

**ORDINANCE NO. 3574-21**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF RUTHERFORD, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, CHAPTER 34, ENTITLED "FILMING"**

**WHEREAS** the Governing Body of the Borough of Rutherford believes it is in the best interest of the Borough to Amend and Revise Chapter 34 entitled "Filming" of the Borough Code of the Borough of Rutherford.

**BE IT ORDAINED** by the Mayor and Council of Rutherford, County of Bergen, State of New Jersey, as follows:

**SECTION 1.** § 34-1. "Definitions" of the Borough Code of the Borough of Rutherford is hereby amended to read as follows:

§ 34-1. Definitions.

**MAJOR MOTION PICTURE** — Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following: Universal Pictures, Warner Brothers, including New Line Cinema, Castle Rock Cinema, and Turner Production Company, Paramount, 20th Century Fox, Columbia/Tri-Star, Disney, MGM United Artists, Dreamworks, and Sony; or any film for which the budget is at least \$5,000,000; **or any recurrent television series programming.**

**SECTION 2.** § 34-6. "Fees" of the Borough Code of the Borough of Rutherford is hereby amended to read as follows:

§ 34-6. Fees. The schedule of fees required for filming are as follows:

A. Basic permit fee.

- (1) Basic filming permit for filming on public or private lands: ~~\$150~~**100**.
- (2) Basic filming permit for applicant requesting waiver of the five-day notice period provided above: ~~\$250~~**150**.

B. Daily filming fee.

- (1) Daily filming fee for filming ~~on public lands~~: **\$500** per day.
- (2) Daily filming fee for major motion picture for filming on public lands: **\$1,500** per day.

- (3) No daily rate is required for nonprofit applicants filming for educational purposes. The Borough Administrator, in consultation with the Mayor, may determine to negotiate a flat fee for filming for approved longer-term permits.
- (4) The daily filming fee shall be payable in full at the time the permit is approved and issued. **The daily filming fee shall be nonrefundable.** ~~There shall be no refunds for any day where at least part of the day was spent filming. If filming does not occur on any particular day due to inclement weather or other good cause, the unused filming fee may be refunded or may be applied to another day of filming, if extension of filming is approved.~~

C. Parking fees for filming.

- (1) Fee for use of metered space: ~~\$40~~**25** per day per metered space.
- (2) Fee for parking in non-metered areas: ~~\$25~~**15** per day per **passenger vehicle and \$50 per day per** commercial vehicle.
- (3) The Borough Administrator, in consultation with the Mayor, may determine to negotiate a flat fee for parking for approved **major motion pictures** ~~longer-term permits.~~
- (4) The parking fees shall be payable at the time of issuance of the permit, and at such other times as shall be required due to increased ~~or decreased~~ parking by the permit holder. ~~Prepaid parking fees are refundable where appropriate.~~ The Borough Clerk shall have the authority to override these fees where negotiation of a flat fee is more reasonable.
- (5) There shall be no overnight parking allowed under any circumstances.
- (6) **The parking fees for filming shall be nonrefundable.**

SECTION 3. All ordinances of the Borough of Rutherford, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.


SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

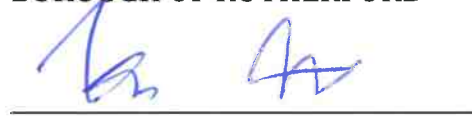
SECTION 5. All other provisions of Chapter 34 of the Code of the Borough of Rutherford are not further amended and remain in full force and effect.

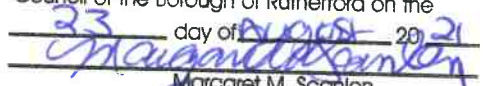
The ordinance shall take effect immediately upon final passage.

**ATTEST:**

**BOROUGH OF RUTHERFORD**

  
Margaret M. Scanlon, Borough Clerk

  
Frank Nunziato, Mayor

I hereby certify that this is a true and exact copy  
of an ordinance adopted by the Mayor and  
Council of the Borough of Rutherford on the  
23 day of August 2021  
  
Margaret M. Scanlon  
Borough Clerk