

“FILM IN MONMOUTH”

Any film or media production requesting the use of Monmouth County property must adhere to the Film in Monmouth Code of Conduct.

CODE OF CONDUCT

The Film in Monmouth Code of Conduct as expressed in this document applies exclusively to filming and production activities conducted on Monmouth County property. It does not apply to filming on County property for noncommercial personal use or enjoyment, professional portrait photography, or on-site news reporting for broadcast purposes. Individual municipalities may have their own filming guidelines and permit requirements.

If necessary, be certain to contact and coordinate approvals with the appropriate local municipality prior to filming on County property.

I. DEFINITIONS

APPLICANT. The person, agency, or organization that submits a Film In Monmouth (FIM) Permit to the Approving Agent on behalf of a film production team.

COUNTY PROPERTY: Any and every land, water, public right-of-way, easement, facility, or structure either held in ownership by, under the jurisdiction of, or controlled and managed through the County of Monmouth. Monmouth County property may also be referred to as a site, location, or set for filming

FILMING: The taking of still or motion pictures, either digitally or through traditional recording medium, for commercial or educational purposes, intended for viewing on mediums such as television, social media platforms, streaming, or in theaters or for institutional uses. This definition excludes the recording for noncommercial personal use and enjoyment, professional portrait photography, or on-site news casting.

FILM IN MONMOUTH APPROVING AGENT (A.K.A. FIM PERMIT REPRESENTATIVE): The Clerk of the Board of County Commissioners or in their absence the County Administrator or designee, authorized issue a FIM Permit.

FILM IN MONMOUTH (FIM) PERMIT: A certificate issued by the Approving Agent indicating that an Applicant has adequately satisfied all the conditions imposed upon a proposed Film Production allowing filming to commence. An approved permit may include additional instructions or requirements, or conditions for production as they relate to waivers or staging requests.

FILM PRODUCTION, MAJOR

Any recording production for a general audience release:

- Which is financed and/or distributed by a major motion picture studio or online streaming media platform, their subsidiaries, or affiliates; or
- For which the production budget is at least \$2,500,000; or
- Due to the nature of filming, will have disruptive impact on or affect the public, adjacent property owners, or the surrounding community that requires abatement

Examples of Major Film Production may include but is not limited to: (1) feature motion pictures intended for release in a movie theater or online streaming platforms; (2) a movie, series, or mini-series made for television or online streaming platforms; (3) a short film made for television, online streaming, or film festival.

FILM PRODUCTION, LIMITED

Any recording production which meets the following criteria:

- Is not financed and/or distributed by a major motion picture studio or online streaming media platform, their subsidiaries, or affiliates; and
- For which the production budget is at less than \$2,500,000; and
- Is limited in duration or will have negligible disruptive impacts on the surrounding community.

Examples of Limited Film Production may include but is not limited to: (1) a short film made for television, online streaming, or film festival; (2) a documentary; (3) a music video; (4) a commercial or infomercial for a product or service; (6) a documentary; (7) B-Roll

FILM PRODUCTION, SPECIAL EXCEPTION

Meets the Limited Film Production criteria and falls under one of the following categories:

- a student film associated with either a high school project/program under the guidance of an assigned faculty or staff member, or part of an accredited higher educational institution or trade school project/program
- a non-profit organization
- a government agency or a public educational institution

FILM IN MONMOUTH (FIM) PERMIT: is a certificate issued by the Approving Agent (Clerk of the Board of County Commissioners, or designee) indicating that an Applicant has met all conditions required under the *Film in Monmouth Code of Conduct* for filming on a County property.

FILM READY LIAISON: Person authorized by the Monmouth County Board of County Commissioners to assist the New Jersey Motion Picture & Television Commission (NJMPTC) to facilitate film and media production throughout Monmouth County.

NOTICE OF FILMING: At a minimum, any required notice shall include the production title, contact person, date(s) and time(s) of filming, as well as any possible disruptions to the public including road closures, detours, physical nuisances, or diversions that could result from filming.

PERMIT FEE: Includes the Production Fee accompanied by a refundable Performance Surety Deposit in accordance with the Film in Monmouth Fee Schedule.

II. PROGRAM GUIDELINES

1. **Eligible Properties and Sites:** The County shall make available a list of County properties eligible for filming. Applicants may request to film on a County property not identified on the official eligible sites list, however the County reserves the right to deny a permit for any County property not identified on the official list.
2. **Production Permit:** Before filming can commence, all film productions must first obtain a FIM Permit (permit) from the County's Approving Agent.
3. **Requirements for Filming:**
 - a. Read the Film in Monmouth Code of Conduct
 - b. Complete and Submit the FIM Permit Application to the Approving Agent
 - c. Submit any required supportive documents including:
 - i. Staging Plan (Major Productions only)
 - ii. Impact Abatement Plan (Major Productions lasting more than five (5) days)
 - iii. Staging requests and/or Waivers

- d. Submit the appropriate FIM Permit Fee (Production Fee plus refundable surety deposit) as determined by the Approving Agent.
 - e. Sign-off on all applicable attestations:
 - i. Agreeing to the terms and conditions of the Film in Monmouth Code of Conduct
 - ii. Having satisfied the notice requirements (see Section V.)
 - iii. Shall comply with public health, safety, public nuisance laws and standards.
 - iv. Provide the appropriate Production Fee (plus a refundable Surety Performance Deposit) as determined by the County's Approving Agent
 - f. Submit a Certificate of Insurance (see sample) for \$1 million containing the following language, "Monmouth County, its officers, and employees are included as additional insureds".
4. **Film Production Hours:** Outdoor film productions or those productions generally considered disruptive to the public, such as those involving additional light and/or noise or where foot and/or vehicle traffic may be disrupted or impaired, are permitted from 7:00 am to 9:00 pm "camera wrap" with "crew wrap" no later than 10:00pm.
- a. The Approving Agent has the discretion to flex or extend permitted filming times and shall consider conditions such the production's potential impact, duration, disruption, and effect on nearby and surrounding properties, businesses, and residents.
 - b. Changes in permitted film production times are subject to additional fees.
5. **Extended Productions:** Any major film productions that that requires five (5) or more days of filming in any one location must provide a detailed filming scheduling including locations and public facilities to be affected by the request, a public facilities and service impact statement describing the anticipated inconveniences, disruptions, and nuisances resulting from the request, and an impact abatement plan to be undertaken by the Applicant to mitigate such impacts to the community.
6. **Special Exception Productions:** Permit and Production Fees shall not be assessed for Special Exception Productions.

III. PERMIT TERMS AND CONDITIONS

1. **Permit Application Deadline:** No permit will be issued by the Approving Agent unless applied for at least ten (10) business days (excludes weekend and official County holidays) prior to the requested shooting date. During this time the Approving Agent will verify the availability of the location and work with other County officials to reserve and secure the site being requested.
2. **Permit Expedition:** Should the Applicant request an expedited permit approval, the Approving Agent may waive the ten (10) day permit review period if the Applicant is able to provide appropriate and acceptable documentation on how any nuisance, inconvenience, restriction, limitation or disruption resulting from the production affecting the public or the surrounding community will be abated.
3. **Permit Modification:** If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the days, dates, and times specified, the Approving Agent may, at the request of the Applicant, issue a modified permit for filming on other dates subject to full compliance with all other provisions of these guidelines. No additional fees shall be required of the Applicant to satisfy this request.
4. **Permit Waivers:** The Approving Agent, upon consultation with County Officials, has the discretion to grant waivers, for general or specific permit conditions, or modify aspects of the Notice of Filming requirements if the Applicant can show (1) there an unreasonable burden or hardship created to the Applicant, County, or local municipality in adhering to the Code of Conduct, and (2) the permit can be issued without endangering the public's health, safety, and welfare or causing irreparably damage to cultural, historic, or natural resources.

5. **Permit Issuance:** A permit will only be issued once all the permit application conditions as specified in the Code of Conduct are satisfied including submission of a correct permit fee including a refundable surety performance deposit and the Certificate of Insurance.
6. **Permit Inspection:** The Film in Monmouth Production Permit must always be readily available for inspection by government officials, law enforcement, and public safety personnel at the site of the filming.
7. **Permit Revocation:** The County reserves the right to revoke a permit should the Applicant fail to meet any of the terms and conditions of the Film in Monmouth Code of Conduct as conveyed herein.

IV. PERFORMANCE & PROFESSIONAL CONDUCT

1. **Performance:** The permit holder shall:
 - a. Be responsible for the health, safety, and welfare of the cast, crew, and public in and around the set during production.
 - b. Work and coordinate with County officials to:
 - i. mitigate and minimize the nuisance, inconvenience, or disruption to the public.
 - ii. accommodate parking for production vehicles, equipment storage locations, on-site pedestrian and traffic circulation, permissible and non-permissible changes to landscaping and/or building facades, sanitation and trash disposal.
 - iii. review temporary signage locations and comply with approved safety plans
 - c. Comply with all lawful directives issued by the law enforcement and public safety personnel.
 - d. Contact the County Health Department to determine if an inspection and/or any approvals are required prior to filming.
 - e. Take all reasonable steps to provide for the safe and efficient flow of vehicular and pedestrian traffic to and from County properties at a filming location.
 - f. Avoid, to the best extent possible:
 - i. any interference with previously scheduled activities on County property and any interference with normal public activities on such property.
 - ii. any location that could disrupt any threatened and endangered species, their critical habitat, or regenerative lifecycle (e.g. migration, breeding, nesting, etc.) as confirmed by Monmouth County Park System naturalists.
 - g. Conduct filming in such a manner as to mitigate and minimize the nuisance, inconvenience, or disruption to adjoining property owners and dwellers.
 - h. At a minimum, ensure that all production and filming locations are replaced or restored to their original condition, unless the County agrees otherwise.
2. **Professional Conduct:** The permit holder is expected to uphold the following conditions during production:
 - a. Vehicles
 - i. Production vehicles arriving on location in or near residential neighborhood shall not enter the area before the time stipulated in the permit. Vehicle engines should be turned off as soon as possible. Cast and crew shall observe designated parking areas.
 - ii. Production vehicles may not block roadways or driveways without the express permission of the appropriate jurisdiction (State, County, Municipality) or driveway owner.
 - iii. Moving or towing of a non-production related vehicle is prohibited without the express permission of the appropriate jurisdiction (State, County, Municipality).

b. Site Access

- i. Every member of the crew shall wear a production pass (badge) on County Property when issued.
- ii. Cast and crew must remain within the boundaries of the County Property that has been permitted for filming. Trespassing onto other neighbors' property is prohibited.
- iii. Residents, business owners, employees, customers, and patrons must be provided with access to and from their residence or place of business.
- iv. Sidewalks, driveways, and roadways should not be used for equipment storage and/or construction activities, except when permission is granted or as approved on the permit.
- v. Consideration should be given to pedestrian safety and traffic cones should delineate an alternate path when sidewalks are blocked.
- vi. Temporary signs may be posted to help guiding pedestrians and vehicles must be removed upon completion of filming.

c. Common Courtesy

- i. All trash must be disposed of properly
- ii. All catering, crafts service, construction, strike and personal trash must be removed from the location. Production companies may not use County trash receptacles for production trash and recycling.
- iii. Observe designated smoking areas and extinguish cigarettes in smoking receptacles. Cigarettes and cigars should not be put out on and left on the grounds of County Property.
- iv. Smoking indoors and in immediate vicinity of historic structures is strictly prohibited.
- v. Courteously advise the public impacted by filming that any disruption they are experiencing is only temporary and that their cooperation is greatly appreciated.
- vi. Seek assistance from a County Park Ranger or Law Enforcement Officer if it becomes necessary.

d. Safety and Welfare

- i. Where existing electrical power lines are to be utilized, an on-site licensed electrician is required if the production company does not have a licensed electrician on staff.
- ii. The County may require, and the Applicant shall permit, any County personnel or professionals on-site to ensure the health, safety and welfare of the public.
- iii. Any proposed scene that would reasonably require a trigger or content warning shall not be obviously recognizable as a Monmouth County Property location in the movie's final cut.
- iv. All productions using live animals shall cooperate with law enforcement agencies responsible for animal welfare
- v. Any production intending to use firearms or pyrotechnics shall notify the Monmouth County Sheriff's Office and the host municipality's police department so they are prepared to respond to any phone call or complaints they may receive from the public.

V. FILMING NOTICE REQUIREMENTS

1. Major and Limited Film Productions:

- a. No less than three (3) days before filming activity commences, a Notice of Filming shall be served to all immediately adjacent property owners, merchants, businesses, and residences potentially impacted by additional light and/or noise or where foot and/or vehicle traffic may be disrupted or impaired.
- b. A Notice of Filming shall be posted at the entrance to any County facility affected by filming that is typically open to the public and on a publicly accessible bulletin board at the County facility, if one is available.

2. Special Exception Film Productions:

A Notice of Filming shall be posted at the entrance to any County facility affected by filming that is typically open to the public and on a publicly accessible bulletin board at the County facility, if one is available.

3. Noticing Requirements for All Productions:

- a. Any production intending to use firearms or pyrotechnics shall notify the Monmouth County Sheriff Office and the host municipality's police department so they are prepared to respond to any phone call or complaints they may receive from the public.
- b. The local municipality shall be notified if the production affects, impacts, or involves a municipal facility or non-County property.

VI. OTHER CONSIDERATIONS

1. The County may require, and the Applicant shall permit, any County personnel or professionals on-site to ensure the health, safety and welfare of the public.
2. No person shall possess, or consume, or be under the influence of alcoholic beverages, cannabis, or controlled dangerous substances within any County property. The Board of Recreational Commissioners may designate special use areas or special events where alcoholic beverages may be served. Smoking tobacco is prohibited within 25' of a County building entrance.
3. Any proposed scene that would reasonably require a trigger or content warning shall not be obviously recognizable as a Monmouth County Property location in the movie's final cut.
4. All productions using live animals shall cooperate with law enforcement agencies responsible for animal welfare.
5. In addition to any other fees or costs prescribed herein, the Applicant shall reimburse the County for the use of County equipment, vehicles, utilities, etc., and any lost revenue that the County is prevented from earning because of filming. The Applicant shall reimburse the County for any lost revenue that the County is prevented from earning because of filming.

VII. PERMIT DENIAL, OBJECTIONS, AND APPEALS

1. The Approving Agent may deny issuance of a Film In Monmouth Production Permit on the basis of: (1) a lack of reasonable timeliness to process an application; (2) an incomplete permit application; (3) missing one or more Film In Monmouth Program Requirements; (4) incorrect or outstanding fees; (5) permit violations from a prior production; (6) a report from law enforcement or any government agency with jurisdiction over filming site approvals determining that the proposed filming location or schedule would pose a risk to public health, safety, or welfare; (7) production would unreasonably interfere with the use and enjoyment of the adjoining properties; (8) productions would unreasonably impede (length, time, duration) the free flow of

vehicular or pedestrian traffic or public access; (9) a production would negatively impact sensitive cultural, historic, or natural resources; (10) an Applicant's refusal to comply with conditions set forth in the Film In Monmouth Program Guidelines; (11) a County Property not identified on the eligible filming location list; (12) the content is not reasonably consistent with community standards, expectations, and lawful uses associated with civic facilities, their intended governmental function, and public purpose.

2. Any person aggrieved by a decision of the Approving Agent denying or revoking a permit or a person requesting relief from any condition contained within these guidelines may appeal to the Board of County Commissioners. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Approving Agent. An appeal from the decision of the Approving Agent shall be filed within five (5) business days of the Approving Agent's decision. The Board of County Commissioners shall set the matter down for a hearing within thirty (30) on which the notice of appeal was filed. The decision of the Board of County Commissioners shall be in the form of a resolution supporting, revising, or reversing the decision of the Approving Agent at the first regularly scheduled public meeting of the Board of County Commissioners after hearing on the appeal, unless the aggrieved, in writing, agrees to a later date for the decision.
3. The County Reserves the right not to issue a Film in Monmouth Production Permit based on a permit holder or their associated affiliates past performance.

VIII. MODIFICATION TO CODE OF CONDUCT

Any proposed changes to the Film in Monmouth Code of Conduct & Program Guidelines and accompanying fee schedule must be sent to the New Jersey Motion Picture and Television Commission for review and comment no less than 10 business days prior to passage by the Monmouth County Board of County Commissioners.