

ORDINANCE 2014-2

AN ORDINANCE AMENDING CHAPTER 41,
SECTION L, FILM PERMIT

BE IT ORDAINED by the Township Committee of the Township of Colts Neck, in the County of Monmouth, in the State of New Jersey, as follows:

I.

The purpose of this Ordinance is to amend §41-2(L), Film Permit. The Amendments contained below are highlighted in bold and underlined.

Chapter 41-2 Establishment of Fees.

L. Film Permit

(1) Definitions

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 Colts Neck.

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 Colts Neck.

(2) Permit required.

a. No person or organization shall film or permit filming on public or private land within the township of Colts Neck without first having obtained a permit from the office of the Municipal 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. Said permit must be readily available for inspection by the Township officials at all times at the site of the filming. **The six day limitation may be extended only if the filming requested constitutes a major motion picture or television series.**

b. All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Municipal Clerk and be accompanied by a permit fee in the amount established by this Chapter.

1. 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 Municipal 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.

(3) Issuance of permits

- a. No permits will be issued by the Municipal Clerk unless applied for prior to five days before the requested shooting; provided, however, that the Municipal Clerk may waive the five day period if, in his or her judgment, the applicant has obtained all related approval and adjacent property owners or tenants do not need to be notified.

- b. Proof of insurance coverage must be provided for filming on public lands prior to issuance of any permit in the following amounts

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

2. For property damage for each occurrence in the aggregate amount of \$300,000.

- c. No permit shall be issued without an agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Township of Colts Neck from any liability, expense, claim or damages resulting from the use of public lands.

(4) 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 §140-8 hereof. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

(5) Refusal to Issue Permit

The Municipal Clerk 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, that the filming would pose either an undue hardship on the public by interference with the use and enjoyment of their property or by presenting a possibility of endangering the health, safety and well being of the public.

(6) Appeal

Any person aggrieved by a decision of the Municipal Clerk denying or revoking a permit may appeal to the Township Committee. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk within 10 days from the Municipal Clerk's decision. A hearing date shall be provided within 30 days from the receipt of the appeal. The decision of the Township Committee shall be in the form of a Resolution.

(7) Fees

a. Application Fee: \$100

- b. Filming Permit: The Township Administrator shall set a per day permit fee in his or her discretion, as the situation may warrant taking into consideration the totality of the circumstances and impact that the filming will present to the Township and its residents.

I, Robert Bowden, Municipal Clerk of the Township of Colts Neck, in the County of Monmouth, New Jersey, hereby certify that annexed hereto is a true and complete copy of Ordinance No. 2014-2, which was introduced at a duly convened meeting of the Township Committee on January 8, 2014, and was adopted after public hearing at a duly convened meeting of the Township Committee on January 29, 2014.



Russell Macnow, Mayor



Robert Bowden, Township Administrator/Clerk

| RECORD OF VOTE | | | | | | | | | | | | |
|---|-----------------|---|-----|----|----|------------------|---|---|-----|----|----|----|
| | First Reading | | | | | Second Reading | | | | | | |
| | January 8, 2014 | | | | | January 29, 2014 | | | | | | |
| Committeeman | M | S | Yes | No | NV | Ab | M | S | Yes | No | NV | Ab |
| Mayor Macnow | | | X | | | | | | X | | | |
| Deputy Mayor Schatzle | | S | X | | | | | | | X | | |
| Orgo | | | X | | | | | | | X | | |
| Engel | | | X | | | | S | | X | | | |
| Fitzgerald | | M | X | | | | M | | X | | | |
| M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent | | | | | | | | | | | | |