

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Germantown

Local Law No. 2 of the year 2025

A local law regulating filming
(Insert Title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Germantown as follows:

See attached.

FILED
STATE RECORDS
MAR 21 2025
DEPARTMENT OF STATE

Dept. of State Local Law index # 2 of the year 2025

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2025 of the (County)(City)(Town)(Village) of Germantown was duly passed by the Town Board on March 11 2025, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

[Handwritten Signature]

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 3/11/2025

(Seal)

TOWN BOARD
TOWN OF GERMANTOWN
COLUMBIA COUNTY, NEW YORK

Local Law No. 2 of 2025

A LOCAL LAW REGULATING FILMING

BE IT ENACTED by the Town Board of the Town of Germantown as follows:

SECTION 1. TITLE.

This Local Law shall be entitled “A Local Law Regulating Filming.”

SECTION 2. PURPOSE AND INTENT.

Filming activities within the Town may create a threat to public safety, health or welfare due to the time, location, or duration of the filming, or may unduly interfere with vehicular and/or pedestrian traffic. The purpose of this local law is to regulate filming through the issuance of permits.

SECTION 3. AUTHORITY.

This Local Law is adopted pursuant to the State Constitution Article IX and Municipal Home Rule Law section 10.

SECTION 4. PERMIT REQUIRED.

No person or entity shall, for commercial purposes, cause, direct or conduct movie filming, videotaping, video recording, television, or other recording of visual images and/or audio sounds on private or public property in the Town of Germantown without first applying for and obtaining a filming permit therefor in accordance with this local law from the Town Code Enforcement Officer. Filming of news stories by media personnel and filming for non-profit and educational purposes is exempt from the permit requirements.

SECTION 5. APPLICATION.

A complete filming permit application shall be submitted to the Town Code Enforcement Officer, along with the following:

- A. Payment of applicable fee(s)
- B. Proof of commercial general liability insurance coverage against claims of personal injury and property damage, including broad form contractual liability coverage with at least a \$1,000,000 limit for personal injury and property damage per occurrence and \$2,000,000 in the aggregate, naming the Town of Germantown, including its officials, agents, and employees, as an additional insured. In addition, and as applicable, proof of workers' compensation insurance and disability coverage for all filming activities

performed under the filming permit. All insurance must be in place for the duration of the filming permit.

- C. Indemnification agreement whereby the applicant agrees to defend, indemnify, and hold the Town of Germantown and its officials, agents, and employees harmless from any and all liability, expense, claim or damages to person or property resulting from filming activities conducted under the filming permit.
- D. In the event the applicant is not the property owner, written consent of all property owners, demonstrating their consent to the application and the use of their property(ies) for filming activities.

All filming permit applications shall be submitted at least thirty (30) days prior to the proposed first day of filming and shall be subject to review by the Attorney for the Town.

SECTION 6. FEES.

All fees for filming permits shall be set by resolution of the Town Board and shall be nonrefundable.

SECTION 7. NOTICE.

Applicants shall deliver by first class mail to adjoining landowners and landowners within two hundred (200) feet of the proposed filming location notice of the proposed filming activities with a copy of the permit listing the filming location(s), date(s) of filming, and name and phone number for on-site contact at least seven (7) days prior to the first day of filming. Proof of mailing must be provided to the Code Enforcement Officer prior to the first day of filming.

SECTION 8. RESTRICTIONS.

The following restrictions apply to all filming permits:

- A. All filming activities permitted under a filming permit, including all setup and takedown activities, shall only be conducted between 7 a.m. and 9 p.m., Monday through Friday.
- B. No filming activities shall be permitted on weekends or federal holidays.
- C. No permit shall be issued for filming on a property with open violations.
- D. Filming activities shall not exceed 5 consecutive days in any one filming location.
- E. All proposed road closures or other activity that will impact the flow of traffic must be coordinated in advance with local law enforcement agencies, fire protection and ambulance service providers, and the Town, County or State Highway Superintendent, as applicable, and permit holders shall not otherwise block, interfere, or obstruct the free passage of pedestrians and flow of traffic over public lands and streets.
- F. Permit holders shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall abate noise, minimize overhead lighting, and park vehicles associated with such filming off of the public streets.
- G. Permit holders shall have a designated on-site contact person who shall be available at all times to address all inquiries by Town personnel for the duration of filming.

- H. Permit holders shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for the removal of all equipment, debris, and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first.

SECTION 9. WAIVERS.

Upon referral and recommendation by the Code Enforcement Officer, the Town Board may authorize a waiver of any of the requirements or restrictions of this local law, including extending filming hours and/or duration, whenever it determines upon a showing of undue hardship that such a waiver may be issued without endangering the public health, safety and welfare and without unreasonably disturbing the peace and tranquility of the surrounding neighborhood.

SECTION 10. SUSPENSION OR REVOCATION OF PERMIT

The Town reserves the right to immediately suspend or revoke any filming permit due to noncompliance with the restrictions of the permit or failure to conduct filming in accordance with the information and representations contained in the filming permit. The suspension or revocation of a filming permit or failure to comply with the provisions of this local law shall bar such applicant from applying for a new filming permit for one year from the date of revocation, suspension or violation.

SECTION 11. PENALTIES FOR OFFENSES; ENFORCEMENT

- A. A violation of this local law shall be punishable by a fine not less than \$100 and not more than \$1,000 and/or imprisonment not exceeding 15 days, in addition to the actual costs incurred and owed to the Town as a result of the violation and/or damage to Town property, which shall be deemed an additional fine. For the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations.
- B. Each continuing day of violation of this local law shall constitute a separate violation.
- C. In addition to the above remedies, the Town Board may maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of this local law.
- D. This local law shall be enforced by the Town Code Enforcement Officer or by action of the Town Board.

SECTION 12. REPEAL.

All ordinances, local laws and parts thereof inconsistent with this local law are hereby repealed.

SECTION 13. SEVERABILITY.

If any section, provision or part thereof of this local law shall be adjudged invalid or

unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of this local law as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

SECTION 14. WHEN EFFECTIVE.

This local law shall take effect immediately upon filing with the Secretary of State.