



# TOWN OF NEW CASTLE

200 South Greeley Avenue, Chappaqua, New York 10514 • (914) 238-7269 • Fax (914) 238-2537 • cpapes@mynewcastle.org

Town Clerk/Receiver of Taxes  
**Christina Papes**

Deputy Receiver of Taxes  
**Patricia Antonucci**  
(914) 238-4773

December 18, 2023

Ms. Carolyn Van Wormer  
NYS DOS  
State Records  
99 Washington Avenue  
Albany, New York 12231

Re: Local Law No 8 of 2023, A LOCAL LAW to amend the provisions of Chapter 65, Filming, of the Town of New Castle Town Code.

Dear Ms. Van Wormer:

Attached please find Local Law No. 8 of 2023 for filing. Thank you for your assistance in this matter.

Very truly yours,

Christina Papes  
Town Clerk

enc.

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of New Castle

Local Law No. 8 of the year 2023

A local law A local law to amend the provisions of Chapter 65, Filming  
(Insert Title)

Be it enacted by the Town Board of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of New Castle as follows:

Amend Chapter 65, Filming, § 65-2, Definitions, as follows:

§ 65-2. Definitions.

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

FILMING

The taking of motion pictures, commercials and advertisements and television shows, whether on film, videotape, photograph, digital recording or by other recording medium, for commercial, educational, or not-for-profit purposes uses. This definition includes, but is not limited to, on-site presence and mobilization, set-up, and break-down. This definition shall not include, and no permit or fee shall be required for:

C.

Activities conducted for use in a criminal investigation or civil or criminal court proceeding; or

D.

Activities taking place under sponsorship of the Town of New Castle.

Delete subsection E of Chapter 65, Filming, § 65-2, Definitions.

Amend the definition of " Major Commercial Production" as follows:

COMMERCIAL PRODUCTION

Any filming which is part of a television series, special, documentary, or made-for-TV movie; or which is financed, produced and/or distributed by a motion picture studio, or online entertainment provider, including, but not limited to,

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Add the following new subsection "I. Streaming Services" after subsection "H. Dreamworks":

I.

Streaming services consisting of an online provider of entertainment (music, movies, etc.) that delivers the content via an Internet connection to computer, TV or mobile device, including but not limited to Netflix, Amazon Prime Video, Hulu, Spotify and Apple Music as examples.

Amend § 65-4 (B), License applications, as follows:

- B. The applicant shall mail copies of its application, use plan and all supporting documents, simultaneously with its filing with the Town Administrator, to the owners of all properties within a radius of 500 feet of the location of filming. Proof of mailing shall be submitted to the Town Administrator no later than five business days after submission of an application pursuant to this chapter.

Amend § 65-6 (A), Limitations of activities; performance requirements, as follows:

- A. Unless the Town Board provides otherwise by resolution, filming shall not be conducted at the same location (i.e., in the same building or at the same location) on more than seven (7) days per calendar year.

Amend § 65-8 (D), Penalties for offenses, as follows:

- D. Any person or entity of any kind who or which fails to obtain the license required herein or otherwise violates any provision of this chapter shall, upon conviction, be guilty of an offense punishable by a fine of not more than \$5,000 per day per offense plus the cost of the film permit fee as set forth in the New Castle Fee Schedule, as amended, or by imprisonment not exceeding 15 days, or by both such fine and imprisonment. The Town may place a lien on the property for any unpaid fines that are due and owing to the Town.

Amend § 65-10, Previous violations, as follows:

Notwithstanding any of the foregoing, no applicant who has been previously convicted of a violation of this chapter shall be granted a permit hereunder for a period of 24 months from the date of such conviction and satisfaction of fines in connection therewith.

This Local Law shall be effective immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 8 of 2023 of the ~~(County)(City)(Town)(Village)~~ of New Castle was duly passed by the Town Board on December 5, 2023, in accordance with the applicable (Name of Legislative Body) provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

*Christina Pepis*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: December 18, 2023

(Seal)