



**UNION COUNTY BOARD OF COUNTY COMMISSIONERS**



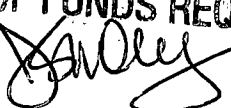
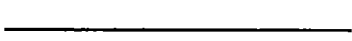
ORDINANCE NUMBER: 846-2023  
 DATE OF INTRODUCTION: 12/7/2023  
 DATE OF ADOPTION: 12/21/2023

AN ORDINANCE TO AMEND "THE LAWS OF UNION COUNTY: ADMINISTRATIVE CODE AND POLICIES AND GENERAL LEGISLATION" BY AMENDING, PART I - ADMINISTRATIVE CODE: CHAPTER 1, UNION COUNTY GOVERNMENT STRUCTURE: ARTICLE III- BOARD OF COUNTY COMMISSIONER'S AND ARTICLE XXI- DEPARTMENT OF PUBLIC SAFETY; AND PART II-POLICIES AND GENERAL LEGISLATION: CHAPTER 50 (NEW) FILMING PERMITS, RESTRICTIONS AND FEES.

**BE IT ORDAINED.** by the Union County Board of County Commissioners that the "Laws of Union County" are hereby amended, to be as follows:

Continued....

INTRODUCTION				RECORD OF VOTE				FINAL ADOPTION							
COMMISSIONER	Aye	Nay	Abs	Pass	Ord.	Sec	NP	COMMISSIONER	Aye	Nay	Abs	Pass	Ord.	Sec	NP
BAKER, JR.							✓	BAKER, JR.							✓
BODEK	✓							BODEK	✓						
GARRETSON	✓							GARRETSON	✓						
KOWALSKI	✓							KOWALSKI	✓					✓	
LEON	✓					✓		LEON	✓						
MIRABELLA	✓				✓			MIRABELLA	✓				✓		
WILLIAMS	✓							WILLIAMS	✓						
PALMIERI-MOUEDED VICE CHAIRWOMAN	✓							PALMIERI-MOUEDED VICE CHAIRWOMAN	✓						
GRANADOS CHAIRMAN	✓							GRANADOS CHAIRMAN	✓						

APPROVED AS TO FORM 	I hereby certify the above is an original ordinance adopted by the Board of County Commissioners of the County of Union on the aforementioned date.
COUNTY ATTORNEY	 CLERK
<b>NO SUFFICIENCY OF FUNDS REQUIRED</b> 	I hereby certify the above is an original ordinance adopted by the Board of County Commissioners of the County of Union on the aforementioned date.
	 CLERK

**PART I - ADMINISTRATIVE CODE**

**Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE**

**ARTICLE III, Board of County Commissioners**

**§ 1-18. Office of Communications and Public Information.**

- A. Unchanged.
- B. Unchanged.
- C. Unchanged.
- D. There shall be an Office of Video Services which shall be responsible for coordination of the County's videography needs for both internal and external use. The Office, in addition to other assigned duties, will disseminate video from all Agenda and Regular meetings to various municipalities and media outlets in appropriate formats and arrange for posting on the County website and other appropriate digital outlets.

(NEW; previously within the Division of Strategic Planning, §1-153.5)

**ARTICLE XXI, Department of Public Safety**

**§ 1-124. Division of Police.**

- A. Unchanged.
- B. Unchanged.
- C. Division head. The Director of Police, appointed pursuant to §1-75, shall be the head of the Division and shall be responsible to the Director of Public Safety for its operations. In addition to the powers enumerated herein, the Director of Police shall exercise whatever supervisory powers or duties over the police division as are designated by the Director of Public Safety.

(1) In addition to a Director of Police, there shall be appointed an Officer in Charge, who shall be the highest-ranking law enforcement officer in the Police Department and shall be subject to the rules, regulations and directives as provided by the Director of Public Safety. In the event the officer in charge is absent from office, the Director of Public Safety shall designate an acting officer in charge.

(2) In the temporary absence or disability of the Director of Police, the County Manager may assign the duties thereof to the Director of Public Safety.

(3) In lieu of the appointment of a Director of Police, there may be appointed by the County Manager a Chief of Police from among the eligible candidates then serving in accordance with then existing laws and regulations. The Chief of Police shall be directly responsible to the Director of Public Safety and in addition to the powers enumerated herein, shall exercise whatever supervisory powers or duties over the police division as are designated by the Director of Public Safety. In the temporary absence or disability of the Chief of Police, the County Manager may appoint on a temporary basis one of the eligible candidates, who shall act in the place of the Chief of Police and during such appointment, shall have the title of "Acting Chief of Police."

## **PART II - POLICIES AND GENERAL LEGISLATION**

### **Chapter 50 (NEW), FILMING PERMITS, RESTRICTIONS AND FEES**

#### **§ 50-1 Definitions.**

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

##### **A. Filming**

Any production, regardless of medium, including a movie, television program, commercial, video documentary, music video, internet video or other visual recording medium, used in whole or in part, for sale, lease, or other commercial exchange, including the advertisement or promotion of any product, service or organization; or for educational purposes; including the production of a recurrent television or internet series. Filming includes all rehearsals, preparations and assembly and dismantling of all equipment and structures, including, but not limited to, scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures and food. The provisions of this chapter shall not be deemed to include the production of news stories.

##### **B. Television (TV) Production**

Any production of recurring weekly television series programming, regardless of the method of dissemination.

##### **C. Film Production**

Any production that is not a Television Production.

##### **D. In-county applicant.**

In-county permit fees shall apply to any company, group or individual whose official office or home address is located within the borders of Union County.

#### **§ 50-2 Permit required.**

A. No person or organization shall film or permit filming on Union County property without first having obtained a permit from the County of Union ("County"), 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 County officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the County during normal business hours. Applications for such permits shall be on an approved form and be accompanied by all permit and other fees as required.

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 County 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.

#### **§ 50-3 Requirements for permit.**

A. A permit application shall be submitted no less than three business days prior to the requested shooting date. This requirement may be waived upon good cause shown, and if the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified or have waived timely notice.

B. No permit shall be issued unless the applicant provides:

(1) A Certificate of Insurance in a form and amount as required by the County and adding the County as an additional insured which coverage shall be primary.

(2) An agreement, in writing provided by the County, whereby the applicant agrees, among other requirements, to indemnify and hold the County harmless for any liabilities, losses, claims, demands, costs and expenses.

C. The applicant shall agree to take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and to comply with all lawful directives issued by the Union County Police Department or other law enforcement agency, with respect thereto.

D. The applicant shall agree that Union County will receive credit on this project, to read "Thank you to the County Commissioners and residents of Union County, New Jersey." The credit shall have a blank space above and below so that it stands apart from and not in a list of like credits.

#### **§ 50-4 Interference with public activity; notice of filming.**

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

B. A permit 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 permit holder'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 County within 48 hours. All such objections shall be considered in the review of the application. Proof of service of notification to adjacent owners shall be submitted no more than two days prior to the requested shooting date.

#### **§ 50-5 Permit denial; additional requirements.**

A. The County may deny any permit application in its full discretion, including but not limited to a determination that 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 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 County may issue a permit with any and all reasonable restrictions and requirements, including but not limited to:

(1) Requiring sufficient number, as determined by the County, on-site police officers in situations where the proposed production may impede the proper flow of traffic, involves use of a correctional facility location or other reasons, which coverage shall be schedule through the County's Jobs-4-blue program, with all costs to be paid by the permit holder.

(2) Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be required if the production company does not have a licensed electrician on staff, with all costs to be paid by the permit holder.

#### **§ 50-6 Copies of permit; inspections.**

Copies of the approved permit will be sent to the Union County Police (UCP) and the Union County Motion Picture & Television Advisory Board (UCMPTAB) before filming takes place. The permit holder shall permit all County officials to inspect the site and the equipment to be used, if deemed necessary by the County. The permit holder shall comply with all safety instructions issued by UCP or other County officials.

#### **§ 50-7 Reimbursement of certain costs.**

In addition to any other fees or costs, the permit holder shall reimburse the County for any lost revenue or additional expense, included but not limited to overtime by any and all County employees necessitated by the permit holder, repairs to public property, revenues that the County was prevented from earning because of filming.

**§ 50-8 Fees.**

A. The following tiers shall apply based upon the estimated net budget: Micro-tier shall be less than \$250K; Tier 0 shall be from \$250K through \$2.35M; Tier 1 shall be from \$2.35M through \$6M; Tier 2 shall be above \$6M.

B. Daily Location Fees/Filming Fees for the use of County owned property during any production shall be: television, \$1,000.00 per day; film, \$2,000.00 per day; with the exception of any production within the Micro-tier which shall be \$250 per day; Non-profit, educational, Public Service and Students shall be exempt from daily fees.

C. One-time permit fees shall be as follows:

	<b>In County Permit Fees</b>	<b>Out of County Permit Fees</b>
<b><i>Budget Micro-tier (TV and film)</i></b>		
	\$100.00	\$150.00
<b><i>TV Productions, Budget Tier 0</i></b>		
<i>Half day - up to 8 hrs. Prep / Shoot</i>	\$150.00	\$250.00
<i>Full Day - 12 hours</i>	\$350.00	\$500.00
<b><i>Film Productions Budget Tier 0</i></b>		
<i>Half day - up to 8 hrs. Prep / Shoot</i>	\$150.00	\$250.00
<i>Full Day - 12 hours</i>	\$350.00	\$400.00
<b><i>TV Productions, Budget Tier 1, 2</i></b>		
<i>Half day - up to 8 hrs. Prep / Shoot</i>	\$250.00	\$300.00
<i>Full Day - 12 hours</i>	\$400.00	\$450.00
<b><i>Film Productions Budget Tier 1, 2</i></b>		
<i>Half day - up to 8 hrs. Prep / Shoot</i>	\$300.00	\$350.00
<i>Full Day - 12 hours</i>	\$500.00	\$550.00
<b><i>Non-Profit /Educational/Public Service</i></b>		
<i>Half day - up to 8 hrs. Prep / Shoot</i>	\$50.00	\$50.00
<i>Full Day - 12 hours</i>	\$100.00	\$100.00
<b><i>Student production (TV and film)</i></b>		
	\$25.00	\$100.00

D. Where an applicant requests a waiver of the provision of § 50-3(A) requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150 additional.

**AND, BE IT FURTHER ORDAINED,** in case any section, subsection, paragraph, subdivision, clause or provision of this ordinance shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any section, paragraph, subdivision, clause or provision of this ordinance, and to this end, the provisions of each section, paragraph, subdivision, clause or provision of this ordinance are hereby declared to be severable;

**AND, BE IT FURTHER ORDAINED,** that each section of this ordinance shall take effect at the time and in the manner provided by law, unless otherwise indicated.