



**City of Rahway
Office of the City Clerk
1 City Hall Plaza
Rahway, NJ 07065
(732) 827-2100 Phone / (732) 815-1417 Fax
www.cityofrahway.com**

FILMING PERMIT APPLICATION

Company name: _____

Business Address: _____

Contact Person : _____ Local Address: _____

Phone: _____ Fax: _____ E-mail: _____

Location(s) of filming: _____

Dates and times of filming: _____

Type of Film: ___ Commercial* ___ Motion Picture ___ Still shoot
___ Interior ___ Exterior ___ *Name of product

\$1,000 bond: Check _____ Bonding agent _____

- * Will residents or businesses be affected by the filming? ___ Yes ___ No
- * Will pedestrian or vehicular traffic be affected as a result of filming? ___ Yes ___ No
(If "Yes" an off-duty police officer is required)
- * Have you ever been convicted of a crime? ___ Yes ___ No

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.

Rahway Police: (732) 827-2200

Rahway Fire Department: (732) 827-2155

For office use only

___ Proof of insurance ___ Hold harmless ___ Bond ___ Off-duty police officer

Permit fee ___ \$100 (commercial applicant) ___ \$25 (educational/nonprofit) ___ n/c (student applicant)

Filming fee

Budget over \$5 million: ___ day(s) at \$1,500/day = _____

Budget under \$5 million: ___ day(s) at \$125/day = _____

Approved: _____ Date: _____

Chief of Police

Approved: _____ Date: _____

City Clerk



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HOLD HARMLESS AGREEMENT

between the
CITY OF RAHWAY
and

(Filming Permit Applicant)

WITNESSTH:

1. _____ (Applicant) agrees to release, indemnify and hold harmless the City of Rahway from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any way relating to the activities for which a filming permit has been issued.

2. The applicant has furnished the Certificate of Insurance with the limits of liability as described below:

Bodily injury for any one person in the amount of \$1,000,000.00 and for any aggregate occurrence in the amount of \$3,000,000.00.

A true copy of the Certificate of Insurance is attached indicating the municipality is named as additional insured on all liability policies.

Authorized Signature: _____ (Applicant)

Date of Signature: _____

Notary Public Signature: _____

PUBLIC NOTICE

NOTICE OF ADOPTED ORDINANCE

The Ordinance published herewith, the summary terms of which are included herein, was finally adopted by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, at a meeting held on July 13, 2009. Copies of said Ordinance are available at the City Clerk's Office to the members of the general public who shall request same.

**ORDINANCE - CITY OF RAHWAY, NEW JERSEY
O-24-09**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF RAHWAY TO ADD A NEW SECTION ESTABLISHING FILMING PERMITS

BE IT ORDAINED by the City Council of the City of Rahway, that a new Section of the Code of the City of Rahway is hereby created to establish Filming Permits and shall read as follows:

Section 1. Definitions.

FILMING shall mean the taking of still or motion pictures, either on film, video tape, or similar recording medium, for commercial or educational purposes intended for viewing on video receivers, television, on computer/internet or in theaters or for institutional use.

PUBLIC LANDS shall mean any and every public street, highway, or sidewalk within the City which is within the jurisdiction and control of the City.

Section 2. Permits.

- a. No person shall film or permit filming within the City of Rahway without first obtaining a permit therefore, which permit shall set forth the location of such filming and the date or dates when the filming shall take place. A permit is require to be applied for at least three (3) days prior to the first date that filming is to take place.
- b. Permits shall be obtained in the Office of the City Clerk during normal business hours. Applications for such permits shall be in a form approved by the City Clerk and shall be accompanied by a permit fee in the amount established by ordinance of the City of Rahway.
- c. One permit shall be required for each filming location.
- d. One permit shall be sufficient to authorize outdoor filming on two (2) days and indoor filming on two (2) days within a period of not more than ten (10) days beginning on the date of issuance of the permit, provided that each such date on which filming is to take place shall be specified in the permit.
- 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 City 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 ordinance. No additional fee shall be paid for this permit.

Section 3. Rules and Regulations.

- a. No permit shall be issued for filming upon public lands within the City of Rahway unless the applicant for such permit:
 - i. Provides proof of insurance coverage for bodily injury for any one person in the amount of \$1,000,000.00 and for any aggregate occurrence in the amount of \$3,000,000.00. The City of Rahway shall be named as an additional insured on the policy and a Certificate of Insurance shall be delivered to the city at the time that the permit is issued.
 - ii. Agrees in writing to indemnify and save harmless the City of Rahway from any and all liability or damages resulting from the use of such public lands.

- iii. Post a bond in an amount to be determined by the City Clerk to guarantee and secure the City against any damage to person or property and to guarantee clean-up and restoration of areas in which the filming takes place or other areas which may be damaged or destroyed because of the activities of the filming. If no claim is made upon the bond, the bond shall be returned to the permit holder 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 lawful directives issued by the City Police Department with respect thereto. The holder of a permit shall be required to maintain security on filming locations to the satisfaction of the City Police Department. When, in the judgment of the Director of Public Safety, or his designee, the presence of additional security in the form of police, fire or code enforcement personnel are required in connection with the filming, the applicant shall reimburse the City for the cost of such personnel.
- 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 the 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 a.m. and 7 p.m. or Sundown, whichever is earlier, unless otherwise specifically included in the permit.
- f. The City Clerk may refuse to issue a permit whenever 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 City agencies involved with the proposed filming site, that filming at the location and/or 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.
- g. Any person aggrieved by a decision of the City Clerk denying or revoking a permit or a person requesting relief pursuant to paragraph "f" may appeal to the City Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the City Clerk. An appeal from the decision of the City Clerk shall be filed within ten (10) days of the City Clerk's decision. The City 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 City Council shall be in the form of a resolution. A resolution supporting the decision of the City Clerk or granting relief pursuant to paragraph "i" shall be approved by the City Council at the first regularly scheduled public meeting of the City 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 City Clerk shall be deemed to be reversed and a permit shall be issued in conformity with the application or the relief pursuant to paragraph "f" shall be deemed denied.
- h. The City Clerk may authorize a waiver of any of the requirement or limitations of this ordinance, 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 ordinance whenever she determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issues without endangering the public's health, safety and welfare.

- i. 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.
- j. No more than ten (10) permits may be issued for any location within any calendar year unless a waiver is obtained.

Section 4. Fees.

All application fees are non-refundable and payable upon submission of the application to the City Clerk. All permit fees are payable upon issuance of a permit by the City Clerk. The fee scheduled for film permits shall be as follows:

- I. Filming on public land, streets, rights of way or public buildings:
 - A. Major motion picture/budget over \$5 million or recurrent weekly television program:
 - i. Non-refundable application fee: \$100 payable upon submission of application
 - ii. Daily filming fee: \$1,500, payable upon issuance of permit by City Clerk
 - B. Budget under \$5 million
 - i. Non-refundable application fee: \$100
 - ii. Daily filming fee: \$125, payable upon issuance of permit by City Clerk
 - C. Non-profit applicant filming for educational documentary or public television
 - i. Non-refundable application fee: \$25 (no daily rate required)
 - D. Student applicant filming for educational documentary or public television
 - i. No application fee; no daily rate
- II. Filming on private property – written permission of property owner required
 - A. Major motion picture/budget over \$5 million or recurrent weekly television program:
 - i. Non-refundable application fee: \$100, payable upon submission of application
 - ii. Daily filming fee: \$750, payable upon issuance of permit by City Clerk
 - B. Budget under \$5 million
 - i. Non-refundable application fee: \$100
 - ii. Daily filming fee: \$125, payable upon issuance of permit by City Clerk
 - C. Non-profit applicant filming for educational documentary or public television
 - i. Non-refundable application fee: \$25 (no daily rate required)
 - D. Student applicant filming for educational documentary or public television
 - i. No application fee, no daily rate

And, in addition thereto, any meter revenue which is lost by the City due to the inaccessibility of the meters for parking on the days of production. The determination of which meters shall be dedicated to the filming shall be determined for safety reasons by the Chief of Police. Any denial by the Chief of Police shall first be appealed to the City Clerk and thereafter as set forth in Section 3, subparagraph g hereinabove.

Section 5. Exemptions.

The provisions of this ordinance shall not apply to the filming of news stories within the City of Rahway.

Section 6. Severability.

If any sentence, section, clause, or other portion of this ordinance or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

Section 7. This ordinance shall take effect immediately upon passage and publication as required by law.

M- Mione

S - Steinman

**YES: Akbar, Brown, Cox, Mione, Saliga,
Scaturro, Steinman, Wenson Maier,
Baker**

Date Introduced June 10, 2009

Date of Adoption July 13, 2009