approved by the Borough Administrator and shall be accompanied by a permit fee in the amount established herein.
- C. One permit shall be required for each location.
- D. No permit shall authorize filming for more than three consecutive days in any one location, and in no event shall filming at one location within the Borough exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching the six-day maximum. This six-day limitation may be extended only if the filming requested constitutes a major motion picture as defined herein. When filming is requested with respect to a major motion picture, the approved location of such filming and approved duration of such filming by specific reference to day or dates shall not exceed six days in duration. Any days necessary to be used for setup in preparation for a major motion picture filming may, in the discretion of the Borough Administrator, be counted as a filming day where such setup is anticipated to involve the following: traffic congestion at the location caused by vehicles to be parked on the public street; applicant's ability to remove film-related vehicles off the public street; when the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming; nature of the film shoot itself, e.g., indoor or outdoor, day or night; prior experience of the film company/applicant with the Borough, if any; and consultation with the Council representative of the Land Use and Construction Code Enforcement Committee. The Borough Administrator in his or her discretion may extend the six-day filming location limitation provided for herein where such filming occurs entirely upon public lands following a favorable review of the factors set forth herein.
- E. 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 Administrator 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 chapter. No additional fee shall be paid for this permit.

§ 123-3. Rules and regulations.

- A. No permit shall be issued for filming upon public lands within the Borough of Allendale unless the applicant for such permit:
 - (1) Provides proof of insurance coverage for bodily injury for any one person in the amount of \$1,000,000, for any aggregate occurrence in the amount of \$3,000,000 and for property damage for each occurrence in the aggregate amount of \$500,000. The Borough of Allendale shall be named as an additional insured on the policy and a certificate of insurance shall be delivered to the Borough at the time that the permit is issued.

- (2) Agrees in writing to indemnify and save harmless the Borough of Allendale from any and all liability or damages resulting from the use of such public lands.
 - (3) Posts a cash or maintenance bond of \$1,000 in favor of the Borough and 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 observation of all Borough ordinances, laws and regulations will be followed. If no claim is made upon the bond, the bond shall be returned to the permittee within 30 days of the completion of the filming.
- B. 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 Borough Police Department with respect thereto.
 - C. 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.
 - D. 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 the completion of filming or the expiration of the permit, whichever comes first.
 - E. 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, provided that all requests for night scenes shall be approved in the permit to be granted in accordance with these regulations. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.
 - F. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or effect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed, and any objections may be filed with the Borough Administrator, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Borough Administrator within two days of the requested shooting date.
 - G. The Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic; the cost of said 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.
 - H. The Borough Administrator may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming on other public property not defined as "public lands" and may authorize filming other than during the hours herein described or may extend the duration of a permit beyond 10 days or may waive any other limitation or requirement of this chapter whenever he determines that strict compliance with such

limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety and welfare.

- 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 notify the Fire Department and the Police Department 24 hours before filming takes place and permit the Fire Department and the Police Department to inspect the site and the equipment to be used. The applicant shall comply with all fire and safety instructions issued by the Fire Department and the Police Department.

§ 123-4. Fees.

The schedule of fees for the issuance of permits authorized herein are as follows:

- A. Basic filming permit: \$100. Where an applicant requests a waiver of the provisions of § 123-2A requiring expedited processing of the permit application, the basic filming fee shall be \$125.
- B. Daily filming fee in addition to the basic filming permit: \$500 per day.
- C. Daily filming fee payable for major motion picture: \$1,500 per day, except that recurrent weekly television programming fees shall be charged in accordance with Subsections A and B above.
- D. Filming permit for nonprofit applicants filming for educational purposes (no daily rate required): \$25.

§ 123-5. Exemptions.

The provisions of this chapter shall not apply to the filming of news stories within the Borough of Allendale.

§ 123-6. Violations and penalties.

Where the owner of the premises is not the applicant for a permit required by this chapter, both the owner and the applicant shall each be liable for violations hereof. Any person, firm, or corporation violating this chapter or these rules and regulations, upon conviction thereof, shall be punished by a fine not exceeding \$1,000 per day or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.