

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Warwick

FILED
STATE RECORDS

DEC 13 2016

Local Law No. 19 of the year 2016

DEPARTMENT OF STATE

A local law to amend Chapter 66 of the Village Code entitled, "Film and Video Productions"
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Warwick

as follows:

PLEASE SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 19 of 2016 of the ~~(County)(City)(Town)~~(Village) of Warwick was duly passed by the Board of Trustees on November 21, 2016, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer*)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

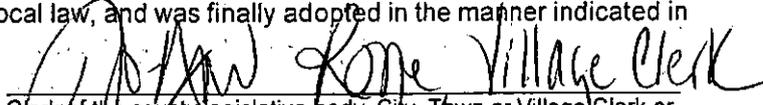
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

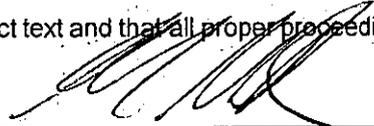
Date: 11/30/16

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Orange

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature Village 12-4-16 Attorney
Title

County _____
City of Warwick
Town _____
Village _____

Date: 12-4-16

CHAPTER 66 FILM AND VIDEO PRODUCTIONS

§ 66-1 Legislative Intent

A The Village has received frequent requests to film in the community. This chapter is intended to establish guidelines for filming in the Village and to create consistency in the manner in which the Village handles applications for filming.

§ 66-2 Filming on private property

A: No commercial, movie, television program, documentary or similar audio visual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any private property in the Village of Warwick without first obtaining a permit from the Village. For filming which will take a total of five days or less, the permit may be issued upon approval by the Mayor. Filming in any district zoned commercial, industrial, residential or other shall be permitted subject to the following conditions:

- (1) The property must be of adequate size.
- (2) All vehicles associated with the filming must be contained on the site or arrangements made to lawfully park vehicles off site.
- (3) Travel on local streets to the site is restricted to 7:00 a.m. to 10:00 p.m.

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

C. Permit applications must be submitted at least two working days prior to the date any on-site activity in connection with filming is commenced for filming which will take five days or less. For all other filming, application must be submitted 30 days prior to the date any on-site activity in connection with filming is commenced.

D. Operational limitations.

- (1) Filming shall not be conducted at the same location (i.e., in the same building or at the same street address) more than 30 calendar days within any twelve-month period.
- (2) Filming shall not be conducted at the same location within 14 days of another filming.
- (3) No applicant shall allow any filming for which a permit has been issued to be conducted prior to 7:00 a.m. or after 10:00 p.m. unless otherwise expressly approved by the Village.
- (4) No applicant shall allow equipment used in connection with such filming, including but not limited to lights, generators and related equipment, to be set up or operated at the location described in the permit application prior to 7:00 a.m. or after 10:00 p.m. unless otherwise expressly approved by the Village.

(5) For districts zoned for residential use, filming shall not be conducted at the same location more than twice per calendar year, with at least four months between filming.

(6) The Village may, in its discretion, waive any of the restrictions in the subsection and shall be permitted to impose reasonable conditions in doing so.

E. The Village 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 Village of Warwick. The Village may also extend the hours of filming on private property, subject to any conditions and additional fees deemed necessary and appropriate.

F. A certificate of insurance must be submitted with the application, naming the Village of Warwick as an additional insured and in compliance with other conditions established by the Village Board in the following minimum amounts:

(1) Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.

(2) Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.

§ 66-3 Filming on Public Property

A. No commercial, movie, television program, documentary or similar audiovisual production or any portion thereof shall be filmed, videotaped or recorded in any media format or otherwise made on any public property in the Village of Warwick, including but not limited to streets, sidewalks, parks and buildings without first obtaining a permit from the Village Board. A permit shall be required for the running of cable, the placing or storing of equipment of any kind, the parking of vehicles or any other film-related activity on any public property or any other use of public property for the purpose of making audiovisual productions.

B. Application for a permit shall be submitted to the Village Board on an application form to be provided by the Village Clerk.

C. Permit applications must be submitted at least 30 days prior to the date any on-site activity in connection with filming is to commence.

D. A certificate of insurance must be submitted with the application, naming the Village of Warwick as an additional insured and in compliance with other conditions established by the Village Board in the following minimum amounts:

(1) Property damage: \$2,000,000 per individual; \$2,000,000 per occurrence.

(2) Personal injury: \$2,000,000 per individual; \$2,000,000 per occurrence.

E. Operational limitations.

(1) No applicant shall allow any filming for which a permit has been issued to be conducted prior to 7:00 a.m. or after 10:00 p.m.

(2) No applicant shall allow any equipment used in connection with such filming, including but not limited to lights, generators and related equipment; to be set up or operated at the location described in the permit application prior to 7:00 a.m. or after 10:00 p.m.

F. The Village Board 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 Village of Warwick. The Village Board may also extend the hours of filming on public property, subject to any conditions and additional fees deemed necessary and appropriate.

§ 66-4 Request for film productions

Unless otherwise noted herein requests for film productions which will exceed five days must be submitted to the Village Board at least 30 days prior to the date filming will take place. The Village Board may establish any fee it deems reasonable and appropriate for such filming.

§ 66-5 Use of Village employees

A. Applicants shall be responsible for all costs incurred by the Village in assigning police, fire, public works or other Village employees to facilitate or monitor the filming process.

B. The decision to assign Village employees shall be the responsibility of the Village.

C. Provisions for billing and collection of costs shall be determined at the time of the event.

§ 66-6 Previous offenses

Notwithstanding any section of this chapter, 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.

§ 66-7 Fees

A. Fees shall be adopted by resolution of the Village Board for:

(1) Filming by or for a nonprofit organization or the filming of a documentary, for each day, on either private or public property.

(2) Filming by a production company for a commercial by or for a profit-making entity, for each day, on either private or public property.

B. The schedule of fees, once adopted by the Village Board, will be available for inspection in the office of the Village Clerk. The Village Board shall be permitted to raise the level of any fee due under this chapter when the circumstances warrant.

§ 66-8 Penalties for offenses

A. Any person who violates the provisions set forth in this chapter shall be subject to a fine of not more than \$250 per day for each day that the violation continues and/or imprisonment not to exceed 15 days.

B. The imposition of such penalty 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 in connection with any violation of this chapter.