

CITY OF PLAINFIELD

MC 2024-32

AN ORDINANCE TO AMEND CHAPTER 9 LICENSES, PERMITS AND REGULATED ACTIVITIES; CREATING ARTICLE 16. FILM PERMIT REQUIRED.

WHEREAS, the City of Plainfield (hereinafter referred to as “City”) is desirous of updating its City Code, Chapter 9, “Licenses, Permits, and Regulated Activities,” Article 21, “Film Permit Required” to maintain current film industry standards.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Plainfield, County of Union, State of New Jersey, that Chapter 9, “Licenses, Permits, and Regulated Activities,” Article 21, “Film Permit Required” is hereby amended and supplemented as follows:

Additions are indicated by **bold underline**

Deletions are indicated by ~~striketrough~~

Language that remains unchanged is not highlighted in anyway.

SECTION I

§ 9:21-3. Standards and procedures for granting permits.

- (a) No permit shall be issued for filming at a particular location in a residential zone within the City that would permit filming at said location on more than 10 days during any one calendar year unless a waiver pursuant to this article is granted.
- (b) No permit shall be issued for filming upon public lands within the City 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.
 - (2) Agrees, in writing, to indemnify and save harmless the City from any and all liability or damages resulting from the use of such public lands.
 - (3) Agrees, in writing, to reimburse the City for any lost revenues, such as parking meter revenue, repairs to public property, and other revenue that the City was prevented from earning because of the filming.
 - (4) Posts a cash bond of \$500 or a maintenance bond of \$1,000 in favor of the City for protecting and ensuring that the site of the filming is in a satisfactory condition (free of debris, rubbish, and equipment) and that all City laws and regulations are followed. Within seven days of the completion of the filming, the City shall return the bond if there is no damage to public or private property or public expense caused by the filming.
- (c) The 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 Director and by other City 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, safety or welfare.
- (d) Any person aggrieved by a decision of the Municipal Clerk denying or revoking a permit or a person requesting relief pursuant to this subsection may appeal to the **Business** Administrator. A written notice of appeal setting forth the reasons for the appeal shall be filed with the **Business** Administrator. Any appeal of the Clerk's decision shall be filed within 10 days of the Clerk's decision. The **Business** Administrator shall set the matter down for a hearing within 30 days from the day on which the notice of appeal was filed. The decision of the **Business** Administrator shall be in the form of a written decision.
- (e) The **Business** Administrator may authorize a waiver of any of the requirements or limitations of this article and may authorize filming other than during the hours herein

described or may extend the duration of a permit beyond 10 days or may permit filming at a particular location on more than 10 days during any one calendar year or may waive any other limitation or requirement of this article whenever he/she 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.

§ 9:21-4. Standards for filming.

- (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 City Police Director 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. 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.
- (c) 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.
- (d) 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 applicant may apply for a waiver for night shooting, which shall not extend beyond 11:00 p.m. in residential neighborhoods.
- (e) The applicant shall notify the Fire Chief twenty-four (24) hours before filming takes place and shall permit the Fire Chief or his designee to inspect the site and the equipment to be used. The applicant shall comply with all fire safety instructions issued by the Fire Chief or his designee.
- (f) The holder of a permit issued for filming on public lands shall hire, at said person's sole cost and expense, an off-duty police officer who will be present at all times at the site during the filming. The City reserves the right to require more than one off-duty police officer where the proposed production may impede the proper flow of traffic; the cost of said police officer is to be borne by the applicant.
- (g) 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.
- (h) **Vehicles described in Chapter 16:5-1(A)(1 - 9) involved in the filming of movies and television programs shall not be held in violation of the City's Parking Ordinance so long an approved filming permit is obtained.**
- (i) The permit holder shall immediately report all accidents, injuries, health incidents, or damage to the property to the ~~appropriate public authority~~ **City of Plainfield's Police or Fire Department.**

§ 9:21-5. Violations and penalties.

- (a) Any person violating this article or rules and regulations contained herein shall be subject to a fine not to exceed \$500 **\$2,000.00** or imprisonment for a term not to exceed 90 days, or both.

§ 9:21-6. Fees.

- (a) Fees shall be as follows:
 - (1) ~~Permit fee of \$50 per day for a standard application.~~ **Permit fee of \$150 per day for a standard application**

~~(2) A permit fee of \$250 per day for filming on public land.~~ **Daily major motion picture filming fee of \$1,500 (per day) in addition to the permit fee. Filming budget over 5 million dollars.**

~~(3) A permit fee of \$25 for nonprofit applicants, including filming on public land.~~ **Daily filming fee \$250 (per day) film budget below 5 million dollars in addition to the permit fee of \$150 daily.**

(4) Daily fee of \$2,500 (per day) for filming on public land in addition to the permit fee.

(5) Daily fee of \$75 (per day) for nonprofit and student applicants, including filming on public land.

- (b) The provisions of this article shall not apply to the filming of news stories ~~with the City of Plainfield.~~
- (c) The permit holder shall pay all fees and obtain all permits and licenses required for its activity under local, state, and federal law and pay all fees associated therewith.

SECTION II

SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III


REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE. This ordinance shall take effect immediately upon this passage and publication in accordance with the law.


ADOPTED BY THE MUNICIPAL COUNCIL

June 10, 2024


Abubakar Jalloh, R.M.C.
Municipal Clerk

CLERK'S CERTIFICATION

I, Abubakar Jalloh, City Clerk of the City of Plainfield do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Plainfield City Council.


Abubakar Jalloh, R.M.C.
Municipal Clerk

✓ Vote Record - Ordinance MC 2024-32						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Richard Wyatt	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Charles McRae	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Steve Hockaday	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Terri Briggs Jones	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Repealed	Robert Graham	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Failed	Julienne Cherry	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Vetoed	Darcella Sessomes	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consensus						