



# TOWN OF GREENBURGH

## TOWN CLERK'S OFFICE

177 Hillside Avenue Greenburgh, NY 10607  
MAIN: (914) 989 – 1500 | FAX: (914) 993 – 1626  
[www.Greenburghny.com](http://www.Greenburghny.com)

### **INSTRUCTIONS FOR FILMING PERMIT APPLICATION**

- 1) Complete Pages 1 and 2 of application.  
(Property Owner, Business Owner & Parking Location Owner must endorse application).
- 2) Please provide a Letter of Intent (L.O.I.)  
Submit a Detailed Description of the filming activities.  
Include the filming times and provide the exact times that “setup” begins, and when “breakdown” will end.  
The number of trucks or other vehicles that will be used;  
The number of parking spaces that are needed;  
Any other information that is deemed appropriate (Use of firearms, dangerous materials, special effects, explosions, use of external propane tanks, use of tent, generating power from location or public nudity)
- 3) Submit plan showing parking plans and mitigating measures proposed.
- 4) Submit flyer informing residents of filming times and location.
- 5) Attach Certificate of Insurance, which should name the,  
“Town of Greenburgh” as additionally insured.
- 6) Confirm Fee with the Town Clerk’s Office and make check payable to,  
“Town Clerk”



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### CHAPTER 348. FILMING

**[HISTORY: Adopted by the Town Board of the Town of Greenburgh 5-10- 2006 by L.L. No. 3-2006. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Fees — See Ch. 230.

Historic districts and landmarks — See Ch. 235.

Signs and illumination — See Ch. 240.

Trees — See Ch. 260.

Noise — See Ch. 380.

Vehicles and traffic — See Ch. 460.

#### § 348-1. Legislative findings and intent.

A. The Town Board finds that interest in filming, videotaping and recording on private and public property has been increasing in the Town of Greenburgh, for commercial purposes, creating possible hardship, inconvenience, danger and discomfort to large numbers of citizens and residents of the Town of Greenburgh because of the inconvenience and disruption of traffic placed on the public streets and private neighborhoods.

B. By reason of the foregoing, the Town Board finds that the health, welfare and safety will be served by adoption of a local law providing a means of regulating, by license, the undertaking of any filming, videotaping or recording, in a commercial manner, on private or public property.

C. The Town Board does hereby ordain and enact this chapter to accomplish the aforesaid purposes.

#### § 348-2. License required.

No movie, documentary, television program, commercial or similar presentation or any portion thereof shall be filmed, videotaped, recorded or otherwise made on any private or public property within the Town of Greenburgh if a fee is to be paid or anything of value changes hands for such use of the property unless a license is first obtained from the Greenburgh Town Clerk for the filming, videotaping or recording.

**§ 348-3. License applications.**

A. Applications may be submitted to the Town Clerk in person or by mail and must contain at least the following information:

- (1) The name of the applicant.
- (2) The location of the property where filming, videotaping, etc., is to take place.
- (3) Whether the applicant is owner or tenant in possession of the property; the name of the owner of the property if the applicant is not the owner.
- (4) The name of the person or entity the applicant wishes to allow to film, videotape, etc.

B. The applicant shall submit a use plan showing the days and hours of proposed operation, parking plans and any mitigating measures proposed and the name, local address and local telephone number of a person who will be available 24 hours a day during the activity and who shall have control of and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.

C. The Town Clerk may seek the advice of the Chief of Police, Building Inspector and the Commissioner of Public Works in reviewing such plans.

D. The Town Clerk may attach conditions and safeguards ensuring the orderly conduct of the activity and the minimization of impact of such use and shall specify the duration and hours of operation of such activity.

E. The Town Clerk shall require an applicant to furnish the town with a hold-harmless and indemnification agreement, together with a certificate of insurance relieving the town from any potential liability by virtue of the applicant's activities. The Town Clerk may further require the applicant to furnish a copy of the applicant's insurance policy endorsement naming the Town of Greenburgh as an additional insured. The Town Clerk may further require the applicant to post a reasonable bond to assure adherence to the license conditions set forth.

F. The Town Clerk may further require, as a condition of any license, that the applicant utilize the services of that number of Town of Greenburgh police officers that the Chief of Police deems necessary to ensure the public safety at the location of the filming, videotaping or recording at a rate consistent with the overtime provisions of the existing collective bargaining agreement (CBA).

G. The Chief of Police shall have the power to cause the conditions set by any special permit granted under this section to be enforced.

H. Site plan approval by the Planning Board is not required for a license issued under this section.

**§ 348-4. License fee.**

Each applicant shall pay a fee to the Town of Greenburgh, set in a fee schedule determined by the Town Board, for filming, videotaping or recording on private property per day and a fee, set in a fee schedule determined by the Town Board, per day for any filming, videotaping or recording on public property. Editor's Note: See § 348-8, Fee schedule.

**§ 348-5. Limitations of activities.**

A. Filming, recording, videotaping, etc., for which a license is required under § 348-2 above shall in no event be conducted at the same location (i.e., in the same building or at the same street address) more than any portion of 20 calendar days within any twelve-month period without permission from the Town Clerk.

B. Unless the Town Clerk provides otherwise, no applicant shall permit any filming, recording, videotaping, etc., for which a license has been issued to be conducted prior to 8:00 a.m. or after 7:00 p.m.

C. Unless the Town Clerk provides otherwise, no applicant shall permit equipment used in connection with such filming, including but not limited to lights and generators, etc., to be operated at the location described in § 348- 3A(2) prior to 8:00 a.m. or after 7:00 p.m., and unless the Town Clerk permits otherwise, no applicant shall permit equipment to be used in connection with the filming, videotaping, etc., to be set up outdoors at the location prior to 8:00 a.m., and all such equipment shall be removed from outdoors by 7:00 p.m.

**§ 348-6. Penalties for offenses.**

A. Any person, persons, corporation, company, group or other entity of any kind who or which fails to obtain the license required herein or otherwise violates any provision of this chapter shall be guilty of an offense. Such offense shall be punishable by a fine of not less than \$500 per offense or by imprisonment not exceeding 15 days, or by both such fine and imprisonment. Each day such violation occurs shall constitute a separate offense.

B. The imposition of such fine shall not be the Town's exclusive remedy in the event of a violation of this chapter. The Town may pursue any and all other legal remedies available to it in connection with any violation of this chapter.

**§ 348-7. Previous violations.**

Notwithstanding any of the foregoing, no applicant who has been previously convicted of a violation of this chapter shall be granted a license hereunder for a period of 18 months from the date of such conviction.

**§ 348-8. Fee Schedule.**

<b>FEES</b>	<b>TYPE</b>	<b>PROPERTY</b>
\$0	Student	Public or Private
\$25	Public Service/Teaching, Not-For-Profit	Private
\$50	Public service/Teaching, Not-For-Profit	Public
\$100	Agency Advertising	Private
\$200	Agency Advertising	Public
\$600	Feature Film/TV/Video	Private
\$700	Feature Film/TV/Video	Public

**§ 348-9. Compliance with other laws.**

No license for the use of premises for the making of a film or videotape production shall be deemed to authorize the violation by any person of any general or local law, rule or regulation unless specifically authorized in advance in writing by the Town Clerk after consultation with the Police Chief, Building Inspector and Commissioner of Public Works.



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### APPLICANT:

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(Name of Company and/or Individual)

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(Street Address)

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City/Town/Village) (State) (Zip)

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(Telephone) (Email)

### CONTACT INFORMATION:

Supply the name, address, local telephone number and cell number of the person who will be available 24 hours a day during the activity. This person should have control and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.

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(Name of Company and/or Individual)

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(Street Address)

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(City/Town/Village) (State) (Zip)

---

(Telephone) (Email)



**\*If applicant is not owner or tenant in possession of property where filming is to take place, supply owner information below:**

**OWNER:**

\_\_\_\_\_  
(Name of Individual)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City/Town/Village)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

\_\_\_\_\_  
(Telephone)

\_\_\_\_\_  
(Email)

\_\_\_\_\_  
(Number of Vehicle at Site)    \_\_\_\_\_  
(Outdoor Lighting? Yes/No)

\_\_\_\_\_  
(Applicant Name)

\_\_\_\_\_  
(Applicant Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Owner Name)

\_\_\_\_\_  
(Owner Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Private or Public Property)

**PARKING LOT OWNER:**

\_\_\_\_\_  
(Name of Individual or Business)

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City/Town/Village)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

\_\_\_\_\_  
(Telephone)

\_\_\_\_\_  
(Email)

\_\_\_\_\_  
(Number of Vehicles at Parking Site)

\_\_\_\_\_  
(Owner Name)

\_\_\_\_\_  
(Owner Signature)

\_\_\_\_\_  
(Date)



**RELEASE OF LIABILITY:**

In consideration of permission granted by the Town of Greenburgh for the use of the above Filming Permit:

The undersigned applicant hereby releases from liability, absolves and agrees to hold harmless the Town of Greenburgh, its officers, officials, employees, agents and volunteers, from and against any liability, including expenses, reasonable, outside attorney's fees, losses, claims, recoveries, judgements and causes of action whatsoever arising directly out of the grant of this filming permit. If, as a result of the grant of this filming permit, damage is sustained to any property owned by the Town of Greenburgh, the undersigned permit holder agrees to reimburse to the Town of Greenburgh the fair market value for any repair to, or replacement of, such property.

\_\_\_\_\_  
(Applicant)

\_\_\_\_\_  
(Signature)

By: \_\_\_\_\_

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

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**FOR OFFICE USE ONLY**

**APPROVED**

**APPROVED WITH SPECIAL CONDITIONS**

**DENIED**

\_\_\_\_\_  
Town Clerk Signature

SPECIAL CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_