



## FILMING PERMIT APPLICATION FRANKLIN TOWNSHIP, SOMERSET COUNTY

Township Clerk's Office: 475 DeMott Lane, Somerset, NJ 08873

(732) 873-2500 ext. 6208 – Fax (732) 873-1059

Email: [annmarie.mccarthy@franklinnj.gov](mailto:annmarie.mccarthy@franklinnj.gov) or [msiba.holliman@franklinnj.gov](mailto:msiba.holliman@franklinnj.gov)

**(Municipal Code Chapter 185, Filming)** As used in this chapter, the following terms shall have the meanings indicated:

**FILMING:** The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include filming of news stories or public and private events within the Township of Franklin.

**MAJOR MOTION PICTURE:** Any film which is financed and/or distributed by a major motion picture studio, including, but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and Bel-Aire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM - United Artists.
- H. Dreamworks.
- I. Any film for which the budget is at least \$10,000,000.
- J. Recurrent weekly television series programming.

**PUBLIC LANDS:** Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the Township which is within the jurisdiction and control of the Township of Franklin.

### § 185-2: Permit required.

**A.** No person or organization shall film or permit filming on public or private land within the Township of Franklin without first having obtained a permit from the office of the Municipal Clerk, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by Township officials at all times at the site of the filming.

**B.** All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Municipal Clerk and be accompanied by a permit fee in the amount established by this chapter in § 185-11 herein.

**C.** If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Municipal Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

### § 185-3 Issuance of permits.

**A.** No permits will be issued by the Municipal Clerk unless applied for prior to five days before the requested shooting date; provided, however, that the Township Manager may waive the five-day period if, in his judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

**B.** No permit shall be issued for filming upon public lands unless the applicant shall provide the Township with satisfactory proof of the following:

(1) Proof of insurance coverage as follows:

(a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.

(b) For property damage for each occurrence in the aggregate amount of \$300,000.

(2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Township of Franklin from any and all liability, expense, claim or damages resulting from the use of public lands.

(3) The posting of cash of \$500 or a maintenance bond of \$500 running in favor of the Township and protecting and insuring that the location utilized will be left after filming, in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Township ordinances, laws and regulations will be followed. Within seven days of the completion of the filming, the Township will return the bond if there has been no damage to public property or public expense caused by the filming.

(4) The hiring of an off-duty Franklin Township police officer for the times indicated on the permit shall be required if necessary for traffic and public safety reasons upon the discretion of the Police Chief.

**C.** The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Franklin Township Police Department with respect thereto.

### § 185-4 Interference with public activity; notice of filming.

**A.** The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

**B.** The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Municipal Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Municipal Clerk within two days of the requested shooting date.

**§ 185-5 Filming in residential zones.** [Amended 3-14-2023 by Ord. No. 4397-23]

Filming in residential zones shall be permitted Sunday through Saturday between the hours of 7:00 a.m. and 9:00 p.m., provided that all requests for the hours between 9:00 p.m. and 7:00 a.m. are subject to the provisions of § 185-8. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

**§ 185-6 Refusal to issue permit; employment of patrolmen and electrician.**

**A.** The Township Manager may refuse to issue a permit whenever he determines, on the basis of objective facts and after a review of an application and a report thereon by the Police Department and by other Township agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

**B.** Further, the Township reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

**§ 185-7 Appeals.**

**A.** Any person aggrieved by a decision of the Township Manager denying or revoking a permit or a person requesting relief pursuant to § 185-8 may appeal to the Township Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Township Manager.

**B.** An appeal from the decision of the Township Manager shall be filed within 10 days of the Township Manager's decision is made known to the applicant. The Township Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Township Council shall be in the form of a resolution supporting the decision of the Township Manager at a public meeting of the Township after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such resolution is not adopted within the time required, the decision of the Township Manager shall be deemed to be reversed, and a permit shall be issued in conformity with the application or relief pursuant to § 185-8 shall be deemed denied.

**§ 185-8 Waiver of requirements of chapter by Township Manager.**

The Township Manager may authorize filming during the hours between 9:00 p.m. and 7:00 a.m. In determining whether to allow an extension of hours under this section, the Township Manager shall consider the following factors:

**A.** Traffic congestion at the location caused by vehicles to be parked on the public street.

**B.** Applicant's ability to remove film-related vehicles off the public streets.

**C.** When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming.

**D.** Nature of the film shoot itself: e.g., indoors or outdoors; day or night; on public or private lands.

**E.** Prior experience of the film company/applicant with the Township, if any.

**F.** Consultation with the Council-Ward representative wherein the filming is to take place.

**G.** Limited noise and artificial light are used during the hours between 9:00 p.m. and 7:00 a.m.

**§ 185-9 Copies of permit; inspections.** [Amended 3-14-2023 by Ord. No. 4397-23]

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission and the Somerset County Filming Commission. The applicant shall permit the Fire Prevention Bureau or other Township inspectors to inspect the site and the equipment to be used. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Township inspectors.

**§ 185-10 Reimbursement of certain costs.**

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Township for any lost revenue, such as repairs to public property or other revenues that the Township was prevented from earning because of filming.

**§ 185-11 Fees.**

The schedule of fees for the issuance of permits authorized by this chapter is as follows:

**A.** Basic filming permit: \$75. Where an applicant requests a waiver of the provisions of § 185-3A, requiring expedited processing of the permit application, the basic filming permit shall be \$125.

**B.** Daily filming fee payable in addition to the basic filming permit: \$50 per day.

**C.** Daily filming fee payable for major motion picture: \$500 per day.

**D.** Filming permit for nonprofit applicants for educational purposes (no daily rate required): \$25.

**§ 185-12 Violations and penalties.**

Any person violating this chapter or these rules and regulations, upon conviction thereof, shall be punished by a fine not exceeding \$1,000 per day. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.





# FILMING PERMIT APPLICATION

Company Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Local Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Location(s) of Filming: \_\_\_\_\_

Date(s) of Filming: \_\_\_\_\_ Hours of Filming: \_\_\_\_\_

Type of Film: Commercial: \_\_\_\_\_ Motion Picture: \_\_\_\_\_ Still Shoot: \_\_\_\_\_ TV/Made for TV Movie: \_\_\_\_\_

Name of Production/Show: \_\_\_\_\_ Interior: \_\_\_\_\_ Exterior: \_\_\_\_\_

Will residents or business be affected by filming? Yes \_\_\_\_\_ No \_\_\_\_\_

Resident letters must be sent to affected individual(s) and a list of the addresses must accompany this application.

Are existing power lines to be utilized? Yes \_\_\_\_\_ No \_\_\_\_\_

Will pedestrian or vehicular traffic be affected as a result of filming? Yes \_\_\_\_\_ No \_\_\_\_\_

If "Yes", an off-duty police officer is required.

Have you ever been convicted of a crime? Yes \_\_\_\_\_ No \_\_\_\_\_

**NOTE:** It is the responsibility of the applicant to contact the Police Department at (732)-873-5533 to inquire whether an officer will be necessary and/or to cancel a film shoot. It is also the responsibility of the applicant to provide the Clerk's Office with a list of addresses (including the address numbers) of the homes that were notified of an upcoming filming. **Failure to provide (48 hours prior to filming) a copy of the Letter of Intent along with a list of addresses of residents that might be affected by this shoot will result in denial/rejection of your filming permit.** I hereby apply for a permit and tender the applicable fees aforementioned and agree to be bound by all provision of Franklin Township Filming Code Chapter 185.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Officer in Charge of the Police Department/ Date

\_\_\_\_\_  
Signature of Township Manager/ Date

# REQUIRED INSURANCE PRIOR TO USE OF TOWNSHIP FACILITIES AND LOCATIONS

No permit shall be issued for filming at Township facilities and locations unless the applicant shall provide the Township with satisfactory proof of the following:0P

- (a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.
- (b) For property damage for each occurrence in the aggregate amount of \$300,000.

**FAILURE TO DELIVER PROOF OF REQUIRED INSURANCE COVERAGE WILL RESULT IN CANCELLATION OF TENTATIVE RESERVATION.**

---

## HOLD HARMLESS AGREEMENT

The following statement must be signed and notarized and is made an integral part of the attached application:

I, \_\_\_\_\_, applicant, agrees to indemnify and save harmless the Township of Franklin, Somerset County, New Jersey, its members and agents from any and all liability for damages, for injury to the person or property of its owner or another and against and from all suits and actions and all costs and damages (including, without limitation, attorney's fees and loss of business claims) to which the Township of Franklin may be put resulting from use of Township facilities and/or locations.

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Sworn to and subscribed to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal)

**SAMPLE LETTER OF INTENT**

**COMPANY LETTER HEAD**

TO: Neighbors of \_\_\_\_\_ (Location Address) \_\_\_\_\_

FROM: Name of Contract Person and/or Company \_\_\_\_\_

DATE: \_\_\_\_\_

RE: Filming for \_\_\_\_\_ at \_\_\_\_\_  
on \_\_\_\_\_ during \_\_\_\_\_

I or our company has/have applied to film a \_\_\_\_\_ in Franklin Township on the following date(s) at the above location.

There will be \_\_\_\_\_ trucks, \_\_\_\_\_ vans, \_\_\_\_\_ generators, \_\_\_\_\_ catering trucks, \_\_\_\_\_ crew cars (or special equipment, i.e. condors, mobile homes, etc.) at the site. They will be parked \_\_\_\_\_ on the property; \_\_\_\_\_ on the street; \_\_\_\_\_ in a municipal parking lot; \_\_\_\_\_ on private property; or \_\_\_\_\_ any combination of the aforesaid. There will be food served, and I have received the proper paperwork and permitting in a timely manner. In compliance with the Township filming ordinance, no vehicles will arrive before 7 a.m. and all activity and vehicles connected with filming will be gone by 9 p.m. **(If any vehicles arrive before 7 a.m. or leave after 9 p.m., you may call the Franklin Police Department at 732-873-5533 to file a complaint.)** For the public's safety, there will be a police officer on duty during the shoot.

If you have any questions or concerns, I may be reached at \_\_\_\_\_; or you may call Ann Marie McCarthy at the Franklin Township Clerk's Office at 732-873-2500 ext. 6208.

Thank you.