

APPLICATION FOR PRINCIPAL PHOTOGRAPHY PERMIT

Village of Sagaponack
PO Box 600
Sagaponack, NY 11962
631-537-0017 631-537-0612 (FAX)

Approval: Board of Trustees
Date: _____

Application No: _____
Permit Fee: _____
Permit No: _____
Date Issued: _____

INSTRUCTIONS

- A. Form must be completed by typewriter or printed in ink.
- B. This application will be deemed incomplete and will not be processed unless fully and clearly completed.
- C. If applicant is not the owner of the property where event is to be held, please include owner's consent form.
- D. Acknowledgement that applicant has read Chapter 79 Filming and Photography.
- E. If applicable, a drawing or site plan of layout of event.
- F. Application fee of \$500.00 and any additional fees according to Chapter 79.
- G. Certificate of Insurance and indemnification as per Section 79-9 of the Village Code.

Name of Applicant and/or Production Company: _____

Contact Person: _____

Contact Information:

Mailing address: _____

Residence or Business address: _____

Phone Number: _____ Cell Number: _____

Fax Number: _____

Will the above person also be the contact person on site the date of the event? _____

If not, please provide an onsite contact person and contact information:

Name: _____

Cell Phone Number: _____

Location(s) of Property Where Filming/Photography Shoot will be held:

Address

Owner of Property

Date(s) and Time(s) of Principal Photography Event: _____

Proposed Activity for Principal Photography Event: _____

Type of Principal Photography to be employed: _____

Description of Equipment to be Used (be specific regarding cameras and lighting): _____

Number of Cast and Crew: _____

Number of vehicles involved: _____

Will any parking or roadways be obstructed and if so, describe? _____

Will the applicant need additional services from any of the departments below:

Southampton Town Police Department _____

Southampton Town Highway Department _____

Building Inspector _____

If additional service is required from any of the above departments, the applicant is responsible for any additional cost as a result of the event.

Additional comments of applicant: _____

Application is hereby made to the Board of Trustees for the issuance of a Principal Photography Permit in accordance with Village of Sagaponack Code Chapter 79. The applicant agrees to comply with all applicable laws and regulations and by signing this application acknowledges that he/she has read Chapter 79 of the Sagaponack Village Code.

Sworn to before me this _____ day of _____, 20_____

Signature of Applicant

Notary Public _____ County

FOR OFFICE USE ONLY

Check all that apply:

Cost Reimbursement:

- Southampton Town Police Department Estimated cost: _____
- Southampton Town Highway Department Estimated cost: _____
- Village Personnel Estimated cost: _____

Security Instrument to secure compliance with conditions of permit and to ensure adequate cleanup of the Property after the event:

Required YES NO

Type and amount: _____

If a Public Hearing is required by the Board of Trustees, date, time and place of hearing:

Application referred to the following departments for comments:

Southampton Town Police Department Date referred: _____

Comments _____

Southampton Town Highway Department Date referred: _____

Comments: _____

Southampton Town Trustees Date referred: _____

Comments: _____

Other _____ Date referred: _____

Comments: _____

Are there any other events scheduled for the same date and/or time? _____

If yes, give time, date, location and size of event. _____

OWNER'S AUTHORIZATION

STATE OF NEW YORK)

)ss:

COUNTY OF SUFFOLK)

_____, being duly sworn, depose and say, that I reside at _____.
That I am the owner (or an officer of the corporation, which is the owner) of the premises described in this application, and hereby grant permission to _____ whose mailing address is _____ to hold their event _____ on (date and time) _____ on my property located at _____.

Signature of Owner

Date

Sworn to before me this _____ day of _____, 20____

Notary Public

Chapter 79: FILMING AND PHOTOGRAPHY

[HISTORY: Adopted by the Board of Trustees of the Village of Sagaponack 10-15-2007 by L.L. No. 23-2007. Amendments noted where applicable.]

§ 79-1. Findings and purpose.

The Board of Trustees recognizes that the Village's natural beauty and historical sites are attractive to individuals, organizations, corporations, groups and other entities involved in the businesses of motion-picture and digital filming, audiovisual recordings, and still photography (hereafter to be collectively referred to as "principal photography"). Because such principal photography may create a threat to public safety, health or welfare due to the time, location or duration or may unduly interfere with vehicular and/or pedestrian traffic, the Village desires to regulate such activities through the issuance of permits. The purpose of this chapter is to set forth the procedure governing such permit process.

§ 79-2. Permit required.

A permit issued pursuant to this chapter is required prior to any person, organization, corporation, group or other entity engaging in the principal photography of a commercial, movie, documentary, television program, catalog or magazine layout, or any other presentation upon the streets, sidewalks or any other public property.

§ 79-3. Application for permit.

- A. Application form. An applicant may obtain an application form from the Village Clerk. The information requested on the application form shall include, without limitation, the following:
- (1) The name and address of the applicant and/or the production company.
 - (2) The nature and purpose of the use of the location (pornography expressly prohibited).
 - (3) The type of principal photography to be employed.
 - (4) The proposed location(s).
 - (5) The date(s) and time(s) the permit is intended to cover.
 - (6) The number of cast and crew.
 - (7) The number of vehicles.
 - (8) The person in charge on site.
- B. Submission to Village Clerk. The following materials shall be submitted by the applicant to the Village Clerk at least 30 days before the proposed date of principal photography:
- (1) A completed application form.
 - (2) A nonrefundable application fee of \$500.
 - (3) A certificate of insurance and indemnification agreement pursuant to § 79-9 below.

- C. Review. The Village Clerk shall refer the application to the Town of Southampton Chief of Police and to the Mayor. The Chief of Police and the Mayor or their respective designees shall each determine whether the proposed filming or still photography will constitute a threat to public safety, health or welfare by reason of time, location or duration of the activity or will unduly interfere with vehicular and/or pedestrian traffic. Approval or disapproval of the application by the Board of Trustees shall follow receipt of reports from the Chief of Police and Mayor or respective designees, and any approval may be conditioned on the payment of a traffic control fee set forth in § 79-4 below.
- D. Review by Village Attorney. The Village Clerk shall forward the certificate of insurance and the indemnification agreement to the Village Attorney for approval. The Village Attorney shall send such approved or disapproved documents back to the Village Clerk.
- E. Permit fee. The Village Clerk shall calculate the permit fee required to be paid by an approved applicant as follows:
 - (1) Principal photography fee. Five hundred dollars per day shall be paid for each day covered by the permit, except for special location circumstances described as follows: for the use of the Historic District of Sagg Main Street as a traveling and/or trucking shot, the fee shall be not less than \$2,500 per day.
 - (2) Cleanup deposit. A separate certified check in the amount of \$500 for each day covered by the permit shall be paid pursuant to § 79-5 below.
 - (3) Traffic control fee. One thousand dollars shall be paid for each day covered by the permit if the Chief of Police, or his designee, requires payment of the traffic control fee pursuant to § 79-4 below.
- F. Issuance of permit. The Village Clerk shall collect the permit fee from the applicant. Upon approval by the Board of Trustees and payment of the permit fee, the Village Clerk shall issue the permit to the applicant. The permit shall set forth the name of the applicant and the location(s), date(s) and time(s) of the filming or still photography.

§ 79-4. Traffic control fee.

- A. In the event that the Chief of Police or his designee determines that police officers or traffic control officers will be necessary for the protection of the citizens or for the control of traffic during the filming or still photography, the applicant shall submit to the Village Clerk a fee of \$1,000 for each day covered by the permit.
- B. If the Chief of Police determines that the traffic control fee of \$1,000 per day will be fully expended prior to the termination of the permit period, the Village Clerk shall contact the applicant in writing and require payment of an additional sum of money, said specific amount to be determined by the Chief of Police based on the salaries and the number of hours to be worked by the town police and traffic control personnel. Said additional traffic control fee shall be paid upon demand. The applicant's failure to pay such additional fee shall result in the Village Clerk's providing the applicant with written notice that the permit has been suspended and the date of such suspension.
- C. After termination of the principal photography, the Chief of Police shall provide the applicant with a statement regarding the actual cost to the town of providing said police officers or traffic control officers. If the actual cost is less than the moneys that the Village has collected pursuant to Subsection A or B, the Village shall remit the balance to the applicant. If the actual cost is more than the moneys that the Village has collected pursuant to Subsection A or B, the applicant shall be responsible for providing the balance to the Village within three days of demand.
- D. The Chief of Police shall forward a copy of the statement of actual cost to the Village Clerk, who will file said statement with the original application form.

§ 79-5. Cleanup deposit.

- A. Each applicant whose application has been approved shall give the Village Clerk a certified check in the amount of \$500 for each day covered by the permit.
- B. At the termination of the permit period, a Village representative shall inspect the locations listed on the permit and determine if the locations require cleanup efforts.
- C. If cleanup is required, the Village Clerk will provide the applicant with a statement setting forth the actual cost of providing said cleanup services. If the actual cost is less than the deposit collected pursuant to Subsection A, the Village shall remit the balance to the applicant. If the actual cost is more than the deposit collected pursuant to Subsection A, the applicant shall be responsible for providing the balance to the Village within three days of demand.
- D. If no cleanup is required, the Village Clerk shall promptly remit the cleanup deposit to the applicant.

§ 79-6. Payment of fees.

Any fee collected under this chapter shall be paid either in cash or by certified check made payable to the Village of Sagaponack and shall be delivered to the Village Clerk.

§ 79-7. Damage or alterations to public property.

A permit holder shall be responsible for any damage to public property or facilities that may result from the permit holder's activities. No alterations are to be made at the locations of principal photography, including, without limitation, cutting trees, digging holes and trimming bushes, without the express authorization of the Board of Trustees.

§ 79-8. Compliance with other laws.

Issuance of a permit pursuant to this chapter does not relieve the permit holder of its duty to comply with all other local laws, ordinances and regulations during the duration of principal photography.

§ 79-9. Insurance and indemnification.

Every application for a permit pursuant to this chapter shall include a certificate of insurance that evidences a public liability insurance policy covering the Village and the Town of Southampton, including its Police Department, as an additional insured in the minimum amount of the \$2,000,000 per occurrence for the duration of the filming or still photography. The applicant shall also submit an indemnification agreement that states that the applicant agrees to assume all liability for and will indemnify and hold the Village and the Town of Southampton, including its Police Department, harmless of and free from any and all damages that occur to persons or property by reason of said filming or still photography.

§ 79-10. Permit to be available for inspection.

The permit holder shall be required to have the permit available for inspection by the Town Police Department, or its designees, at the location of principal photography for the duration of the permit period.

§ 79-11. Extension of permit period.

An applicant which has been granted a permit may submit to the Village Clerk a request to extend the duration of the permit. The Board of Trustees will make the decision whether or not to grant such request. If permission

is granted, the Village Clerk shall collect from the applicant an additional \$500 for each additional day added to the permit period. The Village Clerk shall then modify the applicant's permit to indicate the granted extension period.

§ 79-12. Penalties for offenses.

- A. Any action by any person, organization, corporation, group or other entity which violates or does not comply with any provision of this chapter shall be punishable by a fine of not less than \$250.
- B. Each continuing day of violation of this chapter shall constitute a separate offense.
- C. In addition to the above-provided penalties, the Village may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.