



## CITY OF LONG BRANCH

344 BROADWAY  
LONG BRANCH, NJ 07740

APPLICANT INFORMATION			
Company Name:		Email:	
Business Address:	City:	State:	Zip:
Office Phone #:	Contact Name:		Cell Phone #:
Location(s) of Filming:			
Application Date:		Date(s) of Filming:	Hours of Filming:
Type of Film: <input type="checkbox"/> Commercial <input type="checkbox"/> Motion Picture <input type="checkbox"/> Still Shoot <input type="checkbox"/> Student <input type="checkbox"/> Product/Show <input type="checkbox"/> Interior <input type="checkbox"/> Exterior <input type="checkbox"/> TV Series/Made for TV Movie			
Name of Film:			
PRODUCTION COMPANY INFORMATION			
Production Company Name:		Email:	
Business Address:	City:	State:	Zip:
Office Phone #:	Contact Name:		Cell Phone #:
Will residents or businesses be affected by filming? (Resident letters must be sent to affected individual(s) and a list of the addresses must accompany this application)  Will existing power lines be utilized?  Will pedestrian or vehicular traffic be affected as a result of filming? (If "yes", an off-duty police officer is required)  Have you ever been convicted of a crime?  Will any building fire and life safety equipment be affected?  Are combustible curtains/back drops, window coverings or decorative material flame retardant in accordance with NFPA Standards?  Will any vehicles be brought inside the structure?  Will beaches be utilized/affected?  Will boardwalk or promenade be utilized/affected?	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No	Will there be any flammable/combustible liquids or pyrotechnics present? (cooking oil, etc.)  Is there a method of reporting an emergency to 911 readily available? (cell phone, landline)  Are Fire Extinguishers a 2A-10B:C minimum rating?  Will any building utilities be altered before the shoot? (water, gas, electric)  Have the proper permits been applied for through the City Building Department for altering utilities and or set building?  Will there be catering tents and/or food trucks for cooking?  Have you applied for a film permit in the past? If yes, give date. _____	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Note:</b> It is the responsibility of the filming company to contact the Police (732-222-1000) to inquire whether an officer will be necessary and/or cancel a film shoot. It is also the responsibility of the filming company to provide the Clerk's Office with a list of addresses (including the address numbers) of the homes that were notified of an upcoming filming. <b>Failure to provide (48 hours prior to filming) a copy of the Letter of Intent, along with the list of addresses of residents that might be affected by this shoot, will result in denial/rejection of your filming permit).</b>			

STILL PHOTOGRAPHY/FILMING LOCATION/DATES/TIMES						
<b>Production Title:</b>				<b>Production Type:</b>		
<b>Location Manager:</b>				<b>Cell Phone Number:</b>		
<b>Primary Address:</b>			<b>Date:</b> /    /    to    /    /		<b>Time:</b>	
# of Cars: _____	# of Trucks: _____	# of Cast on Site: _____	# of Crew on Site: _____	# of Extras on Site: _____	Aircraft? <input type="checkbox"/> Yes <input type="checkbox"/> No	# of Generators: _____
Summary of Scene:						
<b>Secondary Address:</b>			<b>Date:</b> /    /    to    /    /		<b>Time:</b>	
# of Cars: _____	# of Trucks: _____	# of Cast on Site: _____	# of Crew on Site: _____	# of Extras on Site: _____	Aircraft? <input type="checkbox"/> Yes <input type="checkbox"/> No	# of Generators: _____
Summary of Scene:						
<b>Additional Address:</b>			<b>Date:</b> /    /    to    /    /		<b>Time:</b>	
# of Cars: _____	# of Trucks: _____	# of Cast on Site: _____	# of Crew on Site: _____	# of Extras on Site: _____	Aircraft/Drone? <input type="checkbox"/> Yes <input type="checkbox"/> No	# of Generators: _____
<b>Prep Date:</b>			<b>Actual Filming/Photo Date:</b>			
STILL PHOTOGRAPHY/FILMING LOCATION/DATES/TIMES						
<input type="checkbox"/> Open to Public	<input type="checkbox"/> Driving Scene	<input type="checkbox"/> Special FX	<input type="checkbox"/> Car Explosion	<input type="checkbox"/> Fire Bars	<input type="checkbox"/> Street Closure	<input type="checkbox"/> Helo Activity Landing
<input type="checkbox"/> Closed to Public	<input type="checkbox"/> Drive Ups/Away	<input type="checkbox"/> Breaking Glass	<input type="checkbox"/> Dust Hills	<input type="checkbox"/> Fire Effects	<input type="checkbox"/> Aircraft Landing	<input type="checkbox"/> Helo Activity Take Off
<input type="checkbox"/> Exterior Dialogue	<input type="checkbox"/> Drive By's	<input type="checkbox"/> Bullets/Squib Hits	<input type="checkbox"/> Explosions	<input type="checkbox"/> Sparks	<input type="checkbox"/> Aircraft Flyovers	<input type="checkbox"/> Vacant Building
<input type="checkbox"/> Interior Dialogue	<input type="checkbox"/> Still Photo	<input type="checkbox"/> Burn Barrels	<input type="checkbox"/> Fire Ball	<input type="checkbox"/> Posted Parking	<input type="checkbox"/> Aircraft Refueling	
Other:						
REQUIREMENTS-PUBLIC SAFETY & FIRE WATCH FILM UNIT ONLY						
<input type="checkbox"/> Fire Watch <input type="checkbox"/> FD Personnel <input type="checkbox"/> Fire Watch Product Code: _____ <input type="checkbox"/> Water Truck <input type="checkbox"/> Fire Extinguisher    Issued By: _____    Date: _____						
<b>REMARKS:</b>						
<p><i>I hereby apply for a permit and tender the Application Fee of \$_____, Filming Fee of \$_____ per day, Overnight Parking/Use of Twp Property Fee_____ and \$5,000.00 Check of Maintenance Bond and agree to be bound by all provisions of City of Long Branch Ordinance #233.</i></p>						
Signature of Applicant _____			Date _____			
Director of Public Safety _____		Construction Official _____		Special Events Coordinator _____		
License Approved: _____ <div style="text-align: center;">Business Administrator</div>						

**CHECK OFF LIST OF DOCUMENTS TO BE SUBMITTED FOR  
FILMING IN THE CITY OF LONG BRANCH:**

	Application for Filming
	Certificate of Insurance
	Notarized "Hold-Harmless" agreement
	Copy of a "Letter of Intent" to the neighbors and a list of the Addresses where it will be (or has been) delivered.
	Application Fee <ul style="list-style-type: none"> <li>• \$150.00 - Basic</li> <li>• \$500.00 - Expedited</li> </ul>
	Filming Fee <ul style="list-style-type: none"> <li>• \$750.00 per day - Basic</li> <li>• \$1,500.00 per day – Major Motion Picture</li> </ul>
	\$500.00 Fee for Overnight Parking/Use of City & Beach Property
	\$25,000.00 Bond Fee or Maintenance Bond
	Police Escrow (if required)
	DPW Escrow (if required)
	Beach Fees
	Parking Fees

Please attach a letter including detailed descriptions of the following items:

- Filming locations & dates
- Total number of cast & crew
- Scenes to be filmed
- All cars, box trucks, trailers, campers, vans or other vehicles being utilized
- All special production equipment (cranes, drones, generators, etc.) to be utilized

**INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

**AGREEMENT made \_\_\_\_\_, 20\_\_\_\_,**

**BETWEEN**

\_\_\_\_\_, located at

\_\_\_\_\_

**AND**

THE CITY OF LONG BRANCH, in the County of Monmouth, State of New Jersey (the "City")

**AND**

THE COUNTY OF MONMOUTH, State of New Jersey (the "County")

The undersigned hereby releases the City and their respective officers, employees and agents (collectively, the "City Parties"), as well as the County and their respective officers, employees and agents (collectively, the "County Parties"), from any liability of any kind whatsoever arising out of, based upon, or resulting from the filming at \_\_\_\_\_ in the City of Long Branch.

The undersigned further agrees to forever defend, indemnify and save harmless the City of Long Branch and the County of Monmouth, their officers, agents and employees, from and against any and all claims, causes of action, injuries, losses, damages, expenses, fees and costs arising out of, or which may arise out of, the licensee's filming in the City of Long Branch.

Sworn and subscribed to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

## Chapter 233 LICENSES FOR COMMERCIAL AND MOVIE FILMING.

### 233-1.1 Definitions.

**Filming** shall mean the taking of still or motion pictures, either on film, videotape, or similar recording medium, for any purpose intended for viewing on television, in theatres, for advertising purposes, or for institutional uses.

**Major motion picture** shall mean any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

1. Universal Pictures;
2. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road
3. Show and Bel-Aire;
4. Paramount, including MTV Films and Nickelodeon Movie;
5. 20th Century Fox, including Fox Searchlight;
6. Sony/Columbia;
7. Disney/Miramax;
8. MGM-United Artists;
9. Dreamworks;
10. Streaming Services (Netflix, Hulu, Peacock, Paramount, Apple TV, Max, Amazon Prime, etc.);
11. Any film for which the budget is at least five million (\$5,000,000.00) dollars; and
12. Recurrent television series programming.

**News stories** shall mean the reporting or summarizing of information concerning something that has either recently taken place or of current events of general interest and includes such features commonly known as newscasts, news bulletins and news anthology programs.

**Nuisance** shall mean a condition, activity or situation that interferes with the use or enjoyment of property.

**Student films** shall mean motion picture or still photography produced to satisfy a course or curriculum requirement at an educational institution. The student filmmaker must supply proof that he/she is currently enrolled.

### 233-1.2 Permit Required; Issuance

- a. No person shall film or permit **filming** within the City of Long Branch on any public or private property, public right-of-way, facility, and/or residence without first applying for and receiving a permit from the Special Events Coordinator of the City of Long Branch. The permit shall be applied for no less than five (5) working days prior to the requested first day of **filming**, provided however, that the Business Administrator may waive the five (5) working day period if, in his/her judgment, the applicant has obtained all related approvals, has provided all of the submittals required by this section, and has obtained the written consent of all property owners who would be entitled to notice pursuant to subsection 233-1.3. The permit shall set forth the approved location

of such **filming**, and also the approved duration of such **filming**, by specific reference to days and dates set forth the approved location of such **filming**, and also the approved duration of such **filming** by specific reference to days and dates.

- b. Permits shall be obtained on the City's website and the permit application shall be in a form approved by the Special Events Coordinator and shall be accompanied by a permit fee in the amount established by this subsection 233-1.10.
- c. No permit shall authorize **filming** for more than five (5) consecutive days in any one location and in no event shall **filming** at one location within the City exceed ten (10) days in any one calendar year. Either or both of the three consecutive-day and the ten-day limitations may be extended only if the **filming** requested satisfies the major motion picture exception defined by subsection 233-1.1 of this section and is approved by the Business Administrator. The hours of **filming** set forth within subsection 233-1.4 of this section may be extended only if the applicant demonstrates that the requirements of subsection 233-1.7 of this section have been met.
- d. Said permit must be readily available for inspection by City officials at all times at the site of the **filming**.
- e. If the **filming** does not take place on the dates specified in the permit due to inclement weather or other good cause, the City may issue a new permit at no additional fee.

### **233-1.3 Conditions for Issuance of a Permit.**

No permit shall be issued for **filming** within the City of Long Branch unless the applicant for such permit:

- a. Provides proof of insurance coverage including but not limited to:
  - 1. For bodily injury to one person in the amount of one million (\$1,000,000.00) dollars and any aggregate occurrence in the amount of three million (\$3,000,000.00) dollars.
  - 2. For property damage for each occurrence in the aggregate amount of three hundred thousand (\$300,000.00) dollars.
- b. Specifies in writing that the City of Long Branch will be indemnified and held harmless from any and all liability and damages. Such writing shall be in a form approved by the Special Events Coordinator.
- c. Posts cash or maintenance bond for the value of twenty-five thousand (\$25,000.00) dollars protecting and insuring that the location utilized for the **filming** will be left in a satisfactory condition, free of debris, rubbish, and equipment, and that due observance of all City ordinances and laws will be followed. The City will return the bond within seven (7) days of the completion of **filming** if there has been no damage to the public property or public expense caused by the **filming**.

- d. Takes all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all the lawful directives issued by the City of Long Branch Police Department, Fire Department, Building Department and other departments with respect thereto.
- e. Provides proof of notice by the applicant to owners of properties located, within two hundred (200) feet of the property lines of the premises for which the permit is requested as measured along public streets. Such notice shall be in writing and shall advise the property owner of the date or dates upon which **filming** is to take place. Such notice shall either be personally served or served by Certified Mail/Return Receipt Requested upon the property owners entitled to receive the notice. Upon the written request of the applicant, the City shall, within seventy-two (72) hours of such request, make and certify a list from the current tax duplicates of the addressees of property located within the City of Long Branch within two hundred (200) feet of the property lines of the premises for which the permit is requested, together with the names and addresses of record owners thereof. Notice to owners of properties in adjoining municipalities shall be given by personal service or by Certified Mail/Return Receipt Requested to the Clerk of such adjoining municipality. Failure to give notice to property owner on the list shall not invalidate the permit if proof of an attempt is shown. Prior to commencing **filming**, the applicant shall file an affidavit of proof of service with the City Clerk.

#### **233-1.4 Regulations.**

- a. In residential zones, **filming** shall be permitted Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.
- b. The holder of a permit shall conduct **filming** such that the activity does not create a nuisance, as defined herein. The permit 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.
- c. 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 completion of **filming** or the expiration of the permit, whichever comes first.
- d. The permit holder shall comply with all lawful directives issued by the City of Long Branch Police Department, Fire Department, and Building Department and comply with all other applicable laws. When, in the judgment of the Director of Public Safety, Fire Chief or Construction Official, that the presence of the Police, Fire or Code Enforcement personnel are required in connection with the **filming**, the applicant shall reimburse the City for the costs of such personnel.
- e. The holder of the permit shall not conduct **filming** in such a manner as to preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written consent from the owner and occupant thereof.

- f. Vehicles used in connection with the **filming**, including vehicles of personnel associated with such **filming**, shall be parked off the public right-of-way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right-of-way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Long Branch and the cost thereof shall be reimbursed to the City.
- g. The holder of the permit shall not permit any lights used in connection with the **filming** to shine directly into any windows on any other property or permit any noise to extend across property lines that is otherwise in violation of the City's Noise Restrictions Ordinance at Section 235 of the Revised General Ordinances of the City of Long Branch. In the event of a violation thereof, the City may abate such violation and charge the cost thereof to the permit holder.

#### **233-1.5 Denials and Revocation of Permits.**

- a. The Special Events Coordinator may refuse to issue a permit or revoke a permit, whenever he/she determines, on the basis of objective facts and after a review of the application and input thereon by the Police Department and/or other agencies impacted, 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 public's use of public lands, unreasonably interfere with the public's 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. The City reserves the right to require one or more Police Officer's on site, in situations where the **filming** may impede the proper flow of traffic. The cost of said patrolmen shall be borne by the applicant as a **filming** cost. 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.

#### **233-1.6 Appeals.**

- a. Any person aggrieved by a decision of the City granting, denying or revoking a permit may file a written notice of appeal for consideration by the City Council. Such notice of appeal shall be filed with the City Clerk and shall set forth the reasons for the appeal.
- b. An appeal from the decision of the City shall be filed within ten (10) days of said decision. The City Council shall set the matter down for a hearing within thirty (30) days of the filing of the Notice of Appeal. The decision of the City shall be in the form of a resolution by the second regularly scheduled public meeting, after the hearing of the appeal. The appellant may agree 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 shall be deemed to be reversed.



### **233-1.7 Waiver of Requirements of Section.**

The City may authorize **filming** other than during the hours herein described. In determining whether to allow an extension of hours under this subsection, the City shall consider factors including but not limited to:

- a. Traffic congestion at the location;
- b. The applicant's ability to remove film-related vehicles off public streets;
- c. Whether the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;
- d. Time of year due to resort municipality and impact on beaches, boardwalk, promenade, parking, etc.
- e. Nature of the film shoot itself: e.g. indoors or outdoors, day or night, on public or private lands;
- f. Whether there was consultation with the City Council.

### **233-1.8 Copies of Permit; Inspection.**

Copies of the approved permit shall be sent to the New Jersey Motion Picture and Television Commission, as well as the City Police, Fire and Building Departments, before **filming** takes place. The applicant shall permit City inspectors to inspect the site and equipment to be used. The applicant shall comply with all safety instructions issued following such inspections.

### **233-1.9 Reimbursement of Certain Costs.**

In addition to any and all other fees or costs mentioned in this chapter, the applicant shall reimburse the City for any lost revenue, including but not limited to, repairs required to public property, and any revenue that the City was prevented from earning because of the **filming**.

### **233-1.10 Fees.**

- a. The fee schedule for permits authorized under this section shall be as follows:
  1. Basic **filming** permit: one hundred fifty (\$150.00) dollars except where applicant requests a waiver pursuant to subsection 233-1.2a., requiring expedited processing of a permit application, in which case, the basic filming permit fee shall be five hundred (\$500.00) dollars.
  2. Daily **filming** fee payable in addition to the basic filming permit fee: seven hundred and fifty (\$750.00) dollars per day.
  3. Daily **filming** fee payable in addition to the basic filming permit fee for a major motion picture: one thousand five hundred (\$1,500.00) dollars per day.
  4. Overnight parking/use of City property: five hundred (\$500.00) dollars per day.

### **233-1.11 Exemptions.**

The provisions of this section relating to the requirements for and the issuance of permits shall not apply to the **filming** of news stories and student films, provided, however, that such **filming** shall comply with the following requirements:

- a. In residential zones, the **filming** shall, to the extent possible, occur only Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.
- b. **Filming** shall be conducted in such a manner as to minimize the inconvenience to adjoining property owners or the interference with previously scheduled activities or normal public activities upon public lands. Recreation Department shall be contacted for all park/recreation lands and adjacent parking lots for their approval.
- c. **Filming** shall be conducted so as to minimize the creation and spread of debris and rubbish during **filming** and, upon the completion of the **filming**, those conducting the **filming** shall remove all equipment, debris and other rubbish from the **filming** location.
- d. To the extent practical, advance notification shall be furnished to the City of such **filming**.
- e. **Filming** shall comply with all lawful directives issued by the City of Long Branch Police, Fire and Building Departments.
- f. **Filming** shall be conducted in such a manner as to not preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written permission from the owner thereof.
- g. Vehicles used in connection with the **filming**, including vehicles of personnel associated with such **filming**, shall be parked off the public right-of-way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right-of-way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Long Branch and the cost thereof shall be reimbursed by the owner.
- h. Lights used in connection with the **filming** shall not shine directly into any window or upon other property nor shall any noise from the **filming** extend across property lines in excess of the limitation specified in the City's "Noise" ordinance at Chapter 235 of the Revised General Ordinances of the City of Long Branch.

### **233-1.12 Penalty.**

A person violating any part of this ordinance shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars. In the case of continuing successive violations, a separate offense

shall be deemed committed on each day during on or which a violation of this ordinance occurs or continues. Any penalty assessed pursuant to this provision is in addition to and is not affected by the authority of the Business Administrator to revoke the permit for a violation of the ordinance as hereinbefore provided.

## Chapter 233

### LICENSES FOR COMMERCIAL AND MOVIE FILMING

§ 233-1.	Purpose and intent.	§ 233-8.	Waiver of requirements of section.
§ 233-2.	Definitions.	§ 233-9.	Copies of permit; inspection.
§ 233-3.	Permit required; issuance.	§ 233-10.	Reimbursement of certain costs.
§ 233-4.	Conditions for issuance of a permit.	§ 233-11.	Fees.
§ 233-5.	Regulations.	§ 233-12.	Exemptions.
§ 233-6.	Denials and revocation of permits.	§ 233-13.	Violations and penalties.
§ 233-7.	Appeals.		

**[HISTORY: Adopted by the City Council of the City of Long Branch 7-9-2025 by Ord. No. 09-25. Amendments noted where applicable.]**

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#### § 233-1. Purpose and intent.

The purpose and intent of this chapter is to be supportive of the film industry, while at the same time protecting the business and residents of the City from any negative impacts resulting from filming. The requirement for a filming permit issued by the City will balance the needs of the film industry and the City and its taxpayers and promote safety and welfare.

#### § 233-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**FILM CREW** — All individuals involved in the production, including, but not limited to, directors, actors, crew members, set designers, contractors, vendors and other production personnel.

**FILMING** — Shall mean the taking of still or motion pictures, either on film, videotape, or similar recording medium, for any purpose intended for viewing on television, in theatres, for advertising purposes, or for institutional uses.

**MAJOR MOTION PICTURE** — Shall mean any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures;
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire;
- C. Paramount, including MTV Films and Nickelodeon Movie;
- D. 20th Century Fox, including Fox Searchlight;
- E. Sony/Columbia;
- F. Disney/Miramax;

- G. MGM-United Artists;
- H. Dreamworks;
- I. Streaming services (including but not limited to Netflix, Hulu, Peacock, Paramount, Apple TV, Max, Amazon Prime);
- J. Any film for which the budget is at least \$5,000,000; and
- K. Recurrent television series programming.

NEWS STORIES — Shall mean the reporting or summarizing of information concerning something that has either recently taken place or of current events of general interest and include such features commonly known as newscasts, news bulletins and news anthology programs.

NUISANCE — Shall mean a condition, activity or situation that interferes with the use or enjoyment of property.

PERMITTEE — The person, organization or entity applying for and receiving the permit to conduct filming.

PUBLIC LANDS — Any and every public street, highway, sidewalk, square, public park, playground, beach or another public place within the City which is within the jurisdiction and control of the City of Long Branch.

STUDENT FILMS — Shall mean motion picture or still photography produced to satisfy a course or curriculum requirement at an educational institution. The student filmmaker must supply proof that he/she is currently enrolled.

### **§ 233-3. Permit required; issuance.**

No person or organization shall film or permit filming within the City of Long Branch on any public or private property, public right-of-way, facility, and/or residence without first applying for and receiving a permit from the Special Events Coordinator of the City of Long Branch. The permit shall be applied for no less than five working days prior to the requested first day of filming. The Business Administrator may waive the five-working-day period if, in his/her judgment, the applicant has obtained all related approvals, has provided all of the submittals required by this section, including obtaining the written consent of all property owners who would be entitled to notice pursuant to § 233-4A(12). The permit shall set forth the approved location of such filming, and the approved duration of such filming, by specific reference to day and dates.

- A. Permits shall be obtained on the City's website, and the permit application shall be in a form approved by the Special Events Coordinator and shall be accompanied by a permit fee in the amount established by this chapter at § 233-11.
- B. No permit shall authorize filming for more than five consecutive days in any one location and in no event shall filming at one location within the City exceed 10 days in any one calendar year. Either or both of the five-consecutive-day and the 10-day limitations may be extended only if the filming requested satisfies the major motion picture exception defined by § 233-2 of this chapter and is approved by the Business Administrator. The hours of filming set forth within § 233-5 of this chapter may be extended only if the applicant demonstrates that the requirements of § 233-8 of this chapter have been met.
- C. Said permit must be readily available for inspection by City officials at all times at the site of the

filming.

- D. If the filming does not take place on the dates specified in the permit due to inclement weather or other good cause, the Special Events Coordinator 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, at no additional fee.

**§ 233-4. Conditions for issuance of a permit.**

- A. No permit shall be issued for filming within the City of Long Branch unless the applicant shall provide the City with satisfactory proof of the following:
- (1) General Liability insurance, excess insurance or self insurance shall cover bodily injury, property damage, and personal injury liability with minimum limits of not less than:
    - (a) \$2,000,000 General Aggregate.
    - (b) \$2,000,000 Products and Completed Operations Aggregate.
    - (c) \$1,000,000 Personal and Advertising Injury Limit.
    - (d) \$1,000,000 Each Occurrence Limit.
    - (e) \$1,000,000 Host Liquor Law Liability Coverage or Liquor Law Liability Coverage as applicable.
  - (2) Commercial General Liability coverage shall be written on an occurrence basis with the following minimum coverages:
    - (a) No Cross Liability or Cross Suits Exclusions or limitations.
    - (b) Contractual Liability shall not have any additional restrictions or modifications to the definitions of Insured Contract.
    - (c) Coverage for independent contractors.
    - (d) Additional Insured Endorsement. This cannot be subject to a written contract or agreement.
    - (e) Additional Insured is on a primary and non-contributory basis. This endorsement cannot be subject to a written agreement or contract.
    - (f) Waiver of subrogation endorsement. This endorsement is not subject to a written agreement or contract.
  - (3) Commercial Automobile Liability Insurance coverage with minimum limits of \$1,000,000 per accident for all owned, leased, non-owned and hired vehicles. Additional insured on a primary and non-contributory basis. This endorsement is not subject to a written agreement or contract.
  - (4) Worker's Compensation and Employer's Liability insurance in accordance with the applicable State statutes and laws. Sole proprietorships, members of LLCs and partners who will be performing work may not "opt out" of coverage in states where allowed; coverage must be maintained.
  - (5) If aviation, drones or non-owned aircraft is used, Aircraft Liability must be provided in an

amount no less than \$5,000,000. Additional insured endorsement on a primary and non-contributory basis. Endorsement is not subject to a written agreement or contract.

- (6) Umbrella Liability insurance shall be excess of general liability, automobile liability, host liquor law and/or liquor law liability and employer's liability. Insurance coverage shall minimally provide the same coverages, additional insured, terms and conditions as included in the primary policies with minimum limits of:
  - (a) \$10,000,000 General Aggregate Limit.
  - (b) \$10,000,000 Each Occurrence Limit.
  - (c) \$10,000,000 Products and Completed Operations Aggregate.
- (7) The City of Long Branch, its elected and appointed officials, officers, employees, volunteers, agents or contractor will be named as additional insureds and proof of this must be reflected on the Certificate of Insurance.
- (8) All insurance is to be provided by carriers that are authorized to transact business in the State of New Jersey and maintain an A.M. Best rating of A- or better.
- (9) The Permittee agrees to protect, indemnify and hold harmless the City of Long Branch, its officers and appointed officials, directors, employees, volunteers, agents, subcontractors and affiliates and all of the foregoing's respective successors and assigns (collectively, the "Indemnified Parties"), from and against any and all liabilities, losses, damages, costs, expenses, including but not limited to attorney fees and expenses, cause of action, suits and claims or any nature whatsoever. Such indemnification shall include, but not limited to, matters arising from, based upon, or relating to bodily injury, personal injury or death to, or damage to or loss of property of, loss of use of property, to any person caused in whole or in part by the negligence of any Indemnified Party in connection with such Indemnified Party's involvement or participation in the event for which the permit is issued. This indemnification is not limited to any insurance provisions available nor self-insurance maintained by the Permittee.
- (10) Posts cash or maintenance bond for the value of \$25,000 protecting and insuring that the location utilized for the filming will be left in a satisfactory condition, free of debris, rubbish, and equipment, and that due observance of all City ordinances and laws will be followed. The City will return the bond within seven days of the completion of filming if there has been no damage to the public property or public expense caused by the filming.
- (11) Takes all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all the lawful directives issued by the City of Long Branch Police Department, Fire Department, Building Department and other departments with respect thereto.
- (12) Provides proof of notice by the applicant to owners of properties located within 200 feet of the property lines of the premises for which the permit is requested as measured along public streets. Such notice shall be in writing and shall advise the property owner of the date or dates upon which filming is to take place. Such notice shall either be personally served or served by certified mail/return receipt requested upon the property owners entitled to receive the notice. Upon the written request of the applicant, the City shall, within 72 hours of such request, make and certify a list from the current tax duplicates of the addressees of property located within the City of Long Branch within 200 feet of the property lines of the premises for which the permit

is requested, together with the names and addresses of record owners thereof. Notice to owners of properties in adjoining municipalities shall be given by personal service or by certified mail/return receipt requested to the Clerk of such adjoining municipality. Failure to give notice to property owner on the list shall not invalidate the permit if proof of an attempt is shown. Prior to commencing filming, the applicant shall file an affidavit of proof of service with the City Clerk.

#### **§ 233-5. Regulations.**

- A. In residential zones, filming shall be permitted Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.
- B. The holder of a permit shall conduct filming such that the activity does not create a nuisance, as defined herein. The permit 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.
- C. 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 completion of filming or the expiration of the permit, whichever comes first.
- D. The permit holder shall comply with all lawful directives issued by the City of Long Branch Police Department, Fire Department, and Building Department and comply with all other applicable laws. When, in the judgment of the Director of Public Safety, Fire Chief or Construction Official, that the presence of the Police, Fire or Code Enforcement personnel are required in connection with the filming, the applicant shall reimburse the City for the costs of such personnel.
- E. The holder of the permit shall not conduct filming in such a manner as to preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written consent from the owner and occupant thereof.
- F. Vehicles used in connection with the filming, including vehicles of personnel associated with such filming, shall be parked off the public right-of-way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right-of-way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Long Branch and the cost thereof shall be reimbursed to the City.
- G. The holder of the permit shall not permit any lights used in connection with the filming to shine directly into any windows on any other property or permit any noise to extend across property lines that is otherwise in violation of the City's Noise Restrictions Ordinance at Chapter 235 of the Revised General Ordinances of the City of Long Branch. In the event of a violation thereof, the City may abate such violation and charge the cost thereof to the permit holder.

#### **§ 233-6. Denials and revocation of permits.**

- A. The Special Events Coordinator may refuse to issue a permit or revoke a permit, whenever he/she determines, on the basis of objective facts and after a review of the application and input thereon by the Police Department and/or other agencies impacted, 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 public's use of public lands, unreasonably interfere with the public's 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. The City reserves the right to require one or more police officers on site, in situations where the filming may impede the proper flow of traffic. The cost of said patrolmen shall be borne by the applicant as a filming cost. 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.

#### **§ 233-7. Appeals.**

- A. Any person aggrieved by a decision of the City granting, denying or revoking a permit may file a written notice of appeal for consideration by the City Council. Such notice of appeal shall be filed with the City Clerk and shall set forth the reasons for the appeal.
- B. An appeal from the decision of the City shall be filed within 10 days of said decision. The City Council shall set the matter down for a hearing within 30 days of the filing of the Notice of Appeal. The decision of the City shall be in the form of a resolution by the second regularly scheduled public meeting, after the hearing of the appeal. The appellant may agree 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 shall be deemed to be reversed.

#### **§ 233-8. Waiver of requirements of section.**

The City may authorize filming other than during the hours herein described. In determining whether to allow an extension of hours under this subsection, the City shall consider factors including but not limited to:

- A. Traffic congestion at the location;
- B. The applicant's ability to remove film-related vehicles off public streets;
- C. Whether the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;
- D. Time of year, due to resort municipality and impact on beaches, boardwalk, promenade, parking, etc;
- E. Nature of the film shoot itself: e.g., indoors or outdoors, day or night, on public or private lands;
- F. Whether there was consultation with the City Council.

#### **§ 233-9. Copies of permit; inspection.**

Copies of the approved permit shall be sent to the New Jersey Motion Picture and Television Commission, as well as the City Police, Fire and Building Departments, before filming takes place. The applicant shall permit City inspectors to inspect the site and equipment to be used. The applicant shall comply with all safety instructions issued following such inspections.

#### **§ 233-10. Reimbursement of certain costs.**

In addition to any and all other fees or costs mentioned in this chapter, the applicant shall reimburse the City for any lost revenue, including, but not limited to, repairs required to public property, and any revenue that the City was prevented from earning because of the filming.

**§ 233-11. Fees.**

A. The fee schedule for permits authorized under this section shall be as follows:

- (1) Basic filming permit: \$150 except where applicant requests a waiver pursuant to § 233-3A, requiring expedited processing of a permit application, in which case, the basic filming permit fee shall be \$500.
- (2) Daily filming fee payable in addition to the basic filming permit fee: \$750 per day.
- (3) Daily filming fee payable in addition to the basic filming permit fee for a major motion picture: \$1,500 per day.
- (4) Overnight parking/use of City property: \$500 per day.

**§ 233-12. Exemptions.**

The provisions of this section relating to the requirements for and the issuance of permits shall not apply to the filming of news stories and student films; provided, however, that such filming shall comply with the following requirements:

- A. In residential zones, the filming shall, to the extent possible, occur only Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. or sundown, whichever is earlier.
- B. Filming shall be conducted in such a manner as to minimize the inconvenience to adjoining property owners or the interference with previously scheduled activities or normal public activities upon public lands. Recreation Department shall be contacted for all park/recreation lands and adjacent parking lots for their approval.
- C. Filming shall be conducted so as to minimize the creation and spread of debris and rubbish during filming and, upon the completion of the filming, those conducting the filming shall remove all equipment, debris and other rubbish from the filming location.
- D. To the extent practical, advance notification shall be furnished to the City of such filming.
- E. Filming shall comply with all lawful directives issued by the City of Long Branch Police, Fire and Building Departments.
- F. Filming shall be conducted in such a manner as to not preclude access to adjoining properties from the public street or to encroach upon adjoining property without the express written permission from the owner thereof.
- G. Vehicles used in connection with the filming, including vehicles of personnel associated with such filming, shall be parked off the public right-of-way to the maximum extent permitted. Vehicles should not be parked so as to encroach upon private property without the express written consent from the owner or occupant thereof. Vehicles parked in the public right-of-way shall comply with all applicable parking and traffic regulations. Vehicles parked or located in violation hereof may be towed by the City of Long Branch and the cost thereof shall be reimbursed by the owner.
- H. Lights used in connection with the filming shall not shine directly into any window or upon other property nor shall any noise from the filming extend across property lines in excess of the limitation specified in the City's "Noise" ordinance at Chapter 235 of the Revised General Ordinances of the City of Long Branch.

**§ 233-13. Violations and penalties.**

A person violating any part of this chapter shall be subject to a fine not to exceed \$2,000. In the case of continuing successive violations, a separate offense shall be deemed committed on each day during which a violation of this chapter occurs or continues. Any penalty assessed pursuant to this provision is in addition to and is not affected by the authority of the Business Administrator to revoke the permit for a violation of the ordinance as hereinbefore provided.