

**TOWNSHIP OF HAMILTON
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE

No. **25-026**

1ST READING	<u>November 10, 2025</u>	DATE TO MAYOR	<u>December 3, 2025</u>
2ND READING & PUBLIC HEARING	<u>December 2, 2025</u>	DATE RESUBMITTED TO COUNCIL	_____
WITHDRAWN _____	LOST _____	DATE EFFECTIVE	_____

APPROVED AS TO FORM AND LEGALITY

FACTUAL CONTENTS CERTIFIED TO BY

TOWNSHIP ATTORNEY

TITLE

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF HAMILTON, NEW JERSEY, CHAPTER 160, COMMERCIAL FILMING AND/OR STILL PHOTOGRAPHY PERMITS

Be It Ordained by the Council of the Township of Hamilton, in the County of Mercer and State of New Jersey, that the *Code of the Township of Hamilton, New Jersey, Chapter 160, Commercial Filming and/or Still Photography Permits* as amended and supplemented, be further amended and supplemented as follows:

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 picture 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.

MAJOR MOTION PICTURE — [Any film which is financed and/or distributed by a motion picture studio or streaming service with budgets of at least \$20 million.] Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; any film for which the budget is at least \$20,000,000; or any 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 municipality.

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

§ 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

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Matter contained in brackets [thus] is to be omitted from the law.

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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.

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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. For private social activities including weddings see Chapter 215-13D.
- (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:

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- (3) The hiring of an off-duty police officer for the times indicated on the permit, according to agreed upon public safety plan.

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§ 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

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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, according to agreed upon public safety plan. [t]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.

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Any Ordinance or Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

PRESIDENT

MUNICIPAL CLERK

RECORD OF VOTE													
First Reading							Second Reading						
COUNCIL	AYE	NAY	NV	AB	ORD	SEC	COUNCIL	AYE	NAY	NV	AB	ORD	SEC
ANTHONY P. CARABELLI, JR.							ANTHONY P. CARABELLI, JR.						
NANCY PHILLIPS							NANCY PHILLIPS						
CHARLES F. WHALEN				✓			CHARLES F. WHALEN						
PASQUALE "PAT" PAPERIO, JR.							PASQUALE "PAT" PAPERIO, JR.						
RICHARD L. TIGHE, JR.							RICHARD L. TIGHE, JR.						

X - Indicates Vote A.B. - Absent N.V. - Not Voting RES. - Moved SEC. - Seconded

REJECTED _____

JEFFREY S. MARTIN, MAYOR

DATE

APPROVED _____

RECONSIDERED BY COUNCIL _____ OVERRIDE VOTE AYE _____ NAY _____

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