

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

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TOWN CLERK clerk@townofwarwick.org

Film and Video Productions Permit

Applicant's Name: _____
Applicant's Address: _____
Applicant's Phone: (Home): _____ (Cell): _____
Applicant's E-mail Address: _____
Date (s) of filming: _____ # of days: _____ Time frame of filming: _____
Location of Filming (include property and roads) _____
Brief description of filming: _____

**Guidelines and insurance requirements for filming and/or recording
in the Town are attached.**

Town Use Only

Applicants shall be responsible for all costs incurred by the Town in assigning police, fire, public works or other Town employees to facilitate or monitor the filming process as per attached agreements.

Permit Fee \$250.00/day
(Minimum 1 day)

Total Fees Received: _____ Date Fees Received: _____

Signature of Applicant _____ Date _____

Supervisor's Approval _____ Date _____

Date of Town Board Approval _____
(If greater than five (5) days of Filming)

CHAPTER 81 FILM AND VIDEO PRODUCTIONS

§ 81-1 Legislative Intent

A The Town has experienced a significant increase in requests to film in the community. This chapter is intended to establish guidelines for filming in the Town and to create consistency in the manner in which the Town handles applications for filming.

§ 81-2 Filming on private property.

A.

No commercial, movie, television program, documentary or similar audio-visual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any private property in the Town of Warwick without first obtaining a permit from the Town Board. Filming in any district zoned commercial, industrial, residential or other shall be permitted subject to the following conditions:

(1)

The property must be of adequate size. No heavy equipment may be permitted on septic tanks or leach fields.

(2)

All vehicles associated with the filming must be contained on the site or arrangements made to lawfully park vehicles off site.

(3)

Travel on local streets to the site is restricted to 7:00 a.m. to 10:00 p.m.

. B.

Application for a permit shall be submitted to the Town Board on an application form to be provided by the Town Clerk.

C.

Permit applications must be submitted at least 30 days prior to the date any on-site activity in connection with filming is commenced.

D.

Operational limitations.

(1)

Filming shall not be conducted at the same location (i.e., in the same building or at the same street address) more than 30 calendar days within any twelve-month period.

(2)

Filming shall not be conducted at the same location within 14 days of another filming.

(3)

No applicant shall allow any filming for which a permit has been issued to be conducted prior to 7:00 a.m. or after 10:00 p.m. unless otherwise expressly approved by the Town Board.

(4)

No applicant shall allow equipment used in connection with such filming, including but not limited to lights, generators and related equipment, to be set up or operated at the location described in the permit application prior to 7:00 a.m. or after 10:00 p.m. unless otherwise expressly approved by the Town Board.

(5)

For residentially zoned districts, filming shall not be conducted at the same location more than twice per calendar year, with at least six months between filming.

(6)

The Town Board may, in its discretion, waive any of the restrictions in the subsection and shall be permitted to impose reasonable conditions in doing so.

E.

The Town Board shall have the authority to approve or disapprove an application for a permit and to establish such conditions for filming as deemed necessary to protect the health, safety and welfare of the residents of the Town of Warwick. The Town Board may also extend the hours of filming on public property, subject to any conditions and additional fees deemed necessary and appropriate.

F.

A certificate of insurance must be submitted with the application, naming the Town of Warwick as an additional insured and in compliance with other conditions established by the Town Board in the following minimum amounts:

(1)

Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.

(2)

Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.

§ 81-3

No commercial, movie, television program, documentary or similar audiovisual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any public property in the Town of Warwick, including but not limited to streets, sidewalks, parks and buildings, or the waters of Greenwood Lake without first obtaining a permit from the Town Board. A permit shall be required for the running of cable, the placing or storing of equipment of any kind, the parking of vehicles or any other film-related activity on any public property or any other use of public property for the purpose of making audiovisual productions.

B.

Application for a permit shall be submitted to the Town Board on an application form to be provided by the Town Clerk.

C.

Permit applications must be submitted at least 30 days prior to the date any on-site activity in connection with filming is to commence.

D.

A certificate of insurance must be submitted with the application, naming the Town of Warwick as an additional insured and in compliance with other conditions established by the Town Board in the following minimum amounts:

(1)

Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.

(2)

Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.

E.

Operational limitations.

(1)

No applicant shall allow any filming for which a permit has been issued to be conducted prior to 6:00 a.m. or after 12:00 midnight.

(2)

No applicant shall allow any equipment used in connection with such filming, including but not limited to lights, generators and related equipment, to be set up or operated at the location described in the permit application prior to 6:00 a.m. or after 12:00 midnight.

F.

The Town Board shall have the authority to approve or disapprove an application for a permit and to establish such conditions for filming as deemed necessary to protect the health, safety and welfare of the residents of the Town of Warwick. The Town Board may also extend the hours of filming on public property, subject to any conditions and additional fees deemed necessary and appropriate.

§ 81-4 Request for film productions.

Requests for film productions which will exceed five days must be submitted to the Town Board at least 30 days prior to the date filming will take place. The Town Board may establish any fee it deems reasonable and appropriate for such filming.

§ 81-5 Use of Town employees.

A.

Applicants shall be responsible for all costs incurred by the Town in assigning police, fire, public works or other Town employees to facilitate or monitor the filming process.

B.

The decision to assign Town employees shall be the responsibility of the Town Board and the department heads.

C.

Provisions for billing and collection of costs shall be determined at the time of the event.

§ 81-6 Previous offenses.

Notwithstanding any section of this chapter, no applicant who has been previously convicted of a violation of this chapter shall be granted a permit hereunder for a period of 18 months from the date of such conviction.

§ 81-7 Fees.

A.

Fees shall be adopted by resolution of the Town Board for:

(1)

Filming by or for a nonprofit organization or the filming of a documentary, for each day, on either private or public property.

(2)

Filming by a production company for a commercial by or for a profit-making entity, for each day, on either private or public property.

B.

The schedule of fees, once adopted by the Town Board, will be available for inspection in the office of the Town Clerk. The Town Board shall be permitted to raise the level of any fee due under this chapter when the circumstances warrant.

§ 81-8 Penalties for offenses.

A.

Any person who violates the provisions set forth in this chapter shall be subject to a fine of not more than \$250 per day for each day that the violation continues and/or imprisonment not to exceed 15 days.

B.

The imposition of such penalty shall not be the Town's exclusive remedy in the event of a violation of this chapter. The Town may pursue any and all other legal remedies available in connection with any violation of this chapter.

AGREEMENT FOR POLICE SERVICES

This agreement dated _____, between, _____ with offices at _____ and the Town of Warwick, a New York Municipality, with offices at 132 Kings Highway, Warwick, NY 10990, (Town) for services to be provided to _____ by the Town.

Whereas, _____ desires to have the Town provide specific police services to _____ at the _____, and;

Whereas, The Town is willing and able to provide such services as outlined below at a cost set forth below, _____ and the Town hereby agree as follows:

1. The Town will provide police presence in the form of up to one police cruiser and officer up to _____ as requested. The officer(s) provided will be regular Town of Warwick Police officers assigned at the discretion of the Town of Warwick Police Chief or his designated agent.
2. The Town hereby certifies that it maintains General Liability insurance including law enforcement activities in a base amount of \$1,000,000 together with an umbrella policy for \$10,000,000 for all underlying occurrences. The Town also maintains the statutory Workmen's Compensation insurance as required by New York State. Copies of said policies shall be made available to _____ upon request.
3. It is further understood and agreed by and between the parties hereto that the Town shall only be required to make its best efforts to provide the manpower and equipment as noted above. The parties recognize that there may be emergency or other circumstances under which the officers or equipment assigned to the _____ details may be required for public safety to be positioned elsewhere. Such reassignment shall not be regarded as a breach of this contract if such should occur.
4. The period of time covered by this agreement shall run from _____ until _____, unless extended by mutual agreement of the parties hereto.
5. The cost to _____ for the above services shall be as follows:
 - a. A charge of \$120.00/hour/officer will be due and payable prior to filming.
 - b. In addition, a charge of \$20.00/hour for each car assigned shall be computed and billed to compensate for wear and tear, fuel, etc.

c. Cost of miscellaneous safety equipment deemed necessary or desirable by the Town shall be billed to _____ at a cost basis. Such items might include but not necessarily be limited to flares, cones, etc.

8. The Town shall submit an itemized bill to _____ at the conclusion of the event. Such bill shall include the name of the officer who provided services, hours worked, the normal hourly overtime rate of pay for each officer, each vehicle so assigned and the number of hours so assigned, and a list of any additional equipment provided by the Town as outlined above.

Town of Warwick

By: _____
Michael P. Sweeton,
Town Supervisor

By: _____