

INCORPORATED VILLAGE OF EAST HILLS
209 HARBOR HILL ROAD, EAST HILLS, NY 11576
(516) 621-5600

APPLICATION FOR FILMING PERMIT

1. Person/Entity Producing Film Information:

Name: _____

Address: _____

Telephone (1): _____ **(2)** _____

2. Name, address and telephone information of Contact person if different than above:

3. Purpose and Use of the Film:

4. Specific Location of Each Property Used in the Film: (use additional sheets if needed)

- _____
- _____
- _____
- _____

5. Date(s) & Time(s) Each Property Will be Used (must include "set-up" and "breakdown time")

**6. Name, Address & Telephone Number of the Property Owner:
(Application must include a copy of written consent of property owner)**

7. Capacity of Portable Electrical Generators (if used) must be specified, as well as any other machinery or equipment that may pose a danger or produce substantial noise. Also, the location of this equipment must be stated:

X

(Signature of applicant or signature of corporate officer and officer title if applicant is a corporation)

APPROVED (Signature & Date)

DENIED (Signature & Date)

Village Clerk

Village Clerk

To be completed by applicants of Minor Commercial Filming:

The applicant agrees that failure to comply with the terms and conditions contained in §78-6 B shall result in the applicant being liable for the full filming fees under §78-6 A and shall no longer be entitled to reduced fees under a minor commercial film permit. For example, on the eighth day of the filming, four crew members are involved with filming. Since only three are permitted, instead of \$2,500, \$1,000 would be charged for the first day of filming, as well as \$1,500 per day for each day of filming, for a total of \$11,500.

X

(Signature of applicant or name of officer, officer title and company if corporation)

See Attached Chapter 78 of the Code of the Village of East Hills

*Village of East Hills, NY
Thursday, July 24, 2014*

Chapter 78. COMMERCIAL FILMING

[HISTORY: Adopted by the Board of Trustees of the Village of East Hills 2-26-2001 by L.L. No. 1-2001. Amendments noted where applicable.]

GENERAL REFERENCES

Lighting — See Ch. 117.

Noise — See Ch. 127.

§ 78-1. Purpose.

The Board of Trustees of East Hills finds it in the public interest to establish appropriate restrictions, prohibitions and standards in order to properly protect the residents of the community when filming occurs in public or private places.

§ 78-2. Definitions.

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

BREAKDOWN

The disassembling of all equipment and props and the loading of equipment in order to depart the premises in East Hills.

FILMING

The commercial recording on film, video or other medium of motion pictures, commercials, documentaries, shows and performances, including still photography. "Filming" also includes the use of public or private property for equipment, vehicles, props, cameras and any other items or materials used in connection with filming. However, noncommercial filming by the press for news events or home movies, videos or still photography intended for private use of the owner and his/her immediate family and not sold for financial gain are exempt from this chapter and are not included within the definition of "filming."

SETUP

Unloading photography and related equipment and props and assembling equipment on property in the Village, whether private or public.

VILLAGE

The Incorporated Village of East Hills.

§ 78-3. Permit required.

No person, firm, association or corporation shall commence filming in the Village unless a permit has been issued by the Village Clerk.

§ 78-4. Application for permit.

- A. An application for a filming permit shall be submitted on forms provided by the Village Clerk at the Village Office and shall contain the following information:
- (1) Name, address and telephone number of the person or entity producing the film.
 - (2) Name, address and telephone number of the contact person, including cell phone numbers.
 - (3) Purpose and use of the filming.
 - (4) Specific location of each property to be used in the filming.
 - (5) Dates and times of the day that each property would be used, including set-up and break-down times.
 - (6) Name, address and telephone number of the property owner.
 - (7) Written consent of the owner of the property.
 - (8) The capacity of portable electrical generators, if used, must be specified, as well as any other machinery or equipment that may pose a danger or produce substantial noise. Also, the location of this equipment must be stated.
- B. The Village Clerk may approve or deny the permit or approve the permit with restrictions or conditions.
- C. The proposed date of filming shall not be requested less than seven business days after the date of the filed application. A response to a request for a permit shall be given by the Village within two days of the proposed shooting.
- D. The Village Clerk may deny an application for a filming permit if he/she determines that it will create a dangerous condition, create a safety concern, interfere with the use of the Village streets or public places, create a nuisance to the Village residents, violate any provision of the Village Code and/or interfere with the quiet enjoyment of the community.
- E.

No permit shall authorize filming at one location within the Village for more than two days in total.

- F. If a permit is issued for particular dates and filming does not occur on the date(s) specified, then a new application must be submitted with an additional fee of \$150 for processing, review and oversight.
- G. The holder of the permit will take all reasonable and prudent steps to minimize interference with the free passage of pedestrians, school buses and traffic, and shall comply immediately with all directives issued by the Village's security force or any officer or official of the Village.
- H. The holder of the permit will minimize any inconvenience to any adjoining property owner to the greatest extent practicable.

§ 78-5. Permit restrictions.

- A. Every permit shall contain a date of commencement and expiration as well as the specific hours during which filming may occur.
- B. Filming may only occur from 8:00 a.m. to 6:00 p.m. during April 1 through September 30 and from 8:00 a.m. to 5:00 p.m. October 1 to May 31, Monday through Friday, except that no filming should occur on any holiday on which the Village Hall is closed.
- C. No filming shall begin prior to 10:00 a.m. on Saturday and must be concluded by 4:30 p.m., and no filming shall be permitted on Sundays.
- D. The Village Clerk may place further reasonable limitations on the hours of operation based on the needs of the particular neighborhood or the existence of conflicting scheduled events.

§ 78-6. Fees. *SEE ATTACHED LOCAL LAW 3-2014*

The fee for a filming permit shall be \$1,000 for the first day and an additional fee of \$1,500 for each additional day of filming, which shall be paid in cash or certified check three business days prior to the issuance of the permit.

§ 78-7. Incidental costs.

- A. The applicant shall pay the actual cost for the incidental use of any Village personnel, service or equipment in connection with the filming.
- B. Security. The applicant shall pay for the number of private patrol cars the Village deems necessary to ensure the safety of the residents who are affected.

§ 78-8. Insurance.

No permit shall be issued until the applicant has deposited with the Village Clerk a certificate or policy of general liability insurance, including personal injury liability, in an amount not less than \$2,000,000 per occurrence and \$2,000,000 aggregate coverage for bodily injury and property damage combined single limit, naming the Village as an additional insured, thereby providing a defense and indemnity from and against any claim, loss or damage resulting from the filming for which the permit is issued. The applicant will also sign a statement holding the Village harmless from any and all liability which results from filming.

§ 78-9. Bond.

The applicant shall deposit with the Village Clerk, at least two days prior to the issuance of the permit, cash or certified check in the amount of \$2,500 to guarantee any claim, reconstruction or restoration of any public property that may be damaged as a result of the filming. The bond shall be returned if no damage or claim is reported within 10 days after filming occurs.

§ 78-10. Notification to neighbors.

- A. No less than 72 hours before filming occurs, all adjoining property owners, as well as all homeowners on the street facing the property and on the same side of the street as the property where filming is to occur, must be given notification.
- B. The notification must be placed in the mailbox of the property owner or sent by certified mail and provide the following information:
 - (1) Name, address and telephone number of property owner, location of shooting and telephone number of the producer or other responsible party.
 - (2) Time and date of shooting.
 - (3) Purpose and nature of filming.

§ 78-11. Suspension or revocation of permit.

- A. The Village Clerk or the Mayor and Board of Trustees may suspend or revoke a filming permit issued for any of the following reasons:
 - (1) Violation of any law, rule or regulation of the United States, the State of New York, the County of Nassau, the Town of North Hempstead, the Village or any department or agency thereof of any government agency.

- (2) Violation of any condition of the permit, or any provision of any local law of East Hills.
 - (3) Conduct by any party connected with the applicant that is detrimental to the health, safety or well-being of the residents.
 - (4) Any other reason, which in the Village Clerk's sole discretion is adverse to the best interests of the community.
- B. A decision of the Village Clerk to suspend or revoke a permit shall be appealable to the Board of Trustees, whose decision shall be final. This decision may be reviewed under the New York Civil Practice Rules by an Article 78 proceeding brought within 30 days of the filing of the Clerk's decision in his office.
- C. In the event that a permit is suspended or revoked, the fees paid shall be forfeited and shall not be refunded to the applicant.

§ 78-12. Penalties for offenses.

- A. Any person, firm or corporation who or which shall violate or fail, neglect or refuse to comply with any provision of this chapter or any rule or determination made thereunder, or who shall undertake filming without a permit therefor, shall, upon conviction thereof, be punished by a fine of not more than \$7,500 per day. Each day that a violation continues shall be deemed a separate violation.
- B. In addition to the penalties set forth in this section, the Village may enforce any provision of this chapter by injunction or by civil action.

**INCORPORATED VILLAGE OF EAST HILLS
BOARD OF TRUSTEES**

LOCAL LAW NO. 3 OF YEAR 2014

A LOCAL LAW TO ADD A FLAT FEE FOR MINOR COMMERCIAL FILMING

The Board of Trustees of the Incorporated Village of East Hills repeals Section 78-6 and in its place adds a new Section 78-6, as follows:

Section 1.

**Chapter 78
Commercial Filming**

§ 78-6. Fees.

Fees for Filming

- A. **Commercial Filming:** The fee for a filming permit shall be \$1,000 for the first day and an additional fee of \$1,500 for each additional day of filming, which shall be paid in cash or certified check the business days prior to the issuance of the permit.
- B. **Minor Commercial Filming:** The fee for a filming permit of limited duration, size, and extent shall be a one-time fee of \$2,500, solely when all of the following provisions are satisfied:
- (1) The total Crew involves 3 or less members at any time during the filming.
 - (2) The length of the filming does not exceed 8 days with any filming at all, no matter how short on a calendar day, counting as a full day.
 - (3) No power lines are run into on the property to allow added electricity for lights.
 - (4) There is no disruption or inconvenience to the community, residents, and traffic.
 - (5) Only one commercial truck is parked at or near the premises.
 - (6) No more than one day of the eight can be used for filming outdoor the residence.
 - (7) All other requirements of this statute must be complied with, including, but not limited to, the application provisions in §78-4, permit restrictions in §78-5, insurance in §78-8, bonding in §78-9, notification in §78-10, suspension or revocation in §78-11, and penalties as contained in §78-12.