

**INCORPORATED VILLAGE OF PLANDOME MANOR
PROPOSED LOCAL LAW NO. 2 OF 2020
CHAPTER 84. COMMERCIAL FILMING
AMENDMENT OF PROVISIONS RELATING TO COMMERCIAL PHOTOGRAPHY**

A local law to amend Chapter 84 of the Code of the Incorporated Village of Plandome Manor, entitled "Commercial Filming," to require permits for commercial photography within the Village of Plandome Manor.

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Plandome Manor as follows:

Current Code

FILMING (§84-2)

The recording on film, video or other medium of motion pictures, commercials, documentaries, shows, performances, athletic or sports events or other similar events or activities, excluding still photography. As used herein, "filming" shall include the use of public or private property for persons, equipment, vehicles, props, cameras and any other items or materials used in connection with such filming. The filming of home movies or videos intended for the exclusive use of the owner and his/her immediate family is exempt from this chapter and is not included in the definition of "filming."

Proposed Definition

FILMING

The taking of still or motion pictures on any type of analog or digital recording medium, for commercial, educational or institutional purposes, intended for viewing on any device, including, but not limited to, television, projector screen, computer, smartphone, tablet, or other electronic device, or for viewing over the Internet or in any place of public assembly, or for educational or institutional use. Filming includes all rehearsals, preparations, assembly and dismantling of all equipment and structures, including, but not limited to, scaffolding, lights, backdrops, tools and food, and the loading and unloading of vehicles containing the equipment, structures and food.

HANDHELD DEVICE

- (1) A film, still or television camera, video or digital camera, smartphone, tablet or other equipment held in the photographer's or filmmaker's hand, carried with the photographer or filmmaker during the course of filming, and not requiring the use of cables or any other item or equipment not carried by the photographer or filmmaker at all times during the course of photography, filming or transmission; or
- (2) A tripod used to support film, still, television, video or digital cameras.

Proposed New Section

EXEMPTIONS.

Notwithstanding the permit requirements of this chapter, the filming activities designated below do not require a permit to be obtained pursuant to this chapter, provided that such activity does not obstruct or interfere with the use of any public lands or private roads located within the Village. For purposes of this section, the term "obstruct or interfere with the use of any public lands or private roads located within the Village" shall mean any filming activity which impedes or which involves the blockage, interruption or closure, in whole or in part, of any public lands or private roads located within the Village.

A. Filming and coverage by news media.

B. Noncommercial filming by and intended for the exclusive use of the owner of private property and his/her immediate family.

C. Filming occurring on public lands or on private property resulting in an incidental use of public lands, and limited to the use of a handheld device, as defined herein.

D. Filming occurring on public lands for which the Village contracts with an applicant, or has otherwise established by local law, resolution, or by the rules and regulations adopted pursuant to this chapter a fee schedule and/or policy governing such activity. In such instances, said contract, fee schedule and/or policy shall apply.

HANDHELD DEVICE

(3) A film, still or television camera, video or digital camera, smartphone, tablet or other equipment held in the photographer's or filmmaker's hand, carried with the photographer or filmmaker during the course of filming, and not requiring the use of cables or any other item or equipment not carried by the photographer or filmmaker at all times during the course of photography, filming or transmission; or

(4) A tripod used to support film, still, television, video or digital cameras.