

LOCAL LAW NO. 1 of 2026
Town of Ossining

A Local Law known and cited as Filming in the Town of Ossining

Be it enacted by the Town Board of the Town of Ossining as follows:

SECTION 1. Legislative Intent. The Town of Ossining has been approached by individuals, groups and entities seeking to engage in filming activities on public property and rights-of-way owned by the Town and private property within the unincorporated Town. While the Town Board believes that such filming activities are generally beneficial to the Town by bringing attention to Town assets and supporting local business and attractions, to (i) ensure such activities are conducted in a safe, orderly and transparent manner, (ii) prevent conflict with, or harm to, Town interests, (iii) prevent temporary adverse impacts to residents and businesses to the extent possible, (iv) effectively provide municipal resources and controls when appropriate, and (v) ensure orderly administration of such activities with uniform policies and procedures readily available to prospective filmmakers, the Town Board seeks to enact legislation regulated filming within the unincorporated Town of Ossining and on Town properties.

SECTION 2. The Town Board hereby creates a new Chapter 93 of the Town Code entitled “Filming” as follows:

§ 93-1. Filming permits and standards.

- A. “Filming” is defined as the taking of motion pictures, commercials, advertisements or television shows, or the utilization of separate lighting or audio equipment, whether on film, videotape, photograph, digital records or by other recording medium, for commercial, educational, for-profit or not-for-profit purposes or uses, which definition of Filming includes associated and ancillary activities such as on-site presence and mobilization, setup, running of cable, placing or storing of equipment or structures of any kind, parking of vehicles, and breakdown.
- B. A permit shall be required for all Filming within the unincorporated Town of Ossining or on Town-owned property or a Town right-of-way, except:
 - i. Activities conducted solely for the purpose of reporting news for newspapers, television, online news outlets, or other news media;
 - ii. Activities conducted entirely within a fixed place of business, whether for commercial, noncommercial or educational purposes, where such activities are regularly and lawfully conducted on the premises as part of the business operations;
 - iii. Activities conducted by students for educational purposes required by the educational institution they are currently attending; however, for such activities an application shall be submitted in the time and form set forth in subsections (C) and (D), respectively, without a required application fee

- payment, solely for notice purposes to the Town;
- iii. Activities conducted for use in a criminal investigation or civil or criminal court proceeding; or
 - iv. Activities taking place under sponsorship of the Town of Ossining.
- C. Application for a Filming permit, when required, shall be submitted to the Town Supervisor at least three business days prior to the date of Filming for a one-day shoot and at least five business days prior for a shoot exceeding one day.
- D. The Town Supervisor shall establish the form of the Filming permit application and make such application available to the public, which shall require the following information:
- i. The name and contact information of the applicant and their affiliation with the Filming;
 - ii. The location of the Filming and any ancillary locations needed for parking, setup, storage or observing associated with the Filming;
 - iii. The dates and times when said Filming is to occur, including potential rain dates, if applicable;
 - iv. A description of the Filming operations, including the approximate number of people and vehicles involved, the equipment to be used, any temporary structures required, and whether it is for commercial, personal, educational, for-profit or not-for-profit purposes;
 - v. If the Filming is to occur on private property and the applicant is not the owner or tenant in lawful possession of the property, the name and contact information of the owner or tenant in lawful possession of the property and a certification authorizing the Filming on the private property as described in the application;
 - vi. Any public property or right-of-way on which access may be impeded or affected by the Filming;
 - vii. Where Filming requires closure of any public right-of-way and thereby temporarily eliminates or significantly impedes access to adjacent property(ies) or business(es), the applicant shall identify the affected property owner(s) or business(es) by name and address, describe how the property(ies) or business(es) will be affected, and provide written documentation that the affected property owner(s) or business(es) consents to the filming;
 - viii. The name and contact information of the filmmaker, if not the applicant or owner or tenant in lawful possession of the private property;
 - ix. If not the applicant, private property owner or tenant in lawful possession of the property, or filmmaker, the name and contact information of the contact person for the Filming who will be on site during the entirety of the Filming

and available for communication by the Town related to the Filming in emergency and nonemergency circumstances; and

- x. A certification that the applicant will defend, indemnify and hold harmless the Town of Ossining, the Town Supervisor, the Town Board, and all Town officers, employees, contractors or agents, for any injury or damages caused by, resulting from or related to the Filming, the Filming permit or any conditions of the Filming permit, or any suspension or revocation of the Filming permit as authorized by this chapter;
 - xi. A certification that the applicant will take reasonable steps to minimize the creation and spread of debris and garbage from the Filming location, that the applicant shall remove of all equipment, debris and garbage concurrent with the completion of Filming, and that the applicant shall restore all public property or right-of-way utilized during filming to the same condition as existed prior thereto, ordinary wear and tear excepted.
 - xii. Any such other information as the Town Supervisor or Town Board, by resolution, may reasonably require.
- E. Filming, and all ancillary activities associated with the Filming, such as organization, set-up and breakdown, shall only occur between the hours of 7:00 a.m. and 10:00 p.m.
- F. No person, whether an applicant, private property owner, filmmaker or contact person, convicted of a violation of this chapter, or identified in a Filming permit application in which the applicant has been convicted of a violation of this chapter, shall be granted a Filming permit under this chapter for a period of 24 months from the date of the applicable conviction.
- G. The Town Supervisor shall, as soon as practicable after receiving a complete Filming permit application and fee, approve, approve with reasonable conditions or deny the Filming permit application as deemed appropriate and necessary to protect the health, safety and welfare of Town residents and business owners and patrons of Town property. Prior to issuing a determination on the Filming permit application, the Town Supervisor may, in their reasonable discretion, refer the Filming permit application to appropriate Town officers, boards and/or department heads for review and input.

§ 93-2. Filming permit fees and financial obligations.

- A. Filming permit fees shall be adopted by resolution of the Town Board and included in the annual fee schedule for:
- i. An application fee commensurate to the Town's administrative costs of reviewing, processing and administering the Filming permit application, except as provided in § 93-1(B)(iii); and
 - ii. Filming permit fees for all persons, groups, organizations or entities engaged in Filming, which shall only be paid if the permit is granted or granted with conditions, which fees may be tiered or distinguished based upon objective factors such as the size of the Filming operation in terms of personnel and space, the duration of the Filming, the impact to the Town or the community from the

Filming, whether the Filming is for a commercial or for-profit purpose and/or whether the Filming will occur on public or private property.

- B. With a Filming permit application for Filming on Town-owned property or a Town right-of-way, the applicant shall provide a certificate of insurance naming the Town of Ossining, the Town Supervisor and the Town Board as additional insureds, with limits reasonably satisfactory to the Town Supervisor based upon the scale and length of the Filming.
- C. The applicant shall be responsible for all costs associated with the utilization of Town employees, such as police, highway and parks department staff, during the Filming process; with the appropriateness, necessity and scope of the use of such Town employees to be determined by the Town Supervisor and included as a condition of the Filming permit, if applicable. Payment of the estimated costs, as determined by the Town Supervisor, shall be made in advance of Filming commencing and the Town Supervisor shall suspend or revoke the Filming permit if such payment is not made. Any adjustment based upon the actual costs incurred by the Town shall be made within ten business days of Filming being completed.

§ 93-3. Waiver.

- A. The Town Board may, by resolution, authorize a waiver of any of the requirements and/or limitations of this chapter, on a case by case basis, if it determines that strict compliance with such limitations or requirements will pose an unreasonable burden upon the applicant and that such permit with waiver may be issued without endangering the public's health, safety and welfare.
- H. Someone lawfully operating pursuant to a Filming permit issued by the Town Supervisor and in accordance with the terms and conditions therein shall not be in violation of other applicable chapters of the Town Code, including but not limited to Chapter 63 (Building Construction), Chapter 130 (Noise), Chapter 138 (Parks), Chapter 166 (Special Events, Parades and Public Gatherings), Chapter 188 (Vehicle and Traffic) and Chapter 200 (Zoning), provided appropriate Town personnel shall be authorized and permitted to inspect the Filming and any equipment or temporary structure utilized during Filming, to ensure it does not pose a danger to any person or property.

§ 93-4. Suspension or revocation of Filming permit.

- A. At any time prior to Filming being completed, the Town Supervisor may, in their reasonable discretion, temporarily suspend or permanently revoke the Filming permit if it comes to the Supervisor's attention that:
 - i. the applicant, the private property owner, the filmmaker, or any agents, employees or contractors thereof, fails to comply with this chapter, the conditions of the Filming permit, the directives of any Town employee designated by the Town Supervisor to provide services for the Filming, or any other applicable law, rule, regulation or ordinance, and the deviation is not, or cannot be, remedied by the applicant amending their filming permit application; or

- ii. the Filming poses a hazard to persons or property and the applicant will not, or cannot, prevent or sufficiently mitigate the hazard after being instructed to do so by the Town Supervisor or a Town employee designated by the Town Supervisor to provide services for the Filming.
- B. The Town Supervisor shall provide the grounds of suspension or revocation of the Filming permit, in writing, to the applicant concurrent with taking any such action.

§ 93-4. Penalties for offenses.

Any person or entity who shall fail to comply with any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine of up to \$1,000 or imprisonment for a term not exceeding 15 days, or both such fine and imprisonment. Each violation of any provision of this chapter shall be a separate and distinct offense; and in case of continuing violation, every day's continuance thereof shall be deemed to be a separate and distinct offense.

SECTION 3. Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law that can be given effect without such invalid provision.

SECTION 4. Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF OSSINING