

Local Law 7 of 2018

“Regulation of Filming Within the Town of Cortlandt”

1. Legislative intent.

The Town has experienced a significant increase in requests to film in the community. Because filming has the potential to disrupt orderly life in a small community, the public welfare and safety require that it be appropriately regulated and that applications for filming be handled in a consistent manner.

2. Filming permits and standards.

A. No commercial, movie, television program, documentary or similar presentation, or any portion thereof, shall be filmed, videotaped, recorded or otherwise made on any private property or public property, including but not limited to streets, sidewalks, parks and buildings, in the Town of Cortlandt without first obtaining a permit. A permit shall be required for the running of cable, the placing or storing of equipment of any kind, the parking of vehicles used in connection with filming or any other film-related activity on any public or private property within the Town or for any other use of such property for the purpose of filming.

B. An application for a permit shall be submitted to the Town Clerk on an application form to be provided by the Town Clerk.

C. An application for a filming permit, including any preparatory running of cable, placement or storing of equipment or other activity related to the filming process, must be submitted at least seven (7) days prior to the date the filming is to take place for a one-day shoot and fourteen (14) days for any shoots of more than one day.

D. Time restrictions.

(1) The applicant shall submit a proposed filming schedule with its application. The Town Supervisor, with the advice of the Director of the Department of Environmental Services and the Director of the Department of Technical Services, may accept, deny, or modify the proposed filming schedule. Any modification by the applicant to an approved filming schedule is subject to the same review requirements as the initial proposed filming schedule.

(2) Construction related activities such as the setup and cleanup of all equipment used in connection with such filming, including but not limited to facilities, lights, generators, and related equipment, must comply with Sections 197-15 and 197-16 of the Town Code.

E. The Town Supervisor, with the advice of the Director of the Department of Environmental Services and the Director of the Department of Technical Services, shall have the authority to approve or disapprove an application for a permit and to establish such conditions for filming as deemed necessary to protect the health, safety, and welfare of the residents of the Town of Cortlandt.

3. Insurance required.

A certificate of insurance must be submitted with the application for any filming permit involving the use of public or private property for the purpose of making films, naming the Town of Cortlandt as an additional insured, in the following amounts:

A. Property damage: \$1,000,000 per individual; \$1,000,000 per occurrence.

B. Personal injury: \$1,000,000 per individual; \$1,000,000 per occurrence.

4. Filming on Public property.

Applications for filming on public property shall require approval by the Town Board.

5. Use of Town employees.

A. An applicant shall be responsible for all costs associated with the use of Town employees during the filming process. Payment of the estimated costs, as determined by the fee schedule adopted by the Town Board, shall be made in advance of the filming and shall be a condition of the permit. Any adjustment upward or downward, based on the actual costs incurred by the Town, shall be made after the filming is completed.

B. The decision whether to use Town employees shall be the responsibility of the Town Supervisor, with the advice of the Director of the Department of Environmental Services and the Director of the Department of Technical Services.

C. The Town does not maintain its own police force. However, if the Town determines that the use of Westchester County Police Officers is needed for crowd and/or traffic control, then the applicant is solely responsible for these costs.

6. Fees.

Fees shall be adopted by resolution of the Town Board.

7. Compliance with Codes

An applicant must comply with all sections of the Town Code and the New York State Uniform Fire Prevention and Building Code, and must obtain all necessary permits in addition to the filming permit.

8. Right to Inspect

The Department of Code Enforcement or any of its designated agents shall have the right to inspect the area of filming without providing prior notice.

9. Previous offenses.

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.

10. Penalties for offenses.

Any person or entity who shall fail to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of \$500 or imprisonment for a term not exceeding 15 days, or both such fine and imprisonment. Each violation of any provision of this chapter shall be a separate and distinct offense; and in the case of a continuing violation, every day's continuance thereof shall be deemed to be a separate and distinct offense.

11. Exclusions; television news.

This chapter shall not apply to the filming by a television news crew of an event occurring contemporaneously within the Town of Cortlandt.

12. When effective.

This chapter shall become effective immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROUÉ ROSE SHATZKIN
TOWN CLERK**

**Adopted on the 25th day of
September, 2018.**