



BOROUGH OF HADDONFIELD
Camden County, New Jersey

April 15, 2024

2024-04

AN ORDINANCE REPEALING CHAPTER 109, "FILMING", ARTICLE I "RIDING IN THE COMMERCIAL DISTRICTS AND ON PRIVATE PROPERTY" OF THE CODE OF THE BOROUGH OF HADDONFIELD AND REPLACING WITH NEW CHAPTER 109, "COMMERCIAL FILMING".

WHEREAS, the Board of Commissioners of the Borough of Haddonfield (hereinafter "Borough") deems it appropriate, necessary, and proper to repeal the existing Chapter 109 "Filming" of the Borough Code;

WHEREAS, the Board of Commissioners of the Borough of Haddonfield (hereinafter "Borough") deems it appropriate, necessary, and proper to replace the existing Chapter 109 "Filming" of the Borough Code with the new Chapter 109 "Commercial Filming";

BE IT ORDAINED by the Board of Commissioners of the Borough of Haddonfield in the County of Camden, State of New Jersey as follows:

SECTION I

Chapter 109, "Filming" of the Code of the Borough of Haddonfield is hereby repealed.

SECTION II

Chapter 109 "Commercial Filming" of the Code of the Borough of Haddonfield is hereby introduced and will read as follows:

§ 109-1. 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, on streaming platforms or for institutional uses. The provisions of this chapter shall not be deemed to include the filming of news stories within the Borough of Haddonfield.

MAJOR MOTION PICTURE

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



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- D. 20th Century Fox, including Fox Searchlight
- E. Sony/Columbia
- F. Disney/Miramax
- G. MGM/United Artists
- H. Dreamworks
- I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video
- J. Any film for which the budget is at least \$5,000,000
- K. Recurrent weekly television series programming

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground, or any other public property within the Borough of Haddonfield which is within the jurisdiction and control of the Borough of Haddonfield.

§ 109-2. Permit.

- A. No person or organization shall film or permit filming within the Borough of Haddonfield, including where such filming involves the use of public property for the operation, placement, or temporary storage of vehicles or equipment, 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 Borough Clerk, which shall set forth the approved location of such filming and the approved date or dates and duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by Borough officials at all times at the filming site.
- B. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours at least three days prior to the first date that filming is to take place. Applications for such permits shall be in a form approved by the Borough Clerk and be accompanied by a payment in the amount established by ordinance of the Borough of Haddonfield.
- C. All permits shall indicate each location where filming is to take place.
- D. One permit shall be sufficient to authorize outdoor filming and indoor filming. Each such date on which filming is to take place and the location shall be specified in the permit. The permit shall not exceed 10 days of filming.
- E. If a permit is issued and, due to inclement weather or other good cause, filming does not 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. All permits must be readily available for inspection by Borough officials at all times at the filming site.



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§103-3. Issuance of permits.

- A. No permits will be issued by the Borough Clerk unless applied for prior to three days before the requested shooting date; provided, however, that the Borough Clerk may waive the three days if, in the Borough Clerk's 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 on public lands unless the applicant shall provide the municipality with satisfactory proof of the following:
 - (1) Proof of insurance coverage is 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) Hiring 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 Police Department with respect thereto.

§109-4. 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 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. 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 Borough 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 Borough Clerk within two days of the requested shooting date.



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- C. The holder of a permit shall conduct filming in such a manner as to minimize the inconveniences 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. 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.
- 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 Saturday between the hours of 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier, unless the permit allows filming after dark or different hours.

§ 109-5. Refusal to issue permit; employment of patrolmen and electrician.

- A. The Borough Clerk may refuse to issue a permit whenever the Borough Clerk determines, on the basis of objective facts and 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 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 Borough 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 is 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.

§ 109-6. Appeals.

- A. Any person aggrieved by a decision of the Borough Clerk denying or revoking a permit or a person requesting relief may appeal to the Borough Commissioners. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk.
- B. An appeal from the decision of the Borough Clerk shall be filed within Ten (10) days of the Borough Clerk's decision. The Borough Commissioners 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 Borough Commissioners shall be in the form of a resolution supporting the decision of the Borough Clerk at the first regularly scheduled public meeting of the Borough Commissioners 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



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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 shall be deemed denied.

§ 109-7. Waiver of requirements by Borough Clerk.

The Borough Clerk may authorize a waiver of any of the requirements provided in this Chapter, provisions or restrictions of this Chapter if the Borough Clerk determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Borough Clerk shall consider the following factors:

- A. Potential traffic congestion at the location.
- B. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- C. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
- D. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- E. The extent to which the filming may affect adjoining and nearby property owners and occupants.
- F. The Borough's prior experience with the applicant, if any.

§109-8. Copies of permit; inspections.

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall notify the Fire Department and the Police Department 24 hours before filming takes place and permit the Fire Department and the Police Department to inspect the site and the equipment to be used before filming takes place. The applicant shall comply with all fire and safety instructions issued by the Fire Department and the Police Department.

§ 109-9. Reckless operation; control; weaving.

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

§109-10. Fees.

The fees for the issuance of filming permits authorized by this Chapter is as follows:



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- A. Basic filming permit: \$100. Where an applicant requests a waiver under §109-3(A) of this Chapter requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee shall be \$150.
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$200 per day.
- C. Daily filming fee payable for Major Motion Picture when filming entirely on public property: \$1,000 per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.
- E. Filming on private property: no daily filming fee will be imposed.

§109-11. Violations and penalties.

Violations of the provisions of this article shall be punishable as provided in Chapter 1, General Provisions, § 1-14.

SECTION III

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

SECTION IV

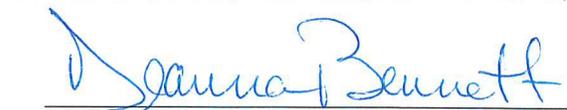
This ordinance shall take effect immediately upon passage and publication as required by law.

First Reading – March 25, 2024

Second Reading – April 15, 2024

| COMMISSIONERS: | MOTION | SECOND | YEA | NAY | ABSTAIN | ABSENT |
|----------------|--------|--------|-----|-----|---------|--------|
| ROCHE | X | | X | | | |
| TROY | | X | X | | | |
| BIANCO BEZICH | | | X | | | |

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HADDONFIELD AT A MEETING HELD ON APRIL 15, 2024.


Deanna Bennett, Borough Clerk