

BERGEN COUNTY, NEW JERSEY

ORDINANCE NO. 2025-12

**AN ORDINANCE CREATING CHAPTER 141 OF THE CODE OF THE
BOROUGH OF PALISADES PARK ENTITLED “FILMING AND PHOTOGRAPHY”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Palisades Park, County of Bergen, State of New Jersey that Chapter 141: “Filming and Photography” of the Code of the Borough of Palisades Park is hereby created as follows:

CHAPTER 141 FILMING AND PHOTOGRAPHY

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§ 141-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH FACILITY — Any building, structure, or other facility, public or otherwise, under the jurisdiction and control of the Borough of Palisades Park.

COMMERCIAL FILMING — The taking of still or motion pictures, either on film, videotape or similar recording equipment, for commercial or educational purposes, intended for viewing on television or in theaters or for institutional use or for advertising purposes.

COMMERCIAL STILL PHOTOGRAPHY — All activities pertaining to the staging and/or shooting of photograph(s) for sale or any commercial purpose. This term shall not include private video photography or news media as defined herein.

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 Studios.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema and Turner Production Company.
- C. Paramount.
- D. 20th Century Fox.
- E. Columbia/Tri-Star.
- F. Disney.

G. MGM — United Artists.

H. Any film for which the budget is at least \$5,000,000.

PRIVATE VIDEOS AND PHOTOGRAPHY — The filming or videotaping of video or still photography intended and used solely for private use.

PUBLIC LANDS — Any and every public street, highway, sidewalk or square, public park or playground or other public place within the Borough which is within the jurisdiction and control of the Borough.

STUDENT FILMS — Filming or still photography produced to satisfy a course or curriculum requirement at an accredited educational institution. The student filmmaker must supply proof that they are currently enrolled in any such educational institution.

§ 141-2. Permit required; application.

- A. No person, firm or corporation shall film or permit filming within the Borough of Palisades Park without first obtaining a permit therefor, which permit shall set forth the location of such filming and the date or dates when filming shall take place.
- B. Permits shall be obtained in the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough Clerk and shall be accompanied by a permit fee as set forth in § 141-14. Incidental use of a public sidewalk or street which does not result in the closing of the street or sidewalk to public use shall not be considered filming on public land.
- C. Where filming takes place on private property, permission of the owner must be obtained in writing.
- D. If a permit is issued and filming does not take place on the dates specified due to inclement weather or other good cause, the Borough may, at the request of the applicant, issue a new permit for filming on other dates, without additional charge to the applicant, subject to full compliance with all other provisions of this chapter.
- E. One permit shall be required for each location.

§ 141-3. Frequency restricted.

No permit shall be issued for filming at a particular location in a residential zone within the Borough of Palisades Park which would permit filming at said location on more than four days during any one calendar year.

§ 141-4. Insurance; indemnification.

No permit shall be issued for filming upon public lands within the Borough of Palisades Park unless the applicant for such permit:

- A. Provides proof of insurance coverage as follows: for bodily injury for any one person, in the amount of \$500,000; and for any aggregate occurrence, in the amount of \$1,000,000.
- B. Agrees, in writing, to indemnify and save harmless the Borough of Palisades Park from any and all liability or damages from the use of such public lands.

§ 141-5. Interference with pedestrians and traffic.

The holder of a 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 Palisades Park Police Department with respect thereto.

§ 141-6. Inconvenience to property owners; noise; parking.

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.

§ 141-7. Interference with other activities.

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.

§ 141-8. Minimization and removal of debris.

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first.

§ 141-9. Permitted days and hours.

Filming shall be permitted only Monday through Friday, between the hours of 8:00 a.m. and 7:00 p.m. or sundown, whichever is earlier, in residential zones.

§ 141-10. Denial of permit; appeals.

- A. The Borough Clerk may refuse to issue a permit whenever he/she determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Borough agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining lands, 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. Any person aggrieved by a decision of the Borough Clerk denying or revoking a permit or a person requesting relief may appeal to the Mayor and Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk. An appeal from the decision of the Borough Clerk shall be filed within 10 days of the Borough Clerk's decision. The Mayor and 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 Mayor and Council shall be in the form of a resolution. A resolution supporting the decision of the Borough Clerk or granting relief shall be approved by the Mayor and Council at the first regularly scheduled public meeting of the Mayor and Council after the hearing on the appeal, unless the appellant agrees, in writing, to a later date for the decision. If such a resolution is not adopted in the time required, the decision of the Borough Clerk shall be deemed to be reversed and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

§ 141-11. Waiver of requirements.

The Mayor and Council may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours herein described or may permit filming at a particular location in a residential zone on more than four days during any one calendar year or may waive any other limitation or requirement of this chapter whenever it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety or welfare.

§ 141-12. Notification to Fire Inspections Bureau.

The applicant shall notify the Fire Inspections Bureau 24 hours before filming takes place and permit the Fire Inspectors to inspect the site and the equipment to be used. The applicant shall comply with all fire safety instructions issued by the Fire Inspector.

§ 141-13. Reimbursement of certain costs.

In addition to any and all other fees and costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, including but not limited to repairs required to any public property and any revenues that the Borough was prevented from earning because of filming.

§ 141-14. Permit fees.

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

- A. Commercial filming permit: \$250.
- B. Commercial still photography permit: \$100 (fee subject to change based on duration of shoot).
- C. Nonprofit or student films: no permit fee. Student films are otherwise liable for all other costs except for filming or photography that is part of a course of study at any educational institution or facilities located within the Borough of Palisades Park.
- D. Daily filming fee, in addition to basic filming permit: \$400 per day.
- E. Daily filming fee for a major motion picture: \$1,500 per day.
- F. Police/fire protection: an additional cost to be determined by the Borough of Palisades Park Police and/or Fire Department(s).
- G. Use of Borough parks, Borough public lands, or Borough facilities may incur additional fees in accordance with the Borough of Palisades Park's facility use fee schedules.

§ 141-15. Provision of off-duty police officers.

The applicant will be required to hire one or more off-duty police officers when deemed necessary by the Police Chief.

§ 141-16. Violations and penalties.

Any person violating this chapter or rules and regulations contained herein shall be subject to, upon conviction, the penalty as provided in the general Code.

§ 141-17. Exceptions.

The provisions of this chapter shall not apply to the filming of news stories within the Borough of Palisades Park.

§ 141-18. Severability.

If any term or provision of this chapter is held to be illegal, invalid or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this chapter.

§ 141-19. Repealer.

To the extent that any provision of the Code of the Borough of Palisades Park is found to conflict with this chapter, in whole or in part, this chapter shall control.

§ 141-20. Authority to change numbering.

In order to avoid accidental repeal of existing provisions, the Borough Clerk and the Borough Council are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this chapter reveals that there is a conflict between those numbers and the existing Code.

§ 141-21. When effective.

This chapter shall take effect upon passage and publication as required by law.

ATTEST:

Sophia H. Jang, Borough Clerk

Chong Paul Kim, Mayor

First Reading: March 24, 2025

Second Reading: April 28, 2025