



ORDINANCE NO. 1622 **BOROUGH OF BOGOTA**
PUBLIC HEARING OF & ADOPTION **DATE: July 18, 2024**

FILM PERMIT

WHEREAS, the Mayor and Council wish to regulate the filming of motion pictures and other recordings in the Borough of Bogota; and,

WHEREAS, a series of regulations were recommended by the Bogota Police Department to regulate such filming; and,

WHEREAS, the Mayor and Council wish to amend Chapter 3 of the Bogota Code to incorporate the aforementioned regulations, as recommended by the Bogota Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that a new Section 33 is hereby added to Chapter 3 of the Bogota Code, which shall read as follows:

3-33 FILM PERMITS REQUIRED ON PUBLIC LANDS

§ 3-33.1 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, videotape, digital or similar recording medium for commercial or educational purposes, and intended for viewing on television, the internet, social media platforms, in theaters or for institutional use.

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 of Bogota.

§ 3-33.2 Permit required; application.

- A. No person shall film or permit filming within the Borough of Bogota without first obtaining a permit therefor, which permit shall set forth the location of such filming and the date or dates when filming shall take place.
- B. 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 and shall be accompanied by a permit fee in the amount established by the Borough of Bogota. 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. One permit shall be required for each location per applicant.
- D. One permit shall be sufficient to authorize outdoor filming on one day and indoor filming on one day, and the date of the filming shall be specified on the permit.
- E. The maximum number of days on which filming may be authorized in any calendar year for any premises located in a residential zone shall not exceed four (4), without obtaining a waiver pursuant to §3-33.3 of this Chapter.
- F. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the date 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.
- G. No permit shall be issued for filming within the Borough of Bogota on or in any private property unless written consent of the property owner and/or tenant accompanies the application.

§ 3-33.3 Rules and regulations.

- A. No permit shall be issued for filming at a particular location in a residential zone within the Borough of Bogota for more than four (4) days during any one calendar year unless a waiver pursuant to Subsection I of this Section is granted.
- B. No permit shall be issued for filming upon public lands within the Borough of Bogota unless the applicant for such permit:
 - (1) Provides proof of insurance coverage as follows: for bodily injury for any person in the amount of \$500,000, and for any aggregate occurrence in the amount of \$1,000,000. All such policies must name the "Borough of Bogota" as an additional insured.
 - (2) Agrees, in writing, to indemnify and save harmless the Borough of Bogota from any and all liability or damages resulting from the use of such public lands.
- C. 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 Bogota Police Department with respect thereto.
- D. 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. The holder shall avoid any interference with previously scheduled activities upon public lands and shall limit, to the extent possible, any interference with normal public activity on such public lands. In the event that filming will be needed on private or public roadways, which could disrupt pedestrian or vehicular travel, police traffic control will be required and services for the traffic control shall go directly through the Bogota Police



Department, and additional traffic control service fees will be added according to Borough of Bogota Private Sector Ordinances.

- E. 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.
- F. 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. The Borough Clerk may, in his/her discretion, allow different times, but that will be on a case-by-case basis and additional services to assist for safety reasons may be required.
- G. The Borough Clerk may refuse to issue a permit whenever he/she 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 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/pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- H. 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. 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. A resolution supporting the decision of the Borough Clerk or granting relief pursuant to Subsection I shall be approved by the Mayor and Council at the first regularly scheduled public meeting by 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.
- I. 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 or may permit filming at a particular location in a residential zone for 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 and welfare.



- J. The applicant shall notify the Fire Official 24 hours before filming takes place and shall permit the Fire Official to inspect the site and the equipment to be used. The applicant shall comply with all fire safety instructions issued by the Fire Official.
- K. The holder of a permit issued for filming on public lands shall hire, at said person's sole cost and expense, Bogota police officers, who will be present at all times at the site during the filming.
- L. 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 be parked on more than one side of the street.

§ 3-33.4 Fees.

Fees for filming shall be as follows:

- A. Filming on private property: \$200 per day.
- B. Filming on public property: \$500 per day.
- C. Filming by a nonprofit entity: \$50 per day.
- D. Filming by a student(s): \$25 per day.

No refunds shall be issued for unused permits.

§ 3-33.5 Violations and penalties.

Any person violating this Chapter, or the rules and regulations contained herein shall be subject to fines not to exceed \$500 for a first offense and \$1,000 for a second offense, or to imprisonment for a term not to exceed 90 days, or both.

§ 3-33.6 Exemptions.

The provisions of this Chapter shall not apply to the filming of news stories within the Borough of Bogota

§ 3-33.7 Enforceability

The Borough of Bogota Clerk, Building Department, Fire Department, Health Department and Police Department can enforce any and all parts of this Chapter.



ORDINANCE NO. 1622

BOROUGH BOGOTA
PUBLIC HEARING OF & ADOPTION

DATE: July 18, 2024

FILM PERMIT

PUBLIC HEARING OPEN

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter		✓	✓				
Councilwoman Kohles			✓				
Councilman McHale	✓		✓				
Councilman Mitchell			✓				
Councilman Robbins			✓				
Councilwoman Vergara			✓				

COMMENTS: Ms. Harper inquired more information in reference to the ordinance.

PUBLIC HEARING CLOSED

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter	✓		✓				
Councilwoman Kohles			✓				
Councilman McHale			✓				
Councilman Mitchell			✓				
Councilman Robbins			✓				
Councilwoman Vergara		✓	✓				


ADOPTION: July 18, 2024.

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter	✓		✓				
Councilwoman Kohles			✓				
Councilman McHale			✓				
Councilman Mitchell		✓	✓				
Councilman Robbins			✓				
Councilwoman Vergara			✓				

CERTIFICATION

✓
ATTEST:

Borough Clerk

APPROVED:

Mayor

I, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on July 18, 2024.