



## **Directions for Filming in the City of Rye**

1. Completed applications for filming must be submitted a **minimum of five days prior to the first day of filming.**
2. If children under the age of 18 are participating in filming, a child performer permit must be completed for each child, **including parental/guardian signature(s).**
3. Applicant must notify Rye Police Department regarding locations, number of filming days and hours.
4. **Applicant must give notice to residents within five hundred feet of the proposed filming location. When filming in the Central Business Districts all businesses should be notified.**
5. Filming is limited to six days in any twelve consecutive months.
6. Fee for filming on private property is **\$1,000.00** per location per day (non-refundable). See Rye City Code Chapter 93, Filming, for use and fees for filming on **public property. Public property filming fee is a range between \$1,800.00 and \$30,000.00 per location per day.**
7. The storing of all vehicles and equipment shall be confined to the filming location (private property). **Parking on public streets is prohibited.**
8. All activity related to filming shall be limited to the hours of 7 A.M. to 9 P.M.
9. Applicant must submit:
  - **Certificate of Liability Insurance (original) evidencing a minimum of \$1,000,000 General Liability Insurance in all categories.**
  - **Medical Exp. (any one person) a minimum of 5,000 each occurrence**
  - **Excess Liability evidencing a minimum 1,000,000 Each Occurrence and 1,000,000 Aggregate**
  - **City of Rye named as Additional Insured and Certificate Holder**
  - **Automobile and Garage Liability if applicable.**
  - **Cancellation box- MUST READ "Should any of the above described policies be cancelled before the expiration date, thereof, the issuing insurer will mail 30 days written notice to the certificate holder named to the left**
10. **REFUSE PICKUP-** If you will need a refuse pickup, please contact the Department of Public Works, 914 967-7464 **to make arrangements and discuss fees prior to filming. Refuse can not be left on site.**



## CITY OF RYE

<b>FILMING PERMIT APPLICATION</b>
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<b>APPLICANT INFORMATION</b>
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Date	
Applicant Name	
Applicant Phone	
Filming location	

<b>PROPERTY OWNER/TENANT DETAILS</b>
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Owner Name		Phone	
		Email	
Owner Address			
Tenant Name		Phone	
		Email	

<b>FILMING DETAILS</b>
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Contact for Person		<u>Phone</u>	
		<u>Email</u>	
Company			
Type of Filming (TV Movie, Commercial, TV Special, TV Series)		<u>Title, Producer</u>	
		<u>Identify Celebrities</u>	
Address			
Phone			
Filming Date			

<b>Filming History ( List all dates within the past 12 months</b>
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Previous Film Dates			
Filming Date		Time of Filming	
Firearms, animals, special effects, unusual scenes	Type	Describe	

List production equipment			
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Number in cast & crew		Number of autos trailers, etc	
Insurance Co.		Policy #	Agent



The applicant agrees to indemnify the City of Rye, New York, and to be solely and absolutely liable upon any and all claims, suits and judgments against the City and/or the applicant for personal and property damages arising out of or occurring during the activities of the applicant, his (its) employees or otherwise. The applicant further agrees to comply with all pertinent provisions of NY laws, rules and regulations. This permit may be revoked at any time.

**THE STORING OF ALL VEHICLES AND EQUIPMENT SHALL BE CONFINED TO THE FILMING LOCATION**

<b>Signature of Representative</b>		<b>Title</b>	
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**DO NOT WRITE BELOW THIS LINE**

**FEE TO ACCOMPANY THIS APPLICATION**

**Filming Fee:** \_\_\_\_\_

**Parking Fee:** \_\_\_\_\_

**Clean-up Fee:** \_\_\_\_\_

**Total:** \_\_\_\_\_

**DATE** \_\_\_\_\_

**Permit Number:** \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF CITY OFFICIAL**

**CITY OF RYE**  
**CHILD PERFORMER PERMIT**

**NAME OF CHILD (BIRTH NAME):** \_\_\_\_\_ **AGE:** \_\_\_\_\_

**STAGE NAME:** \_\_\_\_\_

**NAME OF PARENT OR GUARDIAN:** \_\_\_\_\_

**ADDRESS OF PARENT OR GUARDIAN:** \_\_\_\_\_

\_\_\_\_\_

**PURPOSE OF THE PERFORMANCE:** \_\_\_\_\_

**DATE OF PERFORMANCE:** \_\_\_\_\_

**NUMBER OF PERFORMANCES:** \_\_\_\_\_

**PLACE OF PERFORMANCE:** \_\_\_\_\_

**Please submit written parental consent and a detailed description of the entire part to be performed.**

**Signature of parent or guardian:** \_\_\_\_\_

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**Permit approved by** \_\_\_\_\_  
**City Manager**

**Date** \_\_\_\_\_

## Chapter 93, FILMING

[HISTORY: Adopted by the Council of the City of Rye 12-18-1985 as Section 9 of L.L. No. 17-1985. Amendments noted where applicable.]

### GENERAL REFERENCES

Zoning--See Ch. 197

#### **§ 93-1. Intent.**

It is the intent of the City to encourage, but not solicit, producers and others within the mass communications industries, including filming, television, advertising and commercial photography, to make use of the City and its environs as a setting for motion-picture films, television shows, commercials and photographs, but only insofar as such use is at all times compatible, and does not unduly interfere, with the lifestyles and day-to-day activities of the City's citizens and merchants.

#### **§ 93-2. Definitions.**

For the purpose of this chapter, the following terms, phrases and words and their derivations shall have the following meanings given herein:

**FILMING** -- The recording on film or other medium of movies, commercials, documentaries, serials, shows, performances or other similar events or activities, including still photography, but not to include the coverage of news, political, cultural, local sports or school district events.

**PUBLIC PROPERTY** -- Any realty or personalty or interest therein owned by the City of Rye, including all streets, parks and public places, lands, lands underwater, waterfront property, and every estate, interest and right, legal or equitable, therein.

#### **§ 93-3. License required.**

No person, firm or corporation shall commence filming in the City of Rye on public or private property, unless the filming whereon the same is to be conducted, maintained or operated is licensed in the manner prescribed herein.

#### **§ 93-4. Application for license; issuance; expiration.**

The license prescribed by this chapter shall be issued by the City Clerk. Application shall be made on a form containing such information as may be determined by the City Clerk, and shall be accompanied by the production schedule, schedule and description of all dangerous activities and use of explosives, and list of all vehicles and their license plate numbers to include both the applicant's vehicles and vehicles of the applicant's personnel. Each license shall expire on the date set forth on the license.

#### **§ 93-5. Approval by City Manager.**

No license shall be issued by the City Clerk until the application has been approved by the City Manager or his or her designated agent, subject to the following:

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- A. If private property is involved, the City Manager shall not approve the application unless the filming will be consistent with the limits for such accessory use set forth in Chapter 197 of this Code or a special exception has been approved by the Board of Appeals pursuant to §197-82L of this Code.
- B. In his or her approval of the application, the City Manager or his or her designated agent shall specifically fix the days and hours of filming.
- C. In his or her approval of the application, the City Manager or his or her designated agent shall specifically fix the filming location or locations.

- D. The City Manager or his or her designated agent may deny any application or limit any license which, in his or her judgment, would conflict with other scheduled events in the area of the filming location, would be detrimental to the community because of anticipated excessive noise, illumination or other effect caused by the proposed filming, including but not limited to the use of explosives, or would unduly interfere for an extended period of time with the day-to-day activities of citizens, property owners or merchants.
- E. Any change in the license holder's planned activities shall be submitted to the City Manager or his or her designated agent in advance of the change and approved or denied in the same manner as the original license application.

**§ 93-6. License fee.**

The fee to be paid shall be determined by the City Clerk for each license, including a license for a portion of a day, as follows:

- A. License fee for use of public property. The minimum and the maximum fee shall be set by resolution of the City Council. The City Clerk, in determining the specific fee to be required, shall take into consideration the following factors which would denote a greater use of public property and therefore require higher fees: [Amended 12-20-2000 by L.L. No. 10-2000; 3-30-2011 by L.L. No. 2-2011]
  - (1) Use of public parking spaces.
  - (2) Use of vehicle travelways requiring the rerouting or directing of traffic.
  - (3) Use of pedestrian travelways requiring the rerouting or directing of pedestrian traffic.
  - (4) Use of public buildings during normal working hours.
  - (5) Use of other public areas during normal operating hours.
  - (6) The size of the filming location.
  - (7) The number of filming locations.
  - (8) The number of hours the filming location or locations will be used.
  - (9) Use or involvement of City personnel.
  - (10) Use or involvement of City equipment.
  - (11) Use of explosives.
  - (12) Involve dangerous activities.
- B. License fee for use of private property. The fee for filming on private property shall be set by resolution of the City Council. [Amended 2-15-1989 by L.L. No. 2-1989; 12-16-1998 by L.L. No. 12-1998; 12-20-2000 by L.L. No. 10-2000; 12-18-2002 by L.L. No. 10-2002; 3-30-2011 by L.L. No. 2-2011]
- C. In the event that a license issued pursuant to this chapter is suspended or revoked in accordance with the provisions of § 93-7 of this chapter, the applicant shall not be entitled to a refund of any portion of the fee.

**§ 93-7. Suspension or revocation of license.**

- A. The City Clerk, on his own initiative or upon notice from any public official of the City, is empowered to suspend or revoke, upon written notice, a license issued pursuant to this chapter for any of the following reasons:
- (1) Violation by the licensee of any law or ordinance or any rule or regulation of any agency of the state, county or City, pertaining to the filming at the licensed location.
  - (2) Conviction of a felony.
  - (3) Licensee has permitted disorderly conduct at the licensed location or conduct detrimental to health and safety of others or constituting a breach of the public place.
  - (4) Abrogation of any agreement, written or oral, between the licensee and the City Clerk or any other public official of the City.
- B. Revocation of a license pursuant to the above conditions shall bar such offender from applying for a new license within one year from the date of revocation. [Added 2-15-1989 by L.L. No. 2-1989]

**§ 93-8. Restrictions and requirements. [Amended 2-15-1989 by L.L. No. 2-1989]**

- A. The applicant must give notice to residents within 500 feet of the proposed filming location pursuant to regulations promulgated by the City Manager.
- B. Noise shall be limited in accordance with the provisions of Chapter 133 of this Code.
- C. Routing of traffic shall be subject to the same provisions as excavations in § 167-13 of this Code.
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- D. The filming shall be conducted so as not to interfere with access to fire stations and fire hydrants. Equipment, materials or obstructions shall not be placed within 15 feet of fire hydrants. Passageways leading to fire escapes or fire-fighting equipment shall be kept free of equipment, materials or obstructions. Parking spaces for the handicapped shall be kept free of equipment, materials or obstructions.
- E. A filming permit granted for private property shall confine such filming to that property, including the storing of all equipment and vehicles.
- F. Applications for a filming permit must be submitted five days prior to the first date of filming.

**§ 93-9. Insurance and bond.**

The license shall not be issued until the applicant shall furnish a policy of insurance in such amount as shall be fixed by the City Manager or his designated agent and, in any event, in an amount not less than \$1,000,000 indemnifying and saving harmless the City of Rye, its officers, agents and employees from and against any claim, loss or damage resulting from the filming operations permitted under this license in the City of Rye and for the payment of all damages for bodily injury or property damage which may be caused to any person by reason of the filming operations performed under the license and arising from any acts or omissions of the licensee, his agents, employees, contractors or subcontractors and/or, on public property, a bond in the amount of not less than \$1,000,000 for such purposes. The policy and/or bond shall be approved as to form and sufficiency by the Corporation Counsel and filed with the City Clerk. In addition, the applicant must produce certificates of insurance showing adequate liability

insurance in the applicant's name. Such certificates shall also be approved by the Corporation Counsel. Further, the City Manager or his designated agent may require the posting of a bond in an appropriate case to insure restoration of the filming location.

**§ 93-10. Hearings.**

Any person affected by the fee required by the City Clerk pursuant to § 93-6 of this chapter, or the suspension or revocation of a license pursuant to § 93-6 of this chapter, may request and shall be granted a hearing before the City Manager or his designated agent, provided that such person shall file in the office of the City Manager or his designated agent a written request for such hearing 10 days after being advised of the license fee by the City Clerk or receiving notice of a suspension or revocation from the City Clerk, setting forth a brief statement of the grounds therefor. The City Manager or his designated agent shall set a time and place for such hearing within 30 days after the date on which the request was filed. After a hearing and in consideration of the evidence presented, the City Manager or his designated agent shall sustain or modify the fee, or in the case of suspension or revocation of the license, sustain, modify or withdraw such suspension or revocation.

**§ 93-11. Appeals.**

Any person aggrieved by the action of the City Manager or his designated agent in connection with the denial of an application for a filming license may take an appeal therefrom to the duly constituted Board of Appeals of the City of Rye for review, in the same procedural manner as is provided for zoning appeals, and such Board of Appeals, after proceeding in the same manner as is provided for zoning appeals and with the same power and authority therein vested in passing on appeals before it under the provisions of law and Chapter 197 of this Code and in the exercise thereof, may reverse, modify or affirm the action of the City Manager or his designated agent upon a finding that the action of the City Manager or his designated agent was arbitrary, capricious or not supported by substantial evidence.

**§ 93-12. Penalties for offenses; additional remedies.**

Any person, firm or corporation who shall violate or fail, neglect or refuse to comply with any provision of this chapter or any rule or determination made thereunder, or who shall undertake filming in the City of Rye without a license issued hereunder, shall, upon conviction thereof, be punished by a fine of not more than \$250, or by imprisonment for not more than 15 days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense. Said prosecution and/or conviction shall not be a bar to a civil action to recover a civil penalty in like amount, nor shall either be a bar to a civil action by the City or an injured person for actual damages.

**§ 93-13. Enforcement.**

This chapter shall be enforced by the City Clerk.