



BOROUGH OF GARWOOD
UNION COUNTY, NEW JERSEY
MUNICIPAL BUILDING
403 SOUTH AVENUE
GARWOOD, NEW JERSEY 07027

ORDINANCE NO. 25-21

**CREATING A NEW CHAPTER 162 IN THE
MUNICIPAL CODE ENTITLED "FILMING"**

WHEREAS, the Borough of Garwood (the "Borough") seeks to establish comprehensive regulations governing filming activities within its jurisdiction; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Garwood that Chapter 162 shall be added to the Borough Code as set forth herein:

§ 162-1 Definitions.

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

FILMING

The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters, major linear broadcast network or streaming platforms, or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality.

§ 162-2 Permit required.

- A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Borough Clerk, 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 Borough officials at all times at the site of the filming.
- B. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form

approved by the Borough Clerk and be accompanied by a permit fee in the amount established by this chapter in § 10 herein.

- 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 Borough Clerk 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.

§ 162-3 Issuance of permits.

- A. No permits will be issued by the Borough Clerk unless applied for at least four (4) business days prior to the requested shooting date; provided, however, that it is at the discretion of the Borough Administrator to waive the four (4) day period if the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
- B. No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:
 - (1) Proof of insurance coverage as follows:
 - (a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.
 - (b) For property damage for each occurrence in the aggregate amount of \$300,000.
 - (2) An agreement, in writing, whereby the applicant agrees to indemnify and hold harmless the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.
 - (3) The hiring of an off-duty police officer, if required by the Chief of Police, according to the agreed upon public safety plan, for the times indicated on the permit.
- C. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

§ 162-4 Interference with public activity; notice of filming.

- A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.
- B. The 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 applicant'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 (3) days prior to the requested shooting date and be informed that objections may be filed with the Borough Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Borough Clerk within two days of the requested shooting date.

§ 162-5 Refusal to issue permit; employment of patrolmen and electrician.

- A. The Borough Administrator may refuse to issue a permit whenever the Administrator determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Borough agencies involved with 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 Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

§162-6 Appeals.

- A. Any person aggrieved by a decision of the Borough Administrator denying or revoking a permit or a person requesting relief may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Administrator.

- B. An appeal from the decision of the Administrator shall be filed within 10 days of the Administrator's decision. The Borough Council shall set the matter down for a hearing within 45 days of the day on which the notice of appeal was filed. The decision of the Borough Council shall be in the form of a resolution supporting the decision of the Borough Administrator at the first regularly scheduled public meeting of the Borough Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

§ 162-7 Waiver of requirements of chapter by Administrator.

The Borough Administrator may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Administrator determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Administrator shall consider the following factors:

- (1) Potential traffic congestion at the location.
- (2) The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- (3) The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
- (4) The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- (5) The extent to which the filming may affect adjoining and nearby property owners and occupants.
- (6) The Borough's prior experience with the applicant, if any.

§ 162- 8 Copies of permit; inspections.

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Motion Picture and Television Commission at njfilm@njeda.gov. The applicant shall permit the Fire Prevention Bureau or other Borough inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other Borough inspectors.

§ 162-9 Reimbursement of certain costs.

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

§ 162-10 Fees.

CATEGORY	FEE (Not to exceed)
Basic filming permit (one-time; with 5 or more days advance notice of the first day of filming)	\$100
Expedited basic filming permit (one-time; with 4 or less days advance notice of the first day of filming)	\$250
Basic filming permit for nonprofits, including student films (one-time; no daily rate required)	\$25
Daily filming on public property	
<i>Film and television projects with a budget under \$20mm</i>	\$150
<i>Film and television projects with a budget over \$20mm</i>	\$500
Daily filming on private property	No fee charged by Municipality

CATEGORY	FEE (Not to exceed)
Public Safety	
<i>Hiring of off-duty police and fire inspections, according to agreed upon public safety plan</i>	The municipality's standard hourly rates for police and fire
Inconvenience fees	
<i>Street closures - less than 10,000 residents</i>	\$1,000 per day
<i>Properties in background - or used - in shot</i>	Fee is negotiated between a production company and a private business or residence
<i>Daily prep of business that is being "dressed"</i>	Fee is negotiated between a production company and a private business or residence
<i>Daily filming of business that is "dressed"</i>	Fee is negotiated between a production company and a private business or residence
Parking fees	Same rates that are charged to the public

§ 162-11 Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect after final passage and publication in accordance with applicable law.

Rejected Approved


 Jen Blumenstock, Mayor

Date 8/14/25

Reconsidered by Council _____ Override Vote Yes ___ No ___

DATE OF INTRODUCTION: JULY 10, 2025

DATE OF ADOPTION: JULY 24, 2025

RECORDED VOTE OF COUNCIL																	
	Date: 07/10/2025					Date: 07/24/2025					Date:						
	First Reading/Introduction					Final Reading/Adoption					Tabled						
Council Members	M	S	Yay	Nay	N V	Ab	M	S	Yay	Nay	N V	Ab	M	S	Yay	Nay	
K. Boto			✓						✓								
S. Foley			✓									✓					
V. Kearney			✓						✓								
M. Lazarow	S		✓									✓					
C. Padusniak	M		✓				M		✓								
C. Nolde			✓				S		✓								
✓ - Indicates Vote NV: Not Voting/Abstain AB: Absent M: Motion S: Seconded																	

CERTIFICATION

I, Patricia Vazquez, Acting Borough Clerk of the Borough of Garwood, County of Union do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Borough of Garwood held on Thursday, July 10, 2025, and thereafter duly advertised in the legal newspaper of the Borough of Garwood at least seven (7) days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Thursday, July 28, 2025, at which time any person interested therein will be given an opportunity to be heard.


 Patricia Vazquez, Acting Borough Clerk

Notice is hereby given that the foregoing Ordinance 25-21 was finally adopted at a meeting of the Borough of Garwood held on Thursday, July 28, 2025 at 7:00 pm in the Borough Municipal Building, 403 South Avenue, Garwood, New Jersey 07027.


 Patricia Vazquez, Acting Borough Clerk



JEN BLUMENSTOCK
Mayor

JOHN ARTHUR
Borough Administrator

PATRICIA VAZQUEZ
Acting Municipal Clerk/Registrar
clerk@garwood.org

BOROUGH OF GARWOOD

County of Union
403 South Avenue
Garwood, New Jersey 07027
(908) 789-0710
garwood@garwood.org

KARINA BOTO, Councilwoman
SEAN FOLEY, Councilman
VINCENT KEARNEY, Councilman
MARK LAZAROW, Councilman
CHASE PADUSNIAK, Councilman
CLARISSA NOLDE, Council

PROOF OF INSERTION

State of New Jersey
County of Union

I, Patricia Vazquez, do hereby certify that an advertisement, of which the annexed is a true copy, was published in **The Union County Hawk**, a newspaper published and circulated in Garwood Borough, County and State aforesaid, issue(s) as follow (s) to wit:

Certified this 17th day of July, 2025

Notice of Pending Ordinance No. 25-21

An Ordinance Creating a New Chapter 162 in the

Municipal Code Entitled "Filming"

Certified this 17th day of July, 2025

Patricia Vazquez, Acting Municipal Clerk

PUBLIC NOTICE

**BOROUGH OF GARWOOD
NOTICE OF PENDING ORDINANCE
ORDINANCE NO. 25-21**

**AN ORDINANCE CREATING
A NEW CHAPTER 162 IN THE
MUNICIPAL CODE ENTITLED
"FILMING"**

Notice is hereby given that the following Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Garwood, in the County of Union, State of New Jersey, held on the 10th day of July 2025 and that said Ordinance will be taken up for further consideration for final passage at the meeting of said Borough Council to be held at its meeting room in the Municipal Building, 403 South Avenue, Garwood, New Jersey, on the 24th day of July, 2025 at 7:00 P.M. or as soon thereafter as said matters can be heard, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same. Copies of said Ordinances are available in full at the Office of the Borough Clerk, Borough of Garwood Municipal Building, 403 South Avenue, Garwood, New Jersey 07027, and on the Borough website: https://garwood.org/gb_notices.

Purpose: The Borough is seeking add a New Chapter to the Municipal Code regarding filming in Garwood.

Patricia Vazquez
Acting Borough Clerk

1 T - 07/17/25, UC Hawk Fee: \$33.15



JEN BLUMENSTOCK
Mayor

JOHN ARTHUR
Borough Administrator

PATRICIA VAZQUEZ
Acting Municipal Clerk/Registrar
clerk@garwood.org

BOROUGH OF GARWOOD
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CLARISSA NOLDE, Council

PROOF OF INSERTION

State of New Jersey
County of Union

I, Patricia Vazquez, do hereby certify that an advertisement, of which the annexed is a true copy, was published in **The Union County Hawk**, a newspaper published and circulated in Garwood Borough, County and State aforesaid, issue(s) as follow (s) to wit:

Certified this 31st day of July, 2025

Notice of Adoption Ordinance No. 25-21

An Ordinance Creating a New Chapter 162 in the

Municipal Code Entitled "Filming"

PUBLIC NOTICE

BOROUGH OF GARWOOD

NOTICE OF ADOPTED ORDINANCE

Notice is hereby given that the following Ordinance(s) were adopted on its second reading by the Borough Council of the Borough of Garwood, in the County of Union, State of New Jersey, at its regular meeting held on July 24, 2025, at 7:00 p.m. in the Municipal Building, 403 South Avenue, Garwood, New Jersey.

ORDINANCE NO. 25-21

**AN ORDINANCE CREATING
A NEW CHAPTER 162 IN THE
MUNICIPAL CODE ENTITLED
"FILMING"**

Purpose: The Borough is seeking add a New Chapter to the Municipal Code regarding filming in Garwood.

ATTEST:

Patricia Vazquez
Acting Borough Clerk

1 T - 07/31/25, UC Hawk Fee: \$21.93

Certified this 31st day of July, 2025

Patricia Vazquez, Acting Municipal Clerk