



BOROUGH OF FANWOOD

75 NORTH MARTINE AVENUE, FANWOOD, NJ 07023
PHONE: (908)322-8236 --- WEBSITE: www.fanwoodnj.org



FILMING PERMIT APPLICATION

Official Permit No: _____

This application, if approved, will result in issuance of a permit to the applicant to film or televise on the streets and/or property only in accordance with the times, locations, and specified activities designated below. The permit must be in the possession of the applicant at all times while on location.

**Please submit application to the Borough Clerk's Office at Borough Hall or via email
cagnello@fanwoodnj.org**

Date: _____

1: Company: _____

Address: _____

2: Production Contact: _____ Tel No: _____

Email: _____

3: Still photography Motion

4: Commercial use Personal use Student Other: _____

5: Dates of Filming: _____ Approx Time: _____

6: Location of Filming:

7: Scene to be filmed must be described accurately: _____

8: Animals, firearms, special effects or unusual scenes: _____

9: List of Special Production Equipment (cranes, drones, etc.): _____

No. of Cast and Crew: _____
No. of trucks and plate(s) #'s: _____
No. of autos and plate(s) #'s: _____
Other Vehicles and plate(s) #'s: _____

10: Title of Feature Film/TV show/Short Film: _____

Identify any celebrities or high-profile individuals: _____

11: If commercial/stills/industrial; name product or company: _____

12: Filming will require: Street closure Sidewalk closure Reserved parking
 Night shooting Intermittent Traffic Control None

13: Public Liability Insurance Company, Policy #: _____

Amount of coverage: _____ Expiration Date: _____

14: Do you need police assistance (requires separate fee to hire officer)?: Yes No

CHECKLIST OF DOCUMENTS TO BE SUBMITTED

(See Ordinance 2023-02-R for details)

- Application for Filming
- Certificate of Insurance
- Notarized "Hold Harmless Agreement"
- If needed, copy of "Letter of Intent" to residents whose properties may be affected and list of addresses to which letter was sent (If needed, due within 2 days of filming date)
- Application Fee
 - \$250 - Basic
 - \$375 - Expedited (application received within 24 hours of filming date)
 - \$25 - Nonprofit applicants filing for educational purposes (including student films).

No daily rate required for Nonprofit/Student films
- Filming Fee
 - \$500 per day - Basic
 - \$1,000 per day - Major Motion Picture

*** FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE ***

Police assistance required:

<input type="checkbox"/> No	<input type="checkbox"/> Yes - Reason: <ul style="list-style-type: none"><input type="checkbox"/> Street closure/traffic control<input type="checkbox"/> Celebrity<input type="checkbox"/> Stunts/firearms<input type="checkbox"/> Other: _____
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**Signature,
Police Director/representative**

Film Permit is: APPROVED/DENIED Date: _____

INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

AGREEMENT made _____, 20__,

BETWEEN

_____, located at

AND

THE BOROUGH OF FANWOOD, in the County of Union, State of New Jersey (the "Borough")

AND

THE COUNTY OF UNION, State of New Jersey (the "County")

The undersigned hereby releases the Borough and their respective officers, employees and agents (collectively, the "Borough Parties"), as well as the County and their respective officers, employees and agents (collectively, the "County Parties"), from any liability of any kind whatsoever arising out of, based upon, or resulting from the filming at _____ in the Borough of Fanwood.

The undersigned further agrees to forever defend, indemnify and save harmless the Borough of Fanwood and the County of Union, their officers, agents and employees, from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of, or which may arise out of, the licensee's filming in the Borough of Fanwood.

Sworn and subscribed to before me
this day of _____, 20__

(Notary Public)

By: _____
(Signature)

(Print Name)

(Title)

BOROUGH OF FANWOOD, UNION COUNTY, NEW JERSEY

ORDINANCE: 2023-02-R

AN ORDINANCE OF THE BOROUGH OF FANWOOD, COUNTY OF UNION, AND STATE OF NEW JERSEY ENACTING CHAPTER 150 OF THE BOROUGH CODE FOR FILMS & MOTION PICTURES

WHEREAS, the Borough desires to enact an ordinance on the time, place and manner for persons filming motion pictures within the jurisdiction of the Borough of Fanwood, New Jersey;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Fanwood, County of Union, State of New Jersey as follows:

Chapter 150 is hereby enacted as follows:

CHAPTER 150 FILMING ORDINANCE

Section 150-1 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 education 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 Borough.

MAJOR MOTION PICTURE

Any film which is finance and/or distributed by a major motion picture studio, including but not limited to the following:

Universal Pictures

Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.

Paramount

20th Century Fox, including Fox Searchlight

Sony Columbia

Disney/Miramax

MGM/United Artists

Dreamworks

Any major streaming service, such as Netflix, Hulu, Amazon Prime Video

Any film for which the budget is at least \$5,000,000.00

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 municipality which is within the jurisdiction and control of the Borough.

Section 150-2 PERMIT REQUIRED

- A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Borough 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. Said permit must be readily available for inspection by Borough officials at all times at the site of the filming.
- B. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough and be accompanied by a permit fee in the amount established by this Chapter.
- 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 Borough 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.

Section 150-3 ISSUANCE OF PERMITS; REQUIREMENTS

- A. No permits will be issued by the Borough Clerk unless applied for prior to three (3) days before the requested shooting date; provided, however, that the Borough Administrator may waive the three (3) day period if, in the Administrator's 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 on public lands unless the applicant shall provide the Borough with satisfactory proof of the following:

Proof of insurance coverage as follows:

For bodily injury to any one person in the amount of \$500,000.00 and any occurrence in the aggregate amount of \$1,000,000.00; and

For property damage for each occurrence in the aggregate amount of \$300,000.00

C. No permit shall issue unless there is an Agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Borough from any and all liability, expense, claim or damages resulting from the use of public lands.

D. The hiring of an off-duty police officer for the times indicated on the permit.

E. 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 Police Department with respect thereto.

Section 150-4 INTERFERENCE WITH PUBLIC ACTIVITY; NOTICE OF FILMING

A. The holder of a permit shall conduct filming in such a manner as to minimize 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 (3) days prior to the requested shooting date and be informed that objections may be filed with the Borough Clerk, said objections to form a part of the applicant's application and be considered in the review of same. Proof of service of notification to adjacent owners shall be submitted to the Borough Clerk within two (2) days of the requested shooting date.

Section 150-5 REFUSAL TO ISSUE PERMIT

A. The Borough Administrator may refuse to issue a permit whenever he/she 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 Borough 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 Borough reserves the right to require one or more on-site patrol officers in situations where the proposed production may impede the proper flow of traffic, the cost of said patrol officers 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.

Section 150-6 APPEALS

A. Any person aggrieved by a decision of the Borough Administrator denying or revoking a permit or a person requesting relief may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Administrator.

B. An appeal from the decision of the Borough Administrator shall be filed within ten (10) days of the Administrator's decision. The Borough Council shall set the matter down for a hearing within thirty (30) days of the day on which the notice of appeal was filed. The decision of the Borough Council shall be in the form of a resolution supporting the decision of the Administrator at the first regularly scheduled public meeting of the Borough 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 Administrator shall be reversed and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

Section 150-7 WAIVER OF REQUIREMENTS

The Borough Administrator may authorize a waiver of any of the requirements, provisions or restriction of this Chapter if the Administrator determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Administrator shall consider the following factors:

- (1) Potential traffic congestion at the location.

- (2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- (3) The extent to which the applicant requested restrictions on the use of public streets or public parking facilities during filming.
- (4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- (5) The extent to which the filming may affect adjoining and nearby property owners and occupants.
- (6) The Borough's prior experience with the applicant, if any.

Section 150-8 COPIES OF PERMIT; INSPECTIONS

A. Copies of the approved permit will be sent to the Police, Fire and Public Works Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Borough Fire Inspector or other Borough officials and/or inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instructions issued by the Fire Inspector, Police Department or other Borough Officials.

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

Section 150-9 FEES

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

Basic filming permit: \$250.00. Where an applicant requests a waiver of the provisions of this Chapter 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 \$375.00.

Daily filming fee payable in addition to the basic filming permit when filming entirely on public: \$500.00 per day.

Daily filming fee for major motion pictures when filming entirely on public property: \$1,000.00 per day.

Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.00.


Filming on private property: No daily filming fee will be imposed.

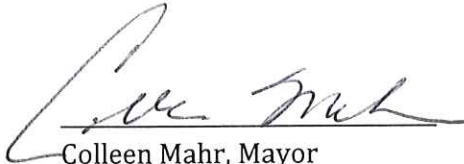
Section 150-10 VIOLATIONS & PENALTIES

Any person who violates any provision of this Chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000.00. 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 Borough Municipal Judge may determine.

BE IT FURTHER ORDAINED this amended Chapter 150 shall take effect as provided by law.

Attest:


Courtney Agnello, Deputy Borough Clerk


Colleen Mahr, Mayor

INTRODUCTION DATE: March 20, 2023	ADOPTED DATE: September 5, 2023
MOTION: Anthony Carter	MOTION: Anthony Carter
SECOND: Patricia Walsh	SECOND: Jeffrey Banks
YES: Jeffrey Banks, Gina Berry, Erin McElroy-Barker, Katherine Mitchell	YES: Gina Berry, Erin McElroy-Barker, Katherine Mitchell
NO: None	NO: None
ABSTAIN: None	ABSTAIN: None
ABSENT: None	ABSENT: Patricia Walsh
PUBLISHED: August 24, 2023	PUBLISHED: September 14, 2023



New Jersey Motion Picture & Television Commission
SAMPLE NEIGHBORHOOD NOTICE

COMPANY LETTER HEAD

To: Neighbors of [ADDRESS]
From: [COMPANY CONTACT PERSON]
Date: ____
Re: Filming Commercial for [NAME OF PROJECT]

Our company has applied to film a [TYPE OF FILMING] in [MUNICIPALITY] on [DATES] from [START TIME – END TIME] at the above location. The Township requires that we send this letter in accordance with the adopted ordinances pertaining to filming.

EDIT THE PORTION BELOW TO SPECIFICALLY REFLECT THE NATURE OF YOUR VEHICLES, WHERE THEY WILL BE PARKED, AND WHETHER YOU’LL HAVE AN OFFICER PRESENT: There will be [INSERT NUMBERS AND TYPES OF VEHICLES HERE, INCLUDING SPECIAL EQUIPMENT, MOBILE HOMES, ETC.] at the site with a total crew size of [SIZE].

They will be parked: [LIST WHERE VEHICLES WILL BE PARKED]

It may be necessary to temporarily control or divert street and pedestrian traffic in the vicinity of the filming location. This will be done in a way that minimizes any inconvenience and should this be required you will be notified.

For the public’s safety, there will be a police officer on duty during the shoot. [OMIT THIS LINE IF YOU WILL NOT HAVE AN OFFICER ON SITE]

[INSERT A FEW SENTENCES EXPLAINING THAT YOU WILL BE FOLLOWING ALL STATE AND LOCAL COVID-RELATED REGULATIONS AND ABOUT HOW YOU PLAN TO KEEP EVERYONE SAFE.]

If you have questions, concerns, or objections I may be reached at [INSERT NUMBER HERE]; or you may call [Jane Doe] at the [MUNICIPAL OFFICE] at [INSERT PHONE NUMBER] to voice same.

11-21-22