



Township of Hamilton
2090 Greenwood Avenue
Hamilton, NJ 08609

Office of the Municipal Clerk
609-890-3622

PERMIT APPLICATION FOR FILM AND PHOTOGRAPHY

Date of Application: _____

Name of Applicant: _____

Production Manager/Contact: _____

Address: _____

Email: _____ Office #: _____ Mobile #: _____

Dates of Production: _____ Approximate Times: _____

Location of Filming: _____ Public Land: Yes _____ No _____

Will Municipal Services be Required: Yes _____ No _____ Will Street Closure be Requested: Yes _____ No _____

Please attach a detailed plan including times and hiring of off duty officers.

Name of Property Owner, Email and Phone #: _____

Type of Filming: Still Photography _____ Motion _____ Commercial Use _____ Personal Use _____

Student Film _____ Other _____ Music Video _____ News Media _____ (If yes, what Network)

Total Number of Cast Members: _____ Total Number of Crew: _____

Will any of the following be used in your production: Animals _____ Firearms _____ Special Effects _____

Fireworks _____ Pyrotechnics _____ Amplified Music _____ Please attach Details:

Please provide a detailed list of trailers, campers, vans or any other vehicles:

Proof of Insurance and Hold Harmless Agreement: Please see attached Section 160-3

☞ Applicant must contact the Jobs4Blue directly to hire off-duty police officers 1 (877) 425-8330. Any other questions can be directed to the Division of Police (609) 581-4000

☞ Additional permits from the Hamilton Township's Divisions of Health (609) 890-3828 and Fire (609) 586-4194 may be required should cooking and/or serving food be considered.

☞ Applicant must obtain approval for the use of tent(s) through the Department Community & Economic Development (609) 890-3636.

I, the applicant, am aware and understand all the definitions, conditions, requirements and penalties set forth in the Code of the Township of Hamilton, New Jersey, Part II, General Legislation, Chapter 160, Commercial Filming and/or Still Photography Permits and Chapter 215, Fees, §215-1 Municipal Clerk.

Upon submitting this application I am aware there are no refunds on permits and fees are due at submission.

Date: _____

Applicant Signature

Applicant Printed Name

Cc: Department of Administration
Division of Fire
Division of Health
Division of Police
Department of Public Works

ORDINANCE ESTABLISHING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, PART II, GENERAL LEGISLATION, CHAPTER 160, COMMERCIAL FILMING AND/OR STILL PHOTOGRAPHY PERMITS

**Chapter 160
COMMERCIAL FILMING AND/OR STILL PHOTOGRAPHY PERMITS**

§ 160-1 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, via streaming, or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

MOTION PICTURE

Any film which is financed and/or distributed by a motion picture studio or streaming service.

TELEVISION PROJECTS

Any project which is financed and/or distributed by a linear broadcast network, streamer, or OTT Network.

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 municipality.

§ 160-2 Special Events Film 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 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. 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 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 in Chapter 215, Fees, § 215-1, Municipal Clerk, of the Township Code.
- 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 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.
- D. Exceptions to permit requirements.

No permit shall be required for:

- (1) Filming by news media for the purpose of spontaneous, unplanned television news reporting by journalists, reporters, photographers or camera operators.
- (2) Filming for private social activities, including weddings, unless the filming or photographing of such events is sold, leased, rented or used for any commercial purposes, including reality television, in which case, a permit shall be obtained and all fees paid.

- (3) Filming activities or still photography conducted for use in a criminal investigation or civil or criminal court proceeding, but not including films or photographs which are sold, leased or used for any commercial purpose.
- (4) Filming or still photography conducted solely for private non-profit, personal or family use, including real estate sales purposes of selling an individual residence.
- (5) Filming activities or still photography conducted by or for the Township of Hamilton.
- (6) A student film, provided that the makers and the school shall agree in writing that if the student film is ever released for commercial purposes, all permit costs and fees shall be due and payable as provided for in Chapter 215, Fees, § 215-1, Municipal Clerk, of the Township Code. All fees other than the permit fee, set forth in Chapter 215, Fees, § 215-1, Municipal Clerk, of the Township Code, shall apply.

§ 160-3 Issuance of permits.

- A. No permits will be issued by the Municipal Clerk unless applied for prior to three days before the requested shooting date; provided, however, that the Township Business Administrator may waive the three-day period if, in their 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 municipality 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 municipality from any and all liability, expense, claim or damages resulting from the use of public lands.
 - (3) The hiring of an off-duty 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 Hamilton Township Police Division with respect thereto.

§ 160-4 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 Municipal 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 Municipal Clerk within two days of the requested shooting date.

§ 160-5 Refusal to issue permit; employment of patrolmen and electrician.

- A. The Township Clerk may refuse to issue a permit whenever the Clerk determines, on the basis of objective facts and after a review of the application and a report thereon by the Hamilton Township Police Division 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.

§ 160-6 Appeals.

- A. Any person aggrieved by a decision of the Municipal Clerk denying or revoking a permit or a person requesting relief may appeal to the Township Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk.
- 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 shall be deemed denied.

§ 160-7 Waiver of requirements of chapter by Business Administrator.

The Business Administrator may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Business 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 Business 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 is requesting 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 Township's prior experience with the applicant, if any.

§ 160-8 Copies of permit; inspections.

Copies of the approved permit will be sent to the Hamilton Township Police and Fire Divisions before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Marshall or other Township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Marshall or other Township Inspectors.

§ 160-9 Reimbursement of certain costs.

In addition to any other fees or costs mentioned in Chapter 215, Fees, § 215-1, Municipal Clerk, of the Township Code, 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.

§ 160-10 Violations and penalties.

Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subject to the penalties in Chapter 1, General Provisions, § 1-2, Violation; penalties, of the Township Code, per violation.

ORDINANCE AMENDING AND SUPPLEMENTING *THE CODE OF ORDINANCES, HAMILTON TOWNSHIP, NEW JERSEY, CHAPTER 215, FEES, § 215-1, MUNICIPAL CLERK*

S. Commercial Filming and/or Still Photography Permits.

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

- (1) Basic TV, digital and/or Motion Picture film processing permit fee (covers a period of no longer than two consecutive weeks): \$100.
- (2) Daily filming fee for any Digital or TV project - in addition to the basic film processing permit fee - when filming entirely on public property: \$150 per day.
- (3) Daily filming fee payable for major Motion Picture when filming entirely on public property: \$500 per day.
- (4) Filming Special Events Committee permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.
- (5) Filming on private property: no daily filming fee will be imposed.