



Borough of Alpine

100 Church Street • Alpine, New Jersey 07620-1095
Tel (201) 784-2900 Fax (201) 784-1407

*Application must be received minimum 10 days prior to filming

STILL OR MOTION FILMING: COMMERCIAL OR EDUCATIONAL PURPOSES

Date of Application _____ Type: Private _____ Commercial _____ Public _____ Educational _____

Date(s) of Filming _____ Indoors _____ Outdoors _____

Location of filming (address) _____ # permits this site this year _____

Property Owner _____

*Note: In residential zones: filming is permitted on Mondays through Fridays from 8:00 A.M. to 7:00 P.M. or sundown, and limited to four days per location per calendar year without a waiver.

Film Company _____ Contact Person _____

Address _____ Email: _____

Telephone No. _____ Fax No. _____

Required with this application:

- _____ Insurance Certificate: Minimum bodily injury \$500,000 for any one person, \$1,000,000 any aggregate occurrence
- _____ Hold Harmless Agreement (Note: must be witnessed – Print names and sign).

Fee Paid: Make check payable to "Borough of Alpine"

- _____ \$ 1,000.00 per day private property filming
- _____ \$ 1,000.00 per day public lands filming
- _____ \$ 25.00 per day educational purposes/non-profit

Escrow Paid: Separate check payable to "Borough of Alpine"

- _____ \$ 5,000.00 Provide signed original W-9 with check.

*Additional fees as may be required per Borough Code Chapter 114 (supervision/inspections) will be deducted from Escrow

Attach detailed information on the following (Describe on a separate sheet):

- _____ Catering or food service provided – provide description (# served, hot, cold, form of service)
- _____ Trucks/vehicles - #, type, (generator truck, bathroom truck, etc.)
- _____ Provisions for parking – use of public roads must be approved by Chief of Police
- _____ Equipment: Generators, lighting
- _____ Any pyrotechnics

Comments: (Describe any other features of filming we should be aware of.)

Notice to Residents Within 200 Feet Required. Prior to permit issuance and no later than 10 days prior to proposed film date the requestor shall provide written notice by certified mail, return receipt requested of filming to property owners within 200 feet of the location of the proposed filming. Notice shall include the date, time and location of the proposed filming and advise the property owners to contact the Borough Clerk Borough of Alpine 100 Church Street, Alpine, NJ 201-784-2900 ext. 10 boroclerk@alpinenj.org if they have any objections. The 200 foot property owners list is available from the Tax Assessor. Send request for street address including block and lot with fee of \$10.00 payable to "Borough of Alpine" to Tax Assessor, Borough of Alpine, 100 Church Street, Alpine, NJ 07620.

-----BOROUGH OFFICE USE-----

_____ Proof of 200 foot notice to Residents _____ Waiver required? Y/N If yes, Date Approved by M&C _____

DATE APPROVED:

Stephanie Wehmann, Municipal Clerk

PERMIT NO. _____ Date of Permit _____ Permit Expires _____

cc: Applicant, Police Department, Fire Department, Building Dept, Health Dept, DPW

HOLD HARMLESS AGREEMENT

Between the Borough of Alpine

and

Organization Name

Address (Not Post Office Box)

Telephone Number

Organization Type (Individual, Partnership, Non-Profit Corporation, Corporation, Public Entity)

In consideration of the use of _____

On the following dates: _____

For the purpose of _____

The undersigned agrees to indemnify, defend and hold the Borough of Alpine and its officers, agents and employees harmless from any and all liability, claims, costs and attorney's fees arising out of the use of the property referred to above.

I understand that this hold harmless agreement also requires that the Borough of Alpine is indemnified from any losses or damages resulting from the acts or omissions from any quest, participant, visitor or other person attending the event herein referred to. Unless waived in writing by the Borough of Alpine, I agree to furnish a Certificate of Insurance specifically naming the Borough of Alpine as an additional insured, providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000 combined single limit. Said certificate shall state that "the issuing company shall mail 30 days written notice to the certificate holder named, certified mail return receipt". It shall also contain a statement acknowledging this hold harmless agreement. No expectations or limitations will be accepted.

In order to induce the Borough of Alpine to accept this hold harmless agreement, the following information concerning the intended use of the premises is furnished:

- a. Alcoholic Beverages (will) or (will not) be served.
- b. Total number of persons anticipated is _____.
- c. Live entertainment (will) or (will not) be provided.
- d. Other _____.

This agreement shall remain in full force and effect for any continued, additional or postponed date for the event indicated.

The municipality reserves the right to cancel or interrupt the event if the representations set forth therein are not adhered to or if the municipality determines that a situation that might lead to personal injury, property damage or violation of law exists.

In cases of any damage or destruction to Borough premises caused by an error, omission, negligent or intentional act of the Organization, its agents, servants, employees, guests, licensees and/or invitees, the Organization shall repair or replace the damage at its own cost and expense as expeditiously as possible.

The Borough may defend itself at the Organization's expense from any and all claims or lawsuits which may arise out of and/or relating to the Organization's use of Borough premises as set forth herein.

Signed this _____ day of _____, 20__ as the binding act in deed

Name of Organization

Authorized Signature/Title

Witness

Note: Certificate of Insurance shall be in original form.
No photocopies or fax copies shall be accepted.
It shall also be signed in ink by the authorized person.

Chapter 114. Filming

[HISTORY: Adopted by the Borough Council of the Borough of Alpine as § 7-7 (Ord. No. 451) of the 1970 Revised General Ordinances. Amendments noted where applicable.]

GENERAL REFERENCES

Licensing — See Ch. 142.

§ 114-1. Findings.

- A. The Borough of Alpine has been the site of occasional television, video and movie filming.
[Amended 11-24-1998 by Ord. No. 549]
- B. Such filming has created certain problems which require special regulation.
- C. Such regulation is necessary to preserve the public health, safety and welfare.

§ 114-2. Definitions.

For the purposes of this chapter, the following terms shall have the meaning set forth:

FILMING

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 television, in theaters, on data communication systems or for institutional use.

[Amended 11-24-1998 by Ord. No. 549]

PUBLIC LANDS

Any and every public street, highway, sidewalk or square, public park or playground or other public place within the borough which is within the jurisdiction and control of the borough.

§ 114-3. Permits.

- A. Required. No person shall film or permit filming within the borough without first obtaining a permit therefor. Before any permit is issued, the person requesting the permit shall notify by certified mail, return receipt requested, all property owners located within 200 feet of the location of the proposed filming, with proof of mailing to be submitted to the Borough Clerk. The notice shall include the date, time and location of the proposed filming, shall be sent not later than 10 days prior to the date of the filming and shall advise the property owners to contact the Borough Clerk of any objections.
[Amended 11-15-1999 by Ord. No. 564]
- B. Application.
 - (1) Permits shall be obtained in the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough Clerk.
 - (2) The application shall set forth the location of such filming and the date or dates when filming shall take place.
 - (3) The application shall be accompanied by a permit fee as hereinafter set forth.
 - (4) Film permit applications shall be received in writing in the office of the Borough Clerk not later than 10 days prior to filming date.

[Added 11-24-1998 by Ord. No. 549]

- (5) The application shall be accompanied by a \$5,000 escrow in cash, cashier's check or certified check, to cover the cost of any damage to curbs, streets or other municipally owned property as determined by the Borough Engineer, any reasonable legal and engineering fees and all fees which may be incurred under § 114-5, except for the permit fee of \$1,000 which is in addition to the said escrow. All costs and fees shall be deducted from the escrow. Upon completion of the filming, any unexpended escrow shall be returned to the person applying for the permit. If the escrow is insufficient to cover all costs and fees, the applicant, upon written notification from the Borough Clerk, shall immediately deposit additional funds into the escrow account to cover said costs and fees.

[Added 11-15-1999 by Ord. No. 564]

- C. Number required. One permit shall be required for each location.
- D. Duration. One permit shall allow the applicant to film outdoors or indoors on one day within a period not later than 10 days, after 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 and further provided that the maximum number of days on which filming may be authorized in any calendar year for premises located in a residential zone shall not exceed four without a waiver, pursuant to Subsection I.
[Amended 11-24-1998 by Ord. No. 549]
- E. Inclement weather; delay in filming. 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 Borough 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.
- F. Issuance.
 - (1) No permit shall be issued for filming at a particular location in a residential zone within the borough which would permit filming at such location on more than four days during any one calendar year, unless a waiver is obtained in accordance with Subsection I.
 - (2) No permit shall be issued for filming upon public lands within the borough unless the applicant for such permit:
 - (a) Provides proof of insurance coverages for bodily injury for any one person in the amount of \$500,000 and for any aggregate occurrence in the amount of \$1,000,000.
 - (b) Agrees, in writing, to indemnify and save harmless the borough from any and all liability or damages resulting from the use of such public lands.
- G. Denial of permit. The Borough Clerk may refuse to issue a permit whenever (s)he determines, on the basis of objective facts after a review of the application and a report thereon by the Police Department and by other borough 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 public's use of public lands, 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 or welfare.
- H. Appeal of denial; waiver of requirements.
 - (1) Any person aggrieved by a decision of the Borough Clerk denying or revoking a permit, or a person requesting relief pursuant to Subsection I, may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk. An appeal from the decision of the Borough Clerk shall be filed within 10 days of the Borough Clerk's decision.
 - (2) The Mayor and 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 Mayor and Council shall be in the form of a resolution. Such resolution shall be approved by the Mayor and Council at the first regularly scheduled public meeting of the Mayor and 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 Borough Clerk shall be deemed to be reversed and a permit shall be issued in conformity with the application or the relief pursuant to Subsection I shall be deemed denied.
- I. Waiver of requirements. The Mayor and Council may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours herein described, may extend the duration of a

permit beyond 10 days, may permit filming at a particular location in a residential zone on more than four days during any one calendar year or may waive any other limitation or requirement of this chapter whenever it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety or welfare.

§ 114-4. Rules and regulations.

- A. 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 all lawful directives issued by the Alpine Police Department with respect thereto.
- B. 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.
- C. The holder of a permit 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. Any overnight parking arrangements must be requested and approved in advance by the Alpine Police Chief at the time of the filing of the application for the permit. Only designated borough-owned property shall be considered for this use. The use of the borough-owned school parking area may not be used if the same shall interfere with the regular school use of the said parking area.
[Amended 11-15-1999 by Ord. No. 564.]
- 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 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier in residential zones.
- F. The holder of a permit shall notify the Fire Chief 24 hours before filming takes place and permit the Fire Chief to inspect the site and the equipment to be used. The holder of a permit shall comply with all firesafety instructions issued by the Fire Chief.
- G. The holder of a permit for filming on public lands shall hire, at such person's sole cost and expense, a minimum of two Alpine police officers for daylight and nighttime duty as determined by the Chief of Police, which officers will be present at the site at all times during the filming.
[Amended 11-24-1998 by Ord. No. 549.]
- H. Automobiles, trucks and all other vehicles owned, leased or used by the holder of a permit for either residential or public land filming shall not park the same on more than one side of the street.

§ 114-5. Fees.

[Amended 11-24-1998 by Ord. No. 549.]

The fees, which shall be paid to the Borough Clerk in advance of the filming and issuance of the permit, are as follows:

- A. Filming permit: \$1,000.
- B. Filming permit for filming on public land: \$1,000. [NOTE: Incidental use of a public sidewalk or street which does not result in a closing of the street or sidewalk to public use shall not be considered filming on public land.]
- C. Filming permit for nonprofit applicants filming for educational purposes, including public land: \$25.
- D. Daily fee for inspection of site, floor load measurement/footing and set inspection by the Building Inspector: \$100.
- E. The charge for each police officer shall be at overtime rates for a minimum of four hours.
- F. For each police vehicle as required and determined by the Chief of Police for each eight-hour shift or part thereof: \$100.
- G.

Any police equipment used by the Police Department as deemed necessary by the Chief of Police shall be charged at a reasonable rate as determined by the Chief of Police.

- H. The charge for each Department of Public Works employee shall be at overtime rates for a minimum of four hours.
- I. Any supervision or inspection by employees of the Department of Public Works must be conducted before 7:00 a.m. or after 3:00 p.m. during normal working days. The rate for each employee conducting said supervision or inspection shall be at the regular overtime rate of 1 1/2 times the individual worker's salary.
[Added 11-15-1999 by Ord. No. 564]
- J. The charge for the Health Inspector to make a septic inspection, portable facilities inspection and catering (food) inspection: \$100.
- K. Daily fee for the Fire Official to inspect the site for fire lane approval, equipment, fire protection inspection (exits, etc.) and an inspection on the day of filming: \$100.
- L. In the event the Fire Official requires fire equipment to be at the site, the charge for each vehicle for each eight hours day or part thereof: \$200.
- M. The charge for a standby or active fire fighter as determined by the Fire Official shall be at the overtime rate for a Department of Public Works employee for a minimum of four hours.
- N. If a firesafety permit is required, the fee shall be charged in accordance with Chapter 119 of the Revised General Ordinances.

§ 114-6. Exemptions.

The provisions of this chapter shall not apply to the filming of news stories within the Borough of Alpine.