



City of Saratoga Springs, NY Commercial Filming Application Instructions

Introduction:

A wide variety of events and activities have chosen to make Saratoga Springs their home due to its natural beauty, diverse cultures, and the variety of locations available for use. Each of these events helps to contribute to the dynamic atmosphere found in Saratoga Springs.

The following pages include the City of Saratoga Springs Commercial Filming Application and instructions. It is our goal to assist film organizers in planning safe and successful film-shoots that create minimal disruption to the surrounding communities.

Upon the submission of a commercial filming application, you may be required to meet with the City's staff to review various aspects of your film-shoot. While many city departments joined together to make this process convenient yet comprehensive, please be aware that in some cases you may have to contact other county or state agencies to complete the required application. Doing so in a timely fashion will avoid delays in processing your application.

On behalf of the City of Saratoga Springs, we thank you for contributing to the spirit and vitality of our city. Best wishes for a successful film!

Permit Requirements:

Commercial Filming: filming that involves the digital or film recording of a visual image or sound recording of a person, business, or other entity for a market audience. This includes recordings such as those used for a documentary, educational program, television or feature film, advertisement, or similar project. The following are general rules for film permitting within the City:

- A permit is required for **ALL** commercial filming, outside of the noise ordinance hours.
- A permit is required if a production plans to use special effects, explosives, and similar devices. (The use of Fireworks within Saratoga Springs requires specific approval via a City Firework Application.)
 - No film activity which involves the use of explosives, pyrotechnics, fire, smoke making machines or other special effects of this kind may be undertaken unless specifically approved by the City of Saratoga Springs Fire and Police Departments;
 - Productions with special effects, explosives, and similar devices must have a Certificate of Insurance stating their coverage.
- Approval of the use of special effects, explosives, and similar devices may require more than two (2) weeks to process the request and will require approval by the Saratoga Springs Police Department.
- Permits are **NOT** required for casual photographers, tourists or credentialed members of the media.
- Productions using hand-held camera, props, or equipment, a camera on tripod, not asserting exclusive use of City property, not using prop weapons, prop vehicles, stunts, actors in police uniform and not requesting parking privileges for production vehicles do **NOT** need a permit. Standing on a City sidewalk, walkway of a City bridge or within a City park while using a hand-held camera and not otherwise asserting exclusive use of City property is NOT an activity that requires a permit.

Criteria to Film on City Property:

Applications can be made to the Accounts Department Office of Risk and Safety to obtain permission to film on city property. Permission will be granted based on the following requirements:

- Requests must be received at least two (2) weeks in advance of the filming date;
- The City of Saratoga Springs requires a Certificate of Insurance naming the City as an Additional Insured on a Primary Non-contributory basis for the limits specified herein:
 - Commercial General liability insurance, including personal injury liability insurance, in the amount of \$1,000,000 per occurrence and \$2,000,000 aggregate;
 - Commercial Auto insurance in the amount of \$1,000,000 must be provided if any vehicles will be included as part of this application and event; and

- Proof of New York State Statutory Workers Compensation, Employer's Liability and Disability Insurance or waiver of same from the New York State Workers Compensation Bureau is required per New York State Law.
- The filming company must provide written notice of filming to adjacent residents, occupants, business owners, and/or the Downtown Business Association (if within the downtown) a minimum of sixty-four (64) hours prior to their earliest arrival. Notifications must include the location and duration of filming and parking; information about planned special effects; road and lane closures; sidewalk obstructions; lighting positions; the time that cones will be placed on the street to reserve parking; and any relevant details requested by the City.
- Proof of the notification to the adjacent impacted private property owners must be submitted prior to filming. The City may revoke the film permit if proof is not shown.
- Provisions must be made to accommodate pedestrian traffic flow if a city sidewalk or public area is to be used.
- Requests for film shoots on city property that include violence or the use of prop/real weapons must accompany a request to film on city property. The Certificate of Insurance provided must state coverage for the violence or use of a prop/real weapon. The City reserves the right to change the limits based on the application and, depending on the scene, may require more than two (2) weeks to process the request. All violent scene requests require additional approval by the Saratoga Springs Police Department.
- The Department of Public Safety and Public Works reserve the right to pass along costs associated with film shooting, as services are needed from their respective departments.
- All noise associated with the filming process must comply with the City code, Chapter 148.
- Attach a copy of the intended film schedule to the Commercial Filming Application.
- Changes to the film schedule must be submitted to the Office of Risk and Safety immediately.
- **Final approval must be obtained at least twenty-four (24) hours in advance of the film shoot.**

Procedure:

Any commercial film taking place on public property and that is open to the public requires a commercial filming permit. All permit applications shall be fully completed, printed, legible, and submitted to the Accounts Department, 474 Broadway, Saratoga Springs, NY 12866.

Permit applications may be filed as early as twelve (12) months prior to a film-shoot. Applications for commercial filming must be submitted with all required attachments no less than THIRTY (30) days prior to your filming. Commercial film applications received after time period will not be accepted. Please note that first time and larger commercial filming processes take more time to plan, so commercial film applications should be turned in early for proper consideration.

The permit process begins when you submit an Application. Acceptance of your application should in no way be construed as final approval or confirmation of your request. Commercial filming should not be advertised until the City has granted approval for the film-shoot.

City departments have the authority to **deny** a permit application for reasons that include, but are not limited to, the determination that:

- the application is not complete or has not met the established timelines;
- public safety is at risk;
- the proposed resources are not adequate to handle the event;
- the quality of life for surrounding communities will be unreasonably impacted;
- vehicular traffic flow will be inappropriately compromised;
- the City cannot provide the needed resources;
- elements of the filming are in violation of the City of Saratoga Springs Municipal Code or Regulations, or State or Federal Laws.

Denials of commercial filming permits may be appealed in writing to the City Council.

Application Information:

Costs and Fees:

Commercial film staff has the option of providing volunteers to accomplish the following tasks or to pay the City to complete them subject to Saratoga Springs Police Department Administrative Services Division approval:

- Picking up, setting up and breaking down barricades, traffic cones, and traffic control signs, except on State highways. All traffic control equipment must be provided by the commercial film staff and approved for use by the City under this option.
- City Traffic Control Staff must place and remove No Parking Signs. Commercial film staff is not permitted to perform this task.
- Monitoring barricades for traffic control during filming.
- Commercial film staff has the option of providing volunteers to accomplish the following tasks or to pay the City to complete them, subject to Saratoga Springs Department of Public Works approval:
 - Trash/recycling/compost collection and disposal.

Fees for the use of City resources shall be governed by the City fees annually approved by the City Council.

Use of specific City facilities will require a separate City Building Use Application.

Failure to break-down or clean-up per the committed timeline in application will result in the corporate entity being financially responsible for any costs incurred by the City for substitute services as a result of the commercial filming AND a \$200 fine for non-performance of the executed application. Commercial films with unpaid financial obligations to the City will not be considered for future filming permits.

Commercial Film Organizer and Contact Information:

The commercial film organizer is the designated individual who has been authorized to apply for the permit and to plan the commercial film. This person must be available to work closely with the City's Department staff throughout the permitting process. During filming, a contact person must be available on-site. The contact person shall provide the City with a cellular telephone number, or pager number, or designate some other way to contact him/her during the commercial filming process. The contact person is required to have full authority to act on behalf of and make decisions for, any sponsoring corporate entity for all segments of the commercial filming process. Failure to communicate and coordinate problems with City representatives on the day of the commercial filming may result in denial of future commercial filming applications.

Street Closures:

Residential street closures are subject to the approval of the City and County and/or NYS Department of Transportation as applicable.

- If your film-shoot involves closing more than one street block, you are required to submit a detailed Traffic Control Plan prepared by someone with professional traffic control training, or the City can provide this service at the set rate.
- If your film-shoot involves street closures, you may be required to obtain traffic control/safety equipment such as barricades, traffic cones, signs. Though City Department's may be able to assist you, ultimately it is your responsibility to ensure proper traffic control during the full extent of your film-shoot.
- If the closure creates a potential hazard, your corporate entity will be required to consult with the Saratoga Springs Police Department and the Traffic Control Department.
- For more than a single block closure, a map and Traffic Control Plan will be required showing the desired locations for traffic barriers, road closings, traffic detours and parking restrictions.
- If your film-shoot requires someone to direct traffic in the streets, you may be required to hire someone who has professional traffic control training to complete this task.
- Commercial film staff shall notify affected residents of upcoming filming at least sixty-four (64) hours prior to film-shoot date, once they receive approval from City.

Parking Plan, Shuttle Plan and Public Notice:

You may be required to provide advisory and/or directional signage prior to the commercial film-shoot if your filming impacts a major-use roadway. Advisory signs are intended to provide advance notice to the public of the scheduled closure.

If a commercial film-shoot involves closing a street that contains reserved accessible parking for more than two (2) hours, the organizer will be required to work with the City to provide temporary reserved accessible parking spaces outside the closed venue area. One space will be required for each existing parking space displaced. In some situations when sufficient parking is not available, the commercial film staff may be required to provide a shuttle plan. The shuttle plan presented must include accommodations for people with disabilities.

You may be required to implement mitigation measures for negative consequences imposed upon others by your commercial film-shoot, such as street closures. Mitigation measures may include hand-delivering notices to affected residents, businesses, and churches; placing an advertisement in local newspapers; posting flyers in business windows; or distributing a local news release including printed, radio and television media. Notices must reflect the date(s), day(s), time(s), location(s) and types of activities taking place during your commercial film-shoot. The notice must give detour or alternate route information if normal access is affected or if transportation systems are impacted.

Amplified Sound and Other Noise Sources:

It shall be unlawful for any person to make any unreasonable noise within the boundaries of the City of Saratoga Springs. For purposes of this chapter, "unreasonable noise" shall mean any noise which is of such character that a reasonable person of normal sensitivities would not tolerate it under the circumstances, or is detrimental to the life or welfare of any individual, or causes a risk of public inconvenience or alarm. Please see Chapter 148 of the City Code for instructions. All efforts must be made to comply with this Code.

Approval of amplified sound or other noise sources is conditional upon the sound remaining at a reasonable level throughout the duration of filming. Complaints about unreasonable sound levels may result in a request to reduce the volume level and/or an order to immediately remove the sound source.

Use of Electricity, Alternate Power Sources and Pyrotechnics:

Use of city electric sources may be available at some facilities at a pre-determined cost. Your application must include information about the power sources you will be using during your commercial film-shoot. The City may require that a licensed electrician be available during the commercial film-shoot to ensure safe equipment connections. Planned uses of generators, special lighting, fireworks or pyrotechnics shall require a thorough review by the Saratoga Springs Fire Department and may require separate permits.

Alcohol:

No alcohol shall be consumed or sold in City parks or on public grounds and streets per Chapter 61-1 of the City Code.

Tents and Temporary Structures:

Tents and canopies larger than 400 square feet, and temporary structures require an additional permit per Section 2403 Temporary Tents, Canopies and Membrane Structures of the ICC Code from the Public Safety Department. You can contact them at (518) 587-3550 x 2548. You must contact the Department of Public Works (518) 587-3550 x 2632, to identify locations where tents can be placed within City parks. Prior approval is required to have tents and structures placed on city property prior to the film date and removed after the film date. All tents and other objects that require staking in the ground are subject to and will adhere to Dig Safely New York regulations. Tents are to be kept back to curbs for Emergency vehicles.

Crowd Control and Security:

Commercial film staff is required to provide a safe and secure environment for their commercial film. This is accomplished through sound pre-planning and by anticipating potential problems and concerns. The size, type, location, and time of the film, as well as filming activities, are all areas that need to be analyzed in depth. The Police Department will assess the level of security required for the commercial film. On the occasion that a private security company is authorized by the City to provide security for a commercial film, all security companies hired to work a commercial film-shoot must be licensed, bonded, and insured and proof must be submitted to the City before a permit application will be approved. Security companies must submit a written communication plan describing how communications will be handled between them, the commercial film staff and the Saratoga Springs Police Department during the commercial film-shoot. The City reserves the

right to deny an application based on inadequate security plans or the selection of a security company that has not worked cooperatively with the City in the past.

Emergency Evacuations and Cancellation of Commercial Film-shoot:

The City reserves the right to suspend your activities and announce the need to clear the area for emergency vehicles and personnel in the event of a natural or man-made emergency or severe weather during your commercial filming. Commercial film staff shall assist emergency personnel in evacuating employees, volunteers, entertainers, and the general public from the area.

Insurance Requirements:

The City of Saratoga Springs requires a Certificate of Insurance naming the City as an additional insured on a primary and non-contributory basis for the commercial film to be held for commercial general liability insurance, including personal injury liability insurance, in the amount of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate. Proof of One Million Dollars (\$1,000,000) commercial auto insurance must be provided if any vehicles will be included as part of this application and commercial film. Proof of NYS Statutory Workers Compensation, Employer's Liability and Disability Insurance or waiver of same from the NYS Workers Compensation Bureau is required per NYS Law. Please provide the required Certificate of Insurance with your application.



**City of Saratoga Springs New York
Film Permit Application**

Project Name: _____
Contact Name (First, Last): _____
Business Name: _____
Contact Email: _____ **Contact Phone Number:** _____
Address: _____

Type of Filming (check all that apply):

Featured Film _____ TV Movie _____ TV Series _____ Commercial _____ Other _____

Filming Information:

Location (Name and Address) (Please attach a Google Map for each film location proposed):

Intended Dates/Times of Film Activities: _____
(Please attach a proposed film schedule for your project to this application)

In the event of inclement weather or other emergency, alternate date(s) will be: _____
Description of Project/Scene(s): _____

Number in Cast: _____ **Number in Crew:** _____ **Number of Extras:** _____

Anticipated Staging Area for Cast and Crew (please provide location name and address):

List Production Equipment and Vehicles: _____

Are any scene(s) considered violent? (Y/N): _____

Violent scenes are those that include violence, including fake fighting, or use prop or real weapons. For violent scene requests, certificates of insurance must state coverage for the violence or use of a prop/real weapon. The City reserves the right to change the limits based on the application, and depending on the scene, may require more than two (2) weeks to process the request.

If yes, please provide a brief but thorough description of actions which may be construed by passersby as violent or alarming: _____

You must agree to clearly post the area around the film shoot with signs indicating to community members that there is a film shoot in progress and they should not be alarmed by actions or the use of weapons used during the shoot. If asked to stop filming at any time by the Saratoga Springs' Police Department, you agree to do so immediately without question.

The City of Saratoga Springs requires a Certificate of Insurance naming the City as an Additional Insured on a Primary and Non-contributory basis for the limits specified herein:

- **Commercial General liability insurance, including personal injury liability insurance, in the amount of \$1,000,000 per occurrence and 2,000,000 aggregate;**

- Commercial Auto Insurance in the amount of \$1,000,000 must be provided if any vehicles will be included as part of this application and event; and
- Proof of NYS Statutory Workers' Compensation, Employer's Liability and Disability Insurance or waiver of same from the NYS Workers' Compensation Bureau is required per NYS Law.

The City of Saratoga Springs shall be the Certificate Holder on all certificates. Certificates of Insurance should be addressed to the attention of: Office of Risk and Safety, City of Saratoga Springs, 474 Broadway, Saratoga Springs, NY 12866. Your corporate entity acknowledges that failure to obtain such insurance on behalf of the City constitutes a material breach of this permit and subjects your corporate entity to liability for damages, indemnification and all other legal remedies available to the City. The failure to object to the contents of the Certificate of Insurance or the absence of same shall not be deemed a waiver of any and all rights held by the City.

Applicant's corporate entity agrees to defend, indemnify and save harmless the City, its agents and employees, from and against all claims, damages, losses and expense (including, but not limited to, attorneys' fees), arising out of or resulting from the permitted activity, sustained by any person or persons, provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of property caused by the tortious act or negligent act or omission of your corporate entity, sub-contractors or its employees, or agents.

Applicant understands that the corporate entity will be responsible for any cleanup and/or costs related to cleanup if necessary of any public property after the film shoot has immediately transpired. Applicant corporate entity has given me permission to represent them in this application. I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief.

Applicant Name/Title: _____

Signature/Date: _____

Corporate Entity: _____