

ORDINANCE NO. 8 – 2023

**TOWNSHIP OF GREENWICH
COUNTY OF GLOUCESTER**

**ORDINANCE GOVERNING COMMERCIAL FILM MAKING WITHIN THE
TOWNSHIP OF GREENWICH, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY**

WHEREAS, the Township of Greenwich is a desirable location for the filming of motion picture and television programs; and

WHEREAS, such filming can bring economic benefits to the Township of Greenwich; and

WHEREAS, the Mayor and Council wish to minimize disruptions to the peace and tranquility of the Township of Greenwich by regulating such filming activities.

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of Greenwich, Gloucester County, New Jersey that the following Chapter shall be created within the Code of Township of Greenwich

COMMERCIAL FILM MAKING

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 or for institutional uses. The provisions of this chapter shall not be deemed to include the “filming” of news stories within the municipality.

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
- 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 \$5,000,000.00.
- K. Recurrent weekly television series programming

PUBLIC LANDS

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

2. PERMIT REQUIRED

- A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, 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 Municipal Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by township officials at all times at the site of the filming.
- B. All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in the form approved by the Municipal Clerk and accompanied by a permit fee in the amount established by this chapter in section 10 herein.
- C. 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 Municipal 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.

3. ISSUANCE OF PERMITS

- A. No permits will be issued by the Municipal Clerk unless applied for prior to three days before the requested shooting date; provided, however, that the Township Administrator may waive the three-day period if, in his 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 upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:
 - (1) Proof of insurance coverage as follows:
 - (a) For bodily injury to any one person in the amount of \$500,000.00 and any occurrence in the aggregate amount of \$1,000,000.00.
 - (b) For property damage for each occurrence in the aggregate amount of \$300,000.00.
 - (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 use of public lands.
 - (3) The hiring of off-duty police officers 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.

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 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 involved 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 Municipal 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 Municipal Clerk within two days of the requested shooting date.

5. REFUSAL TO ISSUE PERMIT; EMPLOYMENT OF PATROLMEN AND ELECTRICIAN

- A. The Township Administrator or Municipal Clerk may refuse to issue a permit whenever he 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 township 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 the vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- B. The Township of Greenwich reserves the right to require one or more on-site patrol officers in situations where the proposed production may impede the proper flow of traffic, the cost of said patrol officers(s) 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.

6. APPEALS

- A. Any person aggrieved by a decision of the Municipal Clerk or Township Administrator denying or revoking a permit or a person requesting relief may appeal to the Mayor and Council of the Township of Greenwich. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk.
- B. An appeal from the decision of the Municipal Clerk or Township Administrator shall be filed within the 10 days of the 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 at the first regularly scheduled public meeting of the Township 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 Municipal Clerk or Township Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

7. WAIVER OF REQUIREMENTS OF CHAPTER BY TOWNSHIP ADMINISTRATOR

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

- (1) Potential traffic congestion at the location.
- (2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- (3) The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
- (4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- (5) The extent to which the filming may affect adjoining and nearby property owners and occupants.
- (6) The Township's prior experience with the applicant, if any.

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 permit the Fire Prevention Bureau or other township inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other township inspectors.

9. REIMBURSEMENT OF CERTAIN COSTS

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

10. FEES

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Basic filming permit: \$100.00. Where an applicant requests a waiver of the provision of § 3A requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150.00.

- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$200.00 per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: \$1,000.00 per day.
- D. Filming permit for non-profit applications filming for educational purposes, including student films (no daily rate required): \$25.00
- E. Filming on private property: no daily filming fee will be imposed.

11. VIOLATIONS AND PENALTIES

Any person who violates any provision of this chapter shall, upon conviction, thereof, be punished by a fine not exceeding \$2,000.00 imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service no exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of any ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

This Ordinance shall take effect twenty (20) days after adoption and publication as required by law.

INTRODUCTION: May 15, 2023

Council	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Councilman Chila							
Councilman DiMenna							
Councilman Nastase							
Councilwoman Tranquillo							
Mayor Giovannitti							

TOWNSHIP OF GREENWICH

By: _____
Vincent Giovannitti, Mayor

I, Holly Tropea, do hereby attest the above Ordinance 8-2023 was introduced at a meeting of the Mayor and Council of the Township of Greenwich on May 15, 2023. A public hearing will occur on June 20, 2023 at 7:00 P.M.

ATTEST:

Holly Tropea, RMC, CMR
Municipal Clerk

ADOPTION: June 20, 2023

Council	Motion	Second	Ayes	Nays	Abstain	Absent	Recuse
Councilman Chila							
Councilman DiMenna							
Councilman Nastase							
Councilwoman Tranquillo							
Mayor Giovannitti							

I, Holly Tropea, do hereby attest the above Ordinance 8-2023 was adopted at a meeting of the Mayor and Council of the Township of Greenwich on June 20, 2023 after a public hearing which was scheduled for June 20, 2023. Said Ordinance shall take effect in accordance with the law.

ATTEST:

Holly Tropea, RMC, CMR
Municipal Clerk

On this _____ day of _____ 2023, I hereby approve the above Ordinance **8-2023**.

Vincent Giovannitti
Mayor