

INSTRUCTION/INFORMATION SHEET FOR FILMING/STILL PHOTOGRAPHY

1. No person shall film or allow filming on public lands within the Town of East Hampton without first applying for and obtaining a permit therefor from the Town Clerk in accordance with this chapter, except as provided for in § 138-4 hereof.
2. No person shall film or allow filming on private property within the Town of East Hampton without first obtaining a permit from the Town Clerk in accordance with this chapter, except as provided for in § 138-4 hereof. Any incidental use of public lands that obstructs any public lands or interferes with the use of any public lands shall be fully disclosed, described and included in any application for a permit; provided, however, that nothing contained in this section shall prevent persons from temporarily loading or unloading filming equipment on any public right-of-way, provided that such loading or unloading is done without unnecessary delay, and provided that such filming equipment is not allowed or permitted to remain on such public right-of-way for a period longer than 15 minutes
3. A completed application form, one hundred (\$100.00) dollar nonrefundable application fee, certificate of insurance as outlined below, and indemnification agreement shall be received by the Town Clerk of the Town of East Hampton for applications that consist of film/video, at least Fourteen (14) days before the proposed date to start the filming. If the application is for still photography it must be received Seven (7) days before the proposed date to start the photo shoot.
4. If an application is approved, the applicant shall pay the following applicable fees to the Town Clerk in exchange for the issuance of the permit:
 - (1) Film Fee for Public Properties. Activities involving up to five people (includes cast, crew and all support staff): (\$150.00) dollars per day or any portion thereof. Activities involving 6 to 15 people (includes cast, crew and all support staff): Two Hundred Fifty (\$300.00) Dollars per day or any portion thereof; Activities involving 16-50 people (includes cast, crew and all support staff): Five Hundred (\$600.00) Dollars per day or any portion thereof; Activities involving 51-100 people (includes cast, crew and all support staff): One Thousand (\$1200.00) Dollars per day or any portion thereof; Activities involving more than 100 people (includes cast, crew and all support staff): One Thousand Five hundred (\$1800.00) Dollars per day or any portion thereof; shall be paid for each day covered by the permit.
 - (2) Film Fee for Private Property. The cost for filming on private property with a cast and crew up to 20 persons will be \$150.00 per shoot. If the cast and crew is 20 persons or more the cost per shoot will be \$300.00.
 - (3) Clean-up Deposit on Public Land. A separate certified check in the amount of Two Hundred Fifty (\$250.00) Dollars per location per day covered by the permit shall be submitted as a deposit pursuant to Section 138-7 of the East Hampton Town Code.
 - (4) Traffic Control Fee. One Thousand (\$1,000.00) 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 Section 138-6 of the East Hampton Town Code, a copy of which is attached.

- (5) Beach Parking Fee. If the permit includes one or more Town beaches as location sites, a twenty five (\$50.00) Dollar per passenger vehicle, van, or box truck under 16 feet in length for each day covered by the permit shall be paid. If the requested vehicles are larger than 16 feet a fifty dollar (\$100.00) fee shall be paid. If overnight parking at a Town parking lot is required a fee of 3,000 dollars shall be required.
 - (6) Administrative Fees on Public Lands for amended permit fifty (\$50.00) dollars. Extension of permit one hundred (\$100.00) dollars.
5. Every application shall include with the application a Certificate of Insurance that evidences a public liability insurance policy covering the Town of East Hampton as additional insured in the minimum amount of ONE MILLION DOLLARS (\$1,000,000.00) per occurrence for the duration of the filming or still photography.
 6. Every applicant shall include with the application an indemnification agreement that states that the applicant agrees to assume all liability for and will indemnify and hold the Town of East Hampton harmless of and free from any and all damages that occur to persons or property by reason of said filming or still photography.
 7. A permit holder shall be responsible for any damages to Town property or facilities that may result from the permit holder's activities. No alterations are to be made to filming or photography sites including, without limitation, cutting trees, digging holes and trimming bushes without the express authorization of the Town Board.
 8. Issuance of a permit does not relieve the permit holder of duty to comply with all other Town local laws, ordinances and regulations during the duration of the filming or photography shoot (i.e. Noise Ordinance, Parking Restrictions, copies available upon request).
 9. Any fee collected shall be paid either in cash, money order or check payable to the Town of East Hampton and shall be delivered to the Town Clerk.
 10. The permit holder shall be required to have the permit available for inspection by the Town Police Department, or its designees, at the site of filming or still photography for the duration of the permit period.
 11. An applicant who has been granted a permit may submit to the Town Clerk a request to extend the duration of the permit. The Chief of Police, or his designee, will make the decision whether or not to grant such request. If permission is granted, the Town Clerk shall collect from the applicant the appropriate additional fee for each additional day added to the permit period. The Town Clerk shall then modify the applicant's permit to indicate the granted time.
 12. Other than the required fees, the Town shall not accept any donations from the applicant in connection with the granting of the permit. In addition the Town official or employee shall make no recommendation to the applicant regarding a donation to a third party.

13. The penalties for a violation of the Rules and Regulations regarding a film/still photography permit are set forth in section 138-14 of the Town of East Hampton, a copy of which is attached.
14. A film/still photography permit is not transferable.

Town Code Section 138-6. 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 Town Clerk a fee of for each day covered by the permit pursuant to Subsection E of § 138-5, and the Town Board, by resolution duly adopted, from time to time shall establish or amend such fee amount. The procedure set forth in Subsection B may be repeated as necessary to ensure that the applicant pays for all costs incurred by the town in providing traffic control services.
- B. If the Chief of Police, or his designee, determines that a traffic control fee will be fully expended prior to the termination of the permit period, the Chief of Police, or his designee shall notify the Town Clerk. The Town 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, or his designee 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 within seven days of said notice. The applicant's failure to pay such additional fee within said seven-day period shall result in the Town Clerk's providing the applicant with written notice that the permit has been suspended and the date of such suspension. The applicant's receipt of the Town Clerk's suspension notice shall not be construed as altering the date of suspension set forth in said written notice, the effective date of the suspension being the day immediately following the completion of the seven-day notice period.
- C. The procedure set forth in Subsection B may be repeated as necessary to ensure that the applicant pays for all costs incurred by the Town in providing traffic control services.
- D. After termination of the filming, the Chief of Police, or his designee 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 Town has collected pursuant to Subsection A, B or C, the Town shall remit the balance to the applicant. If the actual cost is more than the moneys that the Town has collected pursuant to Subsections A, B or C, the applicant shall be responsible for providing the balance to the Town within 30 days of the permit period.

- E. The Chief of Police, or his designee shall forward a copy of the statement of actual cost to the Town Clerk who will file said statement with the original application form.

Section 138-17. 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 \$100 and not more than \$1,000, and, in addition, anyone convicted hereunder of not complying with the requirements of § 138-6 and/or § 138-7 may be subject to a fine of not less than the amount of the actual costs incurred and owed to the Town, and not more than an amount equal to twice said actual costs.
- B. Each continuing day of violation of this chapter shall constitute a separate offense.
- C. In addition to the above provided penalties, the town may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with, or to restrain by injunction the violation of, this chapter.

FILMING/PHOTOGRAPHY

Please Read before filing the Application

1. Please read all information carefully and make sure that your application is turned into the clerk's Office **at least 7 days prior to the start date for still photography permits. For film/video permits applications must be received at least 14 days prior to the first day of filming.**
2. Please be aware that the submission time frame will not begin until we have received all aspects of the application and the \$100.00 application Fee. (The additional fees may be turned in after the application is being processed).
3. **Please be very specific on the location (s) of the shoot:**
 - A. Side of road, sidewalk (road names)
 - B. Where you will park
 - C. How long you will be at each location (times)
 - D. On beach or in parking lot (beach names)
 - E. Where on beach, how far down from dunes and entrance
 - F. How many people at each site

Please attach an additional piece of paper (if necessary) so that the review committee can have an accurate description of the filming that is taking place.

4. Applicant's name and the name of applicant on the Release of All Claims form **MUST** be the same and **MUST be an officer of the company.**
5. The Release of All Claims Form must be notarized and the original mailed or handed in, cannot except faxed copy of this form. It is very important to list each and every town facility by name otherwise it may not be accepted. Also, please make sure to clearly mark what your title is with the company. **MUST have original.**
6. ALL information on the voucher is completed if you want your clean-up refund returned to you in a timely manner.
 - A. Claimants name at the top of the voucher should read exactly how you want the check to read.
 - B. Address should be where the check is going to be mailed

- C. Federal Tax ID Number or Social Security Number
- D. Correct amount and dates entered
- E. Signature on bottom

APPLICATION FOR FILMING/STILL PHOTOGRAPHY

Please Print or Type

Application Date: _____ PERMIT # _____

Name of Applicant: _____

Mailing Address: _____

Phone: _____ Cell: _____ Fax: _____

Name of Organization/Company: _____

Mailing Address of Company: _____

Phone: _____ Extension: _____ Fax: _____

Description of Activity: (Motion Picture, Commercial, Television, Catalog, Magazine, Etc.)

Date (s) & Times (s) of Filming/Photography: _____

Proposed Location (s) of Filming/Photography Attach Additional Sheet if necessary).

Name of Person in Charge at Site: _____

Number of Persons at Location: (Cast & Crew Included) _____

Number & Type of vehicles at Location: _____

Type of Special Equipment: _____

Signature

Return to : Town Clerk, 159 Pantigo Road
East Hampton, NY 11937

**RELEASE OF ALL CLAIMS
AND
AGREEMENT TO INDEMNIFY AND HOLD HARMLESS**

DATE: _____

In consideration of the permission given by the Town of East Hampton for the use
of _____ in order to _____
(Town Facility) (Activity)
on _____, _____ hereby agrees to
(Dates) (Name of applicant, organization)

Indemnify and hold harmless the Town of East Hampton and every agent, employee and official thereof against all liabilities, claims, suits, awards or judgments whatsoever which may arise directly or indirectly out of the above activity in favor of, or which

might be claimed by _____ or third parties. It is
(Name of applicant, organization)

understood and agreed that this release of claims and agreement to indemnify and hold harmless is a condition precedent and an un-severable part of the permission given by the Town of East Hampton, and the Town was induced to grant such permission by the promise of the undersigned to grant this release.

NAME: _____

Please Print

I am an officer of the above named company/corporation with authority to sign this agreement.

My title is President
 Vice President
 Secretary
 Treasurer

SIGNATURE: _____

STATE OF NEW YORK)
COUNTY OF SUFFOLK)

Today, _____, _____ appeared
(Date) (Name)

before me and signed the foregoing instrument.

Notary Public

