

Village of Chatham
77 Main Street
Chatham, NY 12037
(518)392-5821 (t)
(518)392-7757 (f)

FILMING PERMIT

Name: _____

Address: _____

Location: _____

Phone: _____

Location of the Property: _____

Owner of the Property: _____

Name of person/entity doing the filming: _____

Address of the above: _____

Date(s) filming will take place: _____

Time(s) of filming between hours of _____ and _____

Purposes of filming _____

Number of Vehicles involved: _____

I, _____, under the penalty of perjury,
(Name of applicant)

affirm that all statements contained in this application are true.

Signature of applicant

Date

A Certificate of Insurance and indemnification that evidences a general liability insurance policy naming the Village of Chatham as an additional named insured in the minimum amount of \$1,000,000 per occurrence for the duration of the filming and indemnification agreement that states the applicant agrees to assume all liability for and will indemnify and hold harmless the Village, its agents, and employees of and free from any and all damages that occur to persons or property by reason of said filming have been provided.

Signature of Village Clerk/Date

Indemnification Agreement

_____, agrees to assume all liability for and will indemnify and hold harmless the Village of Chatham and its agents/employees free from any and all damages that occur to person or property by reason of the filming of _____ taking place on _____

Signed

Signature of Applicant

Date

Special Events

Filming within the corporate limits of the Village of Chatham

Purpose: The Village Board of the Village of Chatham recognizes that the village's natural beauty and historical background are attractive to individuals, organizations, corporations, groups and other entities involved in still photography, motion pictures and television or other such events. Because such filming activities may create a threat to public safety, health or welfare due to the time, location or duration of the filming, or may unduly interfere with vehicular and/or pedestrian traffic, the village desires to regulate such activities through the issuance of permits. The purpose of this local law is to set forth the procedure governing such permit process.

General: A permit issued pursuant to this chapter is required prior to any person, organization, corporation, group or other entity engaging in the activity of filming or photographing a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation upon the streets, sidewalks or any other property owned by the Village of Chatham or upon private property when such activities may interfere with vehicle and/or pedestrian traffic or may create a threat to public safety, health or welfare due to time, location or duration of the filming.

Permit Application: Applications may be submitted to the Village Clerk in person or by mail. They must be received by the Village Clerk no later than 21 days prior to the initiation of filming and must contain at least the following information:

- A. Name of the applicant.
- B. Location of the property.
- C. Telephone number of the applicant.
- D. Whether the applicant is the owner of tenant in possession of the property.
- E. Name of owner of the property, if the applicant is not the owner.
- F. Name of the person or entity the applicant wishes to allow to conduct filming.
- G. Address of the party named in Subsection F.
- H. Telephone number of the party named in Subsection F.
- I. Date(s) that filming is to take place.
- J. Dates, within the previous 12 months, that any filming was conducted at the location described in Subsection B.
- K. The following information regarding the filming itself:
 1. Brief description of the purpose of the filming (e.g., television commercial for ABC Laundry detergent).
 2. Number of people connected with filming who will be at location during filming, including but not limited to technical personnel, maintenance personnel and food service providers.
 3. Vehicles
 - a. Number of vehicles in any way related to filming, or to people involved in filming, which will be brought to location on day(s) of filming.

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- b. Statement of type of vehicles (e.g., passenger car, truck, recreational vehicle) and in the case of all but passenger vehicles, approximate length and height at the ongest and highest points of each vehicle.
- 4. If any equipment is to be set up outside, description of where such filming will occur.
- L. A statement that the person or entity making the application affirms, under penalty of perjury that all statements contained in the application are true.
- M. Signature of the person, principal or entity making the application.
- N. Any and all additional information that may be required to assist in determining if a permit will be issued.
- O. A certification of insurance and indemnification that evidences a public liability insurance policy covering the village as an additional name insured in the minimum of the \$1,000,000.00 per occurrence for the duration of the filming. The applicant shall also submit an indemnification agreement that states that the applicant agrees to assume all liability for and will indemnify and hold harmless the Village of and free from any and all damages that occur to persons or property by reason of said filming.
- P. In the event that filming involves a State of New York Highway, the applicant shall attach a copy of the letter authorizing the applicant to use the State highways.

Review process:

Review by the Chief of Police. The Village Clerk shall forward the application to the Chief of Police for approval or disapproval. Said approval or disapproval shall be based upon the Chief of Police, or his designee, making a determination on whether the proposed filming will constitute a threat to public safety, health or welfare by reason of time, location or duration of the activity or will unduly interfere with vehicular and/or pedestrian traffic. Approval of the application by the Chief of Police, or his designee, may be conditioned on the payment of a traffic & crowd control fee set forth in this local law.

The Chief of Police shall send the approved or disapproved application back to the Village Clerk

Review by Village Attorney: The Village Clerk shall forward the application, the certification of insurance and the indemnification agreement to the Village Attorney for approval. The Village Attorney shall send such approved or disapproved documents back to the Village Clerk.

The Village Clerk shall meet with the Chief of Police and the Director of Public Works to calculate any expenses that the Village will need to cover the expenses of the police department and the department of public works. These fees will be paid before the scheduled event proceeds.

Review by the Mayor: The Village Clerk shall forward the application package to the Mayor for review and approval. The Mayor shall send such approved or disapproved documents back to the Village Clerk.

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Denial of Permit: The Village Clerk may not issue any permit if it has been determined during the review process that it will create a hazardous condition, interfere with the use of village streets or public places, create a nuisance to village residents or violate any provisions of Village Code.

Suspension or Revocation of the Permit

If the Chief of Police determines that the fees paid will be expended prior to the termination of the permit period, the Chief of Police shall notify the Village Clerk. The Village Clerk shall contact the applicant in writing and require payment of additional fees, said specific amount to be determined by the Chief of Police based on the salaries and the number of hours to be worked by the village police. The applicant's failure to pay such additional fee within said seven-day period shall result in the Village Clerk providing the applicant with written notice that the permit has been suspended and the date of such suspension. The applicant's receipt of the Village Clerk's suspension notice shall not be construed as altering the date of suspension set forth in said written notice, the effective date of the suspension being the day immediately following the completion of the seven-day notice period.

The Village Clerk may also suspend or revoke the permit 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 Columbia, the Village of Chatham, or any department or agency thereof.
- 2) Violation of any condition of the permit.
- 3) Conduct that is detrimental to the health, safety or welfare of the public.

A decision to suspend or revoke a permit shall be appealable to the Board of Trustees, whose decision thereon shall be final.

After termination of the event, the Village Clerk shall provide the applicant with a statement regarding the actual cost to the Village of providing said police officers or services provided by the Department of Public Works. If the actual cost is less than the moneys that the Village has collected, the Village shall remit the balance to the applicant. If the actual cost is more than the moneys that the Village has collected, the applicant shall be responsible for providing the balance to the Village within 30 days of the termination of the event.

Notice: The Village Clerk shall give notice to the Chief of Police, the Building Inspector, the Code Enforcement Officer, Chief of the Chatham Fire Department, Director of Public Works, and the Chatham Rescue Squad.

No Alterations to Village Property: A permit holder shall be responsible for any damage to village property or facilities that may result from the permit holder's activities. No

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alterations are to be made at any sites, including, without limitation, cutting trees, digging holes and trimming bushes, without the express authorization of the Village Board.

Compliance with other laws: Issuance of a permit pursuant to this chapter does not relieve the permit holder of its duty to comply with all other village local laws, ordinances, regulations along with any laws of the State of New York.

Penalties for Offenses:

Any person, firm or corporation who shall violate or fail, neglect or refuse to comply with any provisions of this chapter or any rule or determination made thereunder or shall undertake actions under this chapter without a permit therefor, shall, upon conviction thereof, be punished by a fine of not more than \$2,500.00 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. Each day that the violation continues shall be deemed a separate violation

The imposition of such fine or imprisonment shall not be the Village's exclusive remedy in the event of a violation of this chapter. The Village may pursue any and all other legal remedies available to it in connection with any violation of this chapter.

Previous Offenders: Notwithstanding any of the foregoing, no applicant who has previously failed to comply with any provisions of this chapter shall be granted a permit hereunder for a period of 24 months from the date of such failure to comply.