

Chapter 282

FILM AND VIDEO PRODUCTIONS

GENERAL REFERENCES

Fees — See Ch. 280.

Peace and good order — See Ch. 398.

Noise — See Ch. 381.

Streets, sidewalks and public property — See Ch. 464.

Parks and recreation — See Ch. 389.

Zoning — See Ch. 535.

§ 282-1. Legislative intent.

The City has experienced an increase in requests from production companies to film at locations within the City. This chapter is intended to establish guidelines for filming within the City and to create a consistent approach to applications for filming.

§ 282-2. Filming on private property.

- A. No commercial, movie, television program, documentary or similar audio/visual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any private property in the City of Port Jervis without first obtaining a permit from the City Council. Filming in any district zoned commercial, industrial, residential or other shall be permitted subject to the following conditions:
- (1) The property must be of adequate size.
 - (2) All vehicles associated with the filming must be contained on the site or arrangements made to lawfully park vehicles off site.
 - (3) Travel on local streets to the site is restricted to 7:00 a.m. to 10:00 p.m.
- B. Application for a permit shall be submitted to the City Council on a form to be provided by the City Clerk.
- C. Permit applications must be submitted at least 30 days prior to the date of any on-site activity in connection with filming is commenced.
- D. Operational limitations:
- (1) Filming shall not be conducted at the same location for more than 30 calendar days within any twelve-month period.
 - (2) Filming shall not be conducted at the same location within 14 days of another filming.
 - (3) No applicant shall allow any filming for which a permit has been issued to be conducted prior to 7:00 a.m. or after 10:00 p.m. unless expressly approved by the City Council.
 - (4) No applicant shall allow equipment used in connection with permitted filming, including but not limited to lights, generators and related equipment, to be set up or

operated at the location contained in the permit application prior to 7:00 a.m. or after 10:00 p.m. unless otherwise expressly approved by the City Council.

- (5) The City Council may, in its discretion, waive any of the restrictions in this subsection and shall be permitted to impose reasonable conditions in doing so.
- E. The City Council shall have the authority to approve or disapprove an application for a permit and to establish such conditions for filming as deemed necessary to protect the health, safety and welfare of the residents of the City of Port Jervis. The City Council may also extend the hours of filming on public property, subject to any conditions and additional fees deemed necessary and appropriate.
- F. A certificate of insurance must be submitted with the application, naming the City of Port Jervis as an additional insured and in compliance with other conditions established by the City Council in the following minimum amounts:
- (1) Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.
 - (2) Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.

§ 282-3. Filming on public property.

- A. No commercial, movie, television program, documentary or similar audiovisual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any public property in the City of Port Jervis, including but not limited to streets, sidewalks, parks and buildings, or the waters of Greenwood Lake without first obtaining a permit from the City Council. A permit shall be required for the running of cable, the placing or storing of equipment of any kind, the parking of vehicles or any other film-related activity on any public property or any other use of public property for the purpose of making audiovisual productions.
- B. Application for a permit shall be submitted to the City Council on an application form to be provided by the City Clerk.
- C. Permit applications must be submitted at least 30 days prior to the date of any on-site activity in connection with filming is to commence.
- D. A certificate of insurance must be submitted with the application, naming the City of Port Jervis as an additional insured and in compliance with other conditions established by the City Council in the following minimum amounts:
- (1) Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.
 - (2) Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.
- E. Operational limitations:
- (1) No applicant shall allow any filming for which a permit has been issued to be conducted prior to 6:00 a.m. or after 12:00 midnight.
 - (2) No applicant shall allow any equipment used in connection with such filming, including but not limited to lights, generators and related equipment, to be set up or operated at the location described in the permit application prior to 6:00 a.m. or after 12:00 midnight.

- F. The City Council shall have the authority to approve or disapprove an application for a permit and to establish such conditions for filming as deemed necessary to protect the health, safety and welfare of the residents of the City of Warwick. The City Council may also extend the hours of filming on public property, subject to any conditions and additional fees deemed necessary and appropriate.

§ 282-4. Request for film productions.

Requests for film productions which will exceed five days must be submitted to the City Council at least 30 days prior to the date filming will take place. The City Council may establish any fee it deems reasonable and appropriate for such filming.

§ 282-5. Use of City employees.

- A. Applicants shall be responsible for all costs incurred by the City in assigning police, fire, public works or other City employees to facilitate or monitor the filming process.
- B. The decision to assign City employees shall be the responsibility of the City Council and the department heads.
- C. Provisions for billing and collection of costs shall be determined at the time of the event.

§ 282-6. Fees.

- A. Fees shall be adopted by resolution of the City Council for:
- (1) Filming by or for a nonprofit organization or the filming of a documentary, for each day, on either private or public property.
 - (2) Filming by a production company for a commercial for a profit-making entity, for each day, on either private or public property.
- B. The schedule of fees, once adopted by the City Council, will be available for inspection in the office of the City Clerk. The City Council shall be permitted to raise the level of any fee due under this chapter when the circumstances warrant.

§ 282-7. Penalties for offenses.

- A. Any person who violates the provisions set forth in this chapter shall be subject to a fine of not more than \$500 per day for each day that the violation continues and/or imprisonment not to exceed 15 days.
- B. The imposition of such penalty shall not be the City's exclusive remedy in the event of a violation of this chapter. The City may pursue any and all other legal remedies available in connection with any violation of this chapter.
- C. Notwithstanding any section of this chapter, no applicant who has been previously convicted of a violation of this chapter shall be granted a permit hereunder for a period of 18 months from the date of such conviction.