

TOWNSHIP OF VERNON
21 CHURCH STREET VERNON, NJ 07462

FILMING PERMIT APPLICATION
PER ORDINANCE# #21-22

(I), (We), the undersigned, do hereby apply for a permit for Filming within Vernon Township:

Trading As: _____ Applicant Name: _____

Location Address: _____

Block: _____ Lot: _____

Applicant Mailing Address: _____

Business Phone: _____ Mobile Phone: _____

Email Address: _____

Date(s) of Filming: _____
(Six Days maximum per Year)

Hours of Filming: _____

Fees:

_____ Basic Filming Permit: \$150.00

_____ Expedited Filming Permit: \$500.00

_____ Daily Filming Fee for Basic Filming Permit (\$600/per day)

_____ Daily Filming Fee for Major Motion Picture (\$1500/day)

_____ Filming Permit for Non-Profit Applicants for Educational Purposes \$25.00

Please make checks payable to Vernon Township.

**Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.*

I agree to all Rules and Regulations per Ordinance #21-22 of the Township of Vernon.

Applicant Signature

Date



§ 255-1. 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 or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the filming of news stories within the Township of Vernon.

MAJOR MOTION PICTURE — 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, but not limited to, New Line Cinema, Castle Rock Cinema, Village Road Show, Bel-Aire and DC Films.
- C. Paramount, including, but not limited to, MTV Films and Nickelodeon Movies.
- D. 20th Century Fox, including, but not limited to, Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM, including, but not limited to, United Artists.
- H. Dream Works.
- I. Amazon.
- J. Netflix.
- K. Any film for which the budget is at least \$5,000,000.
- L. Recurrent weekly television series programming.

PUBLIC LANDS — Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the Township which is within the jurisdiction and control of the Township of Vernon.

§ 255-2. Permit required.

- A. No person or organization shall film or permit filming on public or private land within the Township of Vernon without first having obtained a permit from the office of the Township 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 for more than three consecutive days in any one location and in no event shall filming at one location within the Township exceed a total of six days in any one calendar year, regardless of the number of permits utilized in reaching this six-day maximum. Either or both of the three-consecutive-day and the six-day limitations may be extended only if the filming requested constitutes a major motion picture as defined by § 255-11 of this chapter. Said permit must be readily available for inspection by Township officials at all times at the site

of the filming.

- B. All permits shall be applied for and obtained from the office of the Township Clerk during normal business hours. Applications for such permits shall be in a form approved by the Township Clerk and be accompanied by a permit fee in the amount established by this chapter in § 255-12 herein.
- 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 Township 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 chapter. No additional fee shall be paid for this permit.

§ 255-3. Issuance of permits.

- A. No permits will be issued by the Township Clerk unless applied for prior to five days before the requested shooting date; provided, however, that the Business Administrator may waive the five-day period if, in his/her 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 Township with satisfactory proof of the following:
 - (1) Proof of insurance coverage as follows:
 - (a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.
 - (b) For property damage for each occurrence in the aggregate amount of \$300,000.
 - (2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Township of Vernon from any and all liability, expense, claim or damages resulting from the use of public lands.
 - (3) The posting of cash of \$500 or a maintenance bond of \$500 running in favor of the Township 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 observance of all Township ordinances, laws and regulations will be followed. Within 21 days of the completion of the filming, the Township will return the bond if there has been no damage to public property or public expense caused by the filming.
 - (4) The hiring of an off-duty Vernon 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 Vernon Police Department with respect thereto.

§ 255-4. Interference with public activity; notice of filming.

- A. 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.

- B. 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. 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 three days prior to the requested shooting date and be informed that objections may be filed with the Township Clerk, 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 Township Clerk within two days of the requested shooting date.

§ 255-5. Filming in residential zones.

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 § 255-8 hereof. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

§ 255-6. Refusal to issue permit; employment of patrolmen and electrician.

- A. The Business Administrator may refuse to issue 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 Township 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 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.
- B. Further, the Township 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 patrolman 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.

§ 255-7. Appeals.

- A. Any person aggrieved by a decision of the Business Administrator denying or revoking a permit or a person requesting relief pursuant to § 255-8 may appeal to the Township Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Administrator.
- B. An appeal from the decision of the Business Administrator shall be filed within 10 days of the Business Administrator's decision. The Township Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Township Council shall be in the form of a resolution supporting the decision of the Business Administrator at the first regularly scheduled public meeting of the Township Council after the hearing on the appeal, unless the appellant agrees, in writing, to a later date for the decision. If such a resolution is not adopted within the time required, the decision of

the Business Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief pursuant to § 255-8 shall be deemed denied.

§ 255-8. Waiver of requirements of chapter by Business Administrator.

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

- A. Traffic congestion at the location caused by vehicles to be parked on the public street.
- B. Applicant's ability to remove film-related vehicles off the public streets.
- C. When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming.
- D. Nature of the film shoot itself; e.g., indoor or outdoors; day or night; on public or private lands.
- E. Prior experience of the film company/applicant with the Township, if any.

§ 255-9. Copies of permit; inspections.

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

§ 255-10. Reimbursement of certain costs.

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

§ 255-11. Special regulations for major motion pictures.

- A. 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 may exceed three consecutive days and/or may exceed six days in duration if approved by the Business Administrator, in his or her discretion, following a favorable review of the factors set forth in § 255-8 herein.
- B. Any days necessary to be used for setup and preparation for a major motion picture filming may, in the discretion of the Business Administrator, be counted as a filming day where such setup is anticipated to involve one or more of the factors set forth in § 255-8 hereof.

§ 255-12. Fees.

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

- A. Basic filming permit: \$150. Where an applicant requests a waiver of the provision of § 255-3A requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$500.
- B. Daily filming fee payable in addition to the basic filming permit: \$600 per day.
- C. Daily filming fee payable for major motion picture: \$1,500 per day.
- D. Filming permit for nonprofit applicants filming for educational purposes (no daily rate required): \$25.

§ 255-13. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.