



VILLAGE OF IRVINGTON - FILMING PERMIT APPLICATION

Name of Filming Applicant: _____

Address: _____

Filming Location: _____

Name & Address of: _____

Date(s) of Shoot: _____

Time of Shoot:
(start & finish time) _____

Contact Person for Applicant who will be in charge of filming and can be contacted 24 hours a day.

Name: _____

Address: _____

Telephone: _____

FAX #: _____

Email: _____

Number of People: _____
Involved in Filming

Number of Vehicles: _____
Involved in Filming

Additional documents REQUIRED and to be submitted with this application.

- Plans showing days, hours and parking plans during day/days of filming.
- Certificate of Insurance naming the Village of Irvington, NY as an additional insured Limits \$1,000,000/\$3,000,000.
- Hold Harmless and indemnification agreement.
- **Payment: Fee Due Upon Arrival of permit**
 - * \$1,000 – per day – private property
 - * \$5,000 – per day – public property
 - * Should Police assistance be needed, an additional fee will be charged per hour for each Police Officer at the site.

ALLOWED FILMING TIME – 8:00AM to 7:00PM

Insurance received _____ *Hold Harmless received* _____ *Fee paid* _____

Village Administrator approval _____ *Board of Trustees approval* _____
Police Chief approval _____

HOLD HARMLESS/INDEMNIFICATION AGREEMENT

To the fullest extent permitted by law, _____, agrees to defend (including reasonable attorney's fees), pay on behalf of, indemnify, and hold harmless the Village of Irvington, its elected and appointed officials, employees and volunteers and others working on behalf of the Village of Irvington against any and all claims, demands, suits or loss, including all reasonable costs connected therewith, and for any damages which may be asserted, claimed or recovered against or from the Village of Irvington, its elected and appointed officials, employees, volunteers or others working on behalf of the Village of Irvington (hereinafter, "Village Indemnitees"), by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with filming by _____, except to the extent caused by the negligence or willful misconduct of the Village Indemnitees.

Signed:

Printed Name

Signature

Date

Chapter 115

FILMING

§ 115-1. Findings; purpose.

§ 115-2. License required.

§ 115-3. License applications.

§ 115-4. Fee.

§ 115-5. Limitation on activities.

§ 115-6. Penalties for offenses.

§ 115-7. Previous violations.

[HISTORY: Adopted by the Board of Trustees of the Village of Irvington 8-7-1989 by L.L. No. 9-1989. Amendments noted where applicable.]

§ 115-1. Findings; purpose.

- A. The Village Board finds that significant filming, videotaping and recording has been occurring in the Village of Irvington for commercial purposes.
- B. By reason of the foregoing, the Village Board finds that the health, welfare and safety will be served by adoption of a local law providing a means of regulating, by license, the undertaking of any filming, videotaping or recording, in a commercial manner.
- C. The Village Board does hereby ordain and enact this chapter to accomplish the aforesaid purposes.

§ 115-2. License required. [Amended 5-7-1990 by L.L. No. 8-1990]

No movie, documentary, television program, commercial, script or similar presentation or any portion thereof shall be filmed, videotaped, researched or otherwise made within the Village of Irvington if a fee is to be paid or anything of value changes hands for such use of the property unless the owner, tenant, individual or entity making said movie, documentary, television program, commercial, script or similar presentation first makes application to and obtains a license from the Irvington Village Board of Trustees.

§ 115-3. License applications.

- A. Applications may be submitted to the Village Board in person or by mail and must contain at least the following information:
 - (1) The name of the applicant.
 - (2) The location of the property where filming, videotaping, etc., is to take place.
 - (3) Whether the applicant is the owner or the tenant in possession of property if the applicant is not the owner. [Amended 3-19-1990 by L.L. No. 5-1990]
 - (4) The name of the person or entity the applicant wishes to allow to film, videotape, etc.

- B. The applicant shall submit a use plan showing the days and hours of proposed operation, parking plans and any mitigating measures proposed and the name, local address and local telephone number of a person who will be available 24 hours a day during the activity and who shall have control of and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.
- C. The Board shall seek the advice of the Chief of Police and the Superintendent of Highways in reviewing such plans.
- D. The Board shall attach conditions and safeguards ensuring the orderly conduct of the activity and the minimization of impact of such use and shall specify the duration and hours of operation of such activity.
- E. The Village Board may require the applicant to post reasonable bond to assure adherence to the permit conditions set forth. The Board may further require an applicant to furnish the village with a hold-harmless and indemnification agreement, together with a certificate of insurance relieving the town from any potential liability by virtue of the applicant's activities.
- F. The Chief of Police shall have the power to cause the conditions set by any special permit granted under this section to be enforced.
- G. Site plan approval by the Planning Board is not required for permits issued under this section.

§ 115-4. Fee. [Amended 5-7-1990 by L.L. No. 8-1990]

A. Fee schedule.

- (1) Each applicant shall pay a license fee to the Village of Irvington in accordance with the following schedule:
 - (a) Nonprofit organizations: \$250 per day.
 - (b) [Amended 8-21-1995 by L.L. No. 3-1995] Private organizations:
 - [1] Filming on private property: \$1,000 per day.
 - [2] Filming on public property: \$5,000 per day.

(2) Said fee can be reduced or waived by the Board of Trustees for good cause shown.

- B. The Village Board may require each applicant to reimburse the village prior to filming for the cost of providing any special police services the village may be requested to provide or elect to provide in connection with such activity.

§ 115-5. Limitation on activities.

- A. Unless the Village Board provides otherwise by resolution, no applicant shall permit any filming, recording, videotaping, etc., for which a permit has been issued to be conducted prior to 8:00 a.m. or after 7:00 p.m.

- B. Unless the Village Board provides otherwise by resolution, no applicant shall permit equipment used in connection with such filming, including but not limited to lights and generators, etc., to be operated at the location described in § 115-3A(2) prior to 8:00 a.m. or after 7:00 p.m. No applicant shall permit equipment to be used in connection with the filming, videotaping, etc., to be set up outdoors at the location prior to 8:00 a.m., and all such equipment shall be removed from outdoors by 7:00 p.m.

§ 115-6. Penalties for offenses.

- A. Any person, persons, corporation, company, group or other entity of any kind who fails to obtain the permit required herein or otherwise violates any provision of this chapter shall be subject to a fine of up to \$250.
- B. The imposition of such fine 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.
- C. Imposition of fines of up to \$100 may be levied for any cancellation without 24 hours' notice to the Chief of Police.

§ 115-7. Previous violations.

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 18 months from the date of such conviction.