

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
August 8, 2023
7:30 PM

Mayor Anlian announces that this meeting is being held in accordance with the "Open Public Meeting Act, N.J.S.A. 10 4-6 et seq." notice of which was sent to the Record and the Star Ledger on December 29, 2022 and was posted on the Municipal Bulletin Board and the Village Website.

ROLL CALL

FLAG SALUTE

APPROVAL OF MINUTES

Commissioners Regular Meeting of June 27, 2023

PAYMENT OF BILLS

CORRESPONDENCE

Ridgefield Park Fire Department Engine Co. No. 2 - Resignations
Ridgefield Park Fire Department Hose Co. No. 3 – Resignations
Ridgefield Park Fire Department Truck Co. No. 1 – Resignation
Ridgefield Park Fire Department Truck Co. No. 1 – New Member

COMMISSIONER REPORTS

HEARING OF CITIZENS

NEW BUSINESS

Mayor Anlian announces that the following business is considered to be routine in nature and will be enacted in one motion. Any item may be removed for separate consideration.

RESOLUTIONS:

2023-115 Authorize Tax Lien Redemption
2023-116 Approve Liquor License Renewals for Inactive Licenses

ORDINANCE INTRODUCTION

2023-12 **AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK
REPEALING AND REPLACING CHAPTER 182, "FILMING"**

ORDINANCE PUBLIC HEARING & ADOPTION

2023-10 **ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY
OF BERGEN, STATE OF NEW JERSEY, RESCINDING THE
EXISTING "SKYMARK" REDEVELOPMENT PLAN AND AMENDING
AND SUPPLEMENTING CHAPTER 96 OF THE ZONING ORDINANCE
OF THE VILLAGE OF RIDGEFIELD PARK**

CLOSED SESSION (if necessary)

2023-117 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2023-115

WHEREAS, Tax Sale Certificate No. 19-007 Block 134.01 Lot 12.01 Qualifier C307 99 Teaneck Rd #307, was redeemed by the owner In Seob & Mougok Kim,

And Whereas, payment was received in the amount of \$51,752.01 from the owner, Mougok Kim

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector be, and hereby is, authorized to issue a check for the Lien Redemption amount and Return of Premium to the following:

Lien No.	Block/Lot/Qual.	Redemption	Premium
19-007	134.01/2.01/C0307	\$51,752.01	\$24,100.00

Owner	Address
Mougok Kim	99 Teaneck Rd, Ridgefield Park, NJ 07660

Payable To Lienholder
PAM Investors
127 So. Washington Ave.
Bergenfield, NJ 07621

Resolution 2023-116

WHEREAS, renewal applications for the following liquor licenses have been filed with the State of New Jersey:

Plenary Retail Consumption License:

Eye Level Hub LLC

No. 0250-33-010-012

Plenary Retail Distribution License:

An Lam

No. 0250-44-017-013

WHEREAS, the licensees have paid the appropriate State and Village fees; and

WHEREAS, the licensees have been issued their Tax Clearance Certificate; and

WHEREAS, the licensees have received special rulings from the Director of the Alcoholic Beverage Control pursuant to N.J.S.A. 33:1-12.39 for license term 2023-2024; and

WHEREAS, the licenses are inactive and shall remain in the office of the Village Clerk. The license certificates may be signed by the Mayor of the Village of Ridgefield Park.

NOW THEREFORE BE IT RESOLVED, that the above licenses be approved for renewal by the Board of Commissioners in the Village of Ridgefield Park for the licensing term of 2023-2024 and a certified copy of this resolution is to be forwarded to the Alcoholic Beverage Control.

**VILLAGE OF RIDGEFIELD PARK
BERGEN COUNTY NEW JERSEY
ORDINANCE NO. 2023-10**

**ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN,
STATE OF NEW JERSEY, RESCINDING THE EXISTING “SKYMARK”
REDEVELOPMENT PLAN AND AMENDING AND SUPPLEMENTING CHAPTER 96
OF THE ZONING ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK**

WHEREAS, The Village of Ridgefield Park adopted a Redevelopment Plan for the Skymark Property consisting of approximately 55 acres that included the former Lincoln Paper site, the NJ Turnpike land east of the roadway, the Exxon gas station, the Hampton Inn, and the former Gasho Property and NJ Turnpike property, comprised of Block 49.01, Lot 1; Block 47.02, Lot 1; Block 40.02, Lot 1.02; Block 47.06, Lot 1; Block 49.01, Lot 2; and Block 40.02, Lot 2; and

WHEREAS, the “Skymark” Redevelopment Plan was adopted in 2012 and revised in 2016 and again in 2019 in order to complete the property assemblage and finalize the redevelopment potential; and

WHEREAS, despite the Village’s best efforts, the redevelopment project experienced financial difficulties and no development occurred on the site; and

WHEREAS, on December 30, 2020, New Jersey Transit exercised its power of “eminent domain” and acquired title to three parcels identified as Block 49.01, Lot 1 (Lincoln Paper), Block 47.02, Lot 1 (Exxon) and Block 40.02, Lot 1.02 (Gasho), the purpose which was for the construction of a regional bus garage facility; and

WHEREAS, in 2022, New Jersey Transit further exercised its power of eminent domain and acquired title to the two parcels previously owned by the New Jersey Turnpike Authority, namely Block 49.01, Lot 2 (Turnpike Tract) and Block 40.02, Lot 2 (Small Turnpike Parcel); and

WHEREAS, the acquisition of the above-referenced parcels has rendered the Redevelopment Plan moot and leaves the remaining Hampton Inn property incapable of meeting the redevelopment criteria; and

WHEREAS, the rescinding of the existing redevelopment plan and replacement thereof by two zoning districts, the existing Neighborhood Commercial Zone (C-2) and the new Warehouse Distribution Zone (WD-1), which will provide development opportunity for the existing Hampton Inn property and Gasho property and will further regulate the property owned by New Jersey Transit to be consistent with its intended development.

NOW, THEREFORE, BE IT ORDAINED by the Village Commissioners of Ridgefield Park, County of Bergen, as follows:

SECTION 1. The Redevelopment Plan for the “Skymark” Redevelopment area, comprised of Block 49.01, Lot 1; Block 47.02, Lot 1; Block 40.02, Lot 1.02; Block 47.06, Lot 1; Block 49.01, Lot 2; and Block 40.02, Lot 2, is hereby rescinded in its entirety.

SECTION 2. The following parcels shall be re-zoned as part of the C-2, Neighborhood Commercial District:

Block 40.02, Lot 1.02
Block 40.02, Lot 2
Block 47.06, Lot 1

SECTION 3. Chapter 96, “Zoning,” Article VIII, “Regulations Governing Certain Conditional Uses,” is hereby amended and supplemented by adding a new Section 96-8.9, “Drive-Through Facilities,” as follows:

§96-8.9 Drive-Through Facilities.

- A. Purpose. The intent of this section is to regulate the location and design of Drive-Through Facilities in the C-2 District. Drive-Through Facilities are restricted to areas of the C-2 zone for sites not in proximity to residential uses and neighborhoods. Bank and restaurant drive-through uses create an extraordinary environmental impact on adjacent residential areas and therefore, these provisions are enacted to alleviate these impacts as described below.
- B. Definition. A Drive-Through Facility shall be defined as a component of a business, particularly a restaurant, where service is rendered through a window to customers in their vehicles. Ordering is done through an outdoor menu board and the order is picked up at the drive up window without the customer leaving their vehicle.
- C. Permitted Use. Drive-Through Facilities shall be a permitted use in the C-2 Neighborhood Commercial District, subject to the requirements set forth herein:
 - a. Residential Zones and Uses. No Drive-Through Facility shall be permitted if the property is adjacent to existing residential uses or zones.
 - b. Minimum Lot Size. The minimum lot size for Drive-Through Facilities shall be 1 acre.
 - c. Buffer Requirements. There shall be established along the line of any side and rear property line a buffer area of at least 10 feet in width. A landscaped area of 15 feet shall be provided along the access roadway frontage. The buffer area shall be well landscaped and may include fencing as required to provide appropriate screening of parking areas to adjacent uses. No building or impervious surface shall be

permitted within the buffer area. Existing vegetation should be preserved in the buffer area where possible.

D. Other Design Standards.

- a. Adequate vehicle stacking shall be provided for Drive-Through Facilities and escape aisles shall be created to mitigate congestion.
- b. All areas on any lot not utilized for building and off-street parking shall be suitably landscaped.
- c. All Drive-Through Facilities shall provide for adequate roadway access in accordance with engineering standards and New Jersey Department of Transportation criteria.

SECTION 4. The following parcels shall be re-zoned as part of the new Warehouse Distribution District (WD-1):

Block 47.02, Lot 1
Block 49.01, Lot 1
Block 49.01, Lot 2

SECTION 5. Article IV, Chapter 96-4 entitled “District Regulations” of the Zoning Ordinance of the Village of Ridgefield Park is hereby amended and supplemented in order to establish a new Section 4.6 thereof to be known as “Warehouse Distribution District (WD-1)” as follows:

§96-4.6 Warehouse Distribution District (WD-1)

- A. Purpose. The intent of the Warehouse Distribution District is to encourage large scale warehousing, distribution centers, fulfillment centers, bus garages and high cube automated warehousing.
- B. District Regulations.
 - a. Minimum lot size: 4 acres
 - b. Minimum lot width: 300 feet and shall be adjoining a public street (existing or proposed)
 - c. Maximum building height: 80 feet / 2 stories
 - d. Maximum building coverage: 50%

e. Maximum Improved Lot Coverage: 80%

f. Setbacks:

i. Front Yard: 70 feet

ii. Side Yard: 30 feet

iii. Rear Yard: 50 feet

g. Landscaped Buffers:

i. Front Yard: 20 feet

ii. Side Yard: 10 feet

iii. Rear Yard: 10 feet

C. Primary and Accessory Structures. Within the WD-1 Zone, not more than one building shall be erected upon any industrial plot, except those accessory buildings. The principal building may be so designed as to be used by more than one permitted use, provided, that approval for such multiple use is obtained by the Planning Board of the Village. Parking requirements shall be calculated for each industry or use in the building.

D. Subdivision. Any proposed subdivision within the WD-1 zone shall be accompanied by the following:

a. An Environmental Impact Report discussing the effects on the community.

b. A traffic report and plan detailing the amount of truck and vehicle traffic and a traffic and truck routing plan.

c. A fiscal impact analysis showing the cost benefit results to the Village.

d. A subdivision plan showing the area of lots to be developed, the rights-of-way for internal roadways and sidewalks and utility areas. All utilities shall be underground.

e. A plan showing the location of sidewalks, utilities, bicycle lanes, crosswalks and transit stops.

f. An open space plan showing the areas that are to remain in their natural state such as the Eagle's Nest area and buffer areas to the major roadways and to Overpeck Creek as well as a street tree plan for establishing shade trees along the proposed roadways.

E. Parking and Buffers.

- a. No off-street parking or loading shall be located within 25 feet of the front property lines. The area between the street and the 25 feet shall be landscaped in accordance with a comprehensive landscape plan for the site.
- b. On each site a minimum buffer of 15 feet shall be established along the side and rear property lines. The buffer area shall be suitably landscaped in accordance with the landscape plan and shall not be utilized for parking of vehicles or vehicle storage and shall be otherwise not be impervious.
- c. A 50-foot wide buffer area shall be established from the top of bank along Overpeck Creek. This buffer area shall be improved as an open space area and walkway for use by the public. Connections to adjacent open space areas and walkways shall be incorporated into the design.
- d. There shall be an area for sidewalk and utilities along all streets. The developer shall provide curbing and sidewalk along all frontages of the property. There shall be a 4-foot grassed strip between the curb and sidewalk area for utilities and signs. This area shall also be planted with street trees as per the Village Shade Tree Commission.
- e. The landscape buffer area provided shall be planted and a landscape plan shall be provided and implemented by the developer.

F. Design Standards

- a. Green Design. Each lot proposed for development shall provide for elements of “green design”. This may include elements for on-site storm water management, green building standards, roofing systems to reduce heat generation (green roofs, white roofs and/or solar roof systems).
- b. Bus garages must have a roof design that permits gases to escape through the roof structure. The roof may be flat or pitched but shall contain roof ventilation that avoids creating unventilated pockets where gases can accumulate. Exhaust fans shall be non-ducted (direct exhaust).
- c. The proposed facility shall be responsible for its share of constructing the Challenger Road extension from the north side of Route 46 to Bergen Turnpike. This shall include the elevation of Challenger Road over the State Highway 46.
- d. Facilities may be designed to be “fuel flexible” such that CNG and GH2 fuels can be accommodated on the site.

G. Lighting

- a. All light sources shall be shielded and positioned to prevent glare from becoming a hazard or a nuisance, or having a negative impact on site users, adjacent properties, or the traveling public.
- b. All light sources with illumination levels greater than one footcandle shall be arranged to reflect away from adjacent properties.
- c. The number and spacing or required light pole standards shall be based on the type of fixture, height of pole, number of fixtures on the pole and the lighting level.
- d. Light poles shall not exceed 40 feet in height and shall utilize underground wiring.

H. Signage: As per §96-7.8

I. Fences and Walls

- a. A fence may be erected along the side and rear property lines but shall not extend beyond the front setback line. Such fences may be up to eight feet in height. Gates shall be provided as necessary but shall also not extend beyond the front setback line.
- b. No fence or wall shall be constructed with metal spikes or topped with concertina or razor wire, broken bottles or similar materials, or constructed in such a manner as to be dangerous to animals or humans.

J. Performance Standards. All development in the WD-1 zone shall conform to the performance standards as enumerated in Section 96-11 of this Chapter.

SECTION 6. Chapter 96, Schedule 3, shall be amended and supplemented by revising the provisions concerning the C-2 and WD-1 zones to read as follows:

Zone	Permitted Principal Uses	Permitted Accessory Uses	Conditional Uses
C-2 Neighborhood Commercial District	Existing single-family detached residences, subject to the area, yard and bulk regulations of the R-1 Zone. Existing two-family residences, subject to the area, yard and bulk requirements of the R-2 Zone.	Off-street parking and loading facilities Signs, subject to § 96-12 Accessory storage within a wholly enclosed permanent structure	Churches and other houses of worship including parish houses, Sunday school buildings Essential services, subject to §§ 968.2 to 96-8.4 Clubs, social/recreation buildings

	<p>Banks including drive-in and through facilities in accordance with §96-8.9. Business Services Community buildings, social clubs, lodges, fraternal organizations Day Care Facilities Funeral Homes and Mortuaries Health Centers and Medical Offices, Health and Fitness Centers Hotels and Motels Offices, Business and Professional Personal Services Restaurants including drive- through facilities in accordance with §96.8.9. Retail Sales and Services Municipal and government buildings Parks, playgrounds, firehouses, libraries Shoe repair establishments Taverns and liquor sales</p>	<p>Walls and fences, subject to § 96-7.2 Mandatory buffer zones, subject to § 96-9 Home occupations, subject to § 96-7.4 Private residential swimming pools, subject to § 96-7.9 Outdoor storage areas</p>	
<p>WD-1 Warehouse Distribution District</p>	<p>Office buildings, Business and professional Warehousing, shipping, and distribution centers E Commerce Distribution Depots Agriculture and Horticulture Operations within buildings Public and Private Bus Garages and Facilities</p>	<p>Off-Street Parking and Loading Signs, subject to §96-7.8 Walls and Fences subject to §96-7.2 Buffer areas subject to §96-9</p>	<p>Telecommunication Facilities</p>

SECTION 7. Chapter 96, Schedule 4, shall be amended and supplemented by revising the provisions concerning the C-2 and WD-1 zones to read as follows:

Zone	District	Minimum Lot Dimensions			Maximum		Maximum Building Height (feet/stories)	Minimum Yard Requirements (feet)			
		Area (square feet)	Width (feet)	Depth (feet)	Building Coverage (%)	Impervious Surface Coverage		Front	Rear	Side	
										Other	One
C-2	Neighborhood Commercial	7,500 sf	75 ft	100 ft.	40%	80%	35ft./3 sty. (1)	20 ft.	30 ft.	10 ft.	10 ft.
WD-1	Warehouse Distribution	4 ac.	300 ft.	400 ft.	50%	75%	80 ft. / 2 sty	70 ft.	50 ft.	30 ft.	30 ft.

(1) – hotel permitted height is limited to 45 feet and 4 stories

SECTION 8. The Zoning Map established by the zoning ordinance of the Village is hereby amended to include the changes to the C-2 District and the establishment of the WD-1 District as set forth herein.

SECTION 9. Planning Board review.

Upon approval of this Ordinance upon First Reading by the Board of Commissioners, this Ordinance shall be transmitted to the Planning Board for its review and recommendation pursuant to N.J.S.A. 40:55D-26.

SECTION 10. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

SECTION 11. Inspection.

A copy of this Ordinance shall be available for public inspection at the office of the Village Clerk during regular business hours.

SECTION 12. Effective date.

This Ordinance shall take effect 20 days after final publication as required by law.

SECTION 13. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 14. Notice to County Planning Board.

Within 30 days of the adoption of this Ordinance, a copy of same shall be transmitted to the Bergen County Planning Board in accordance with N.J.S.A. 40:27-4.

Drafted 7/8/23

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2023-12

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK REPEALING AND REPLACING CHAPTER 182, "FILMING"

BE IT ORDAINED by the Mayor and Board of Commissioners of the Village of Ridgefield Park, as follows:

Section 1. Chapter 182 of the Village Code is repealed in its entirety and replaced as follows:

CHAPTER 182 - FILMING

§182-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FILMING

The taking of still or motion pictures either on film, electronic, videotape, or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters, other devices, or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the municipality.

MAJOR MOTION PICTURE

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and BelAire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM/United Artists.
- H. Dreamworks.
- I. Any major streaming service, such as Netflix, Hulu, or Amazon Prime Video.

J. Any film for which the budget is at least \$5,000,000.

K. Recurrent weekly television series programming.

PUBLIC LANDS

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality which is within the jurisdiction and control of the municipality.

§182-2 Permit required.

A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Commissioner responsible for Public Art hereafter referred to as the Commissioner-in-Charge, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by Village officials at all times at the site of the filming.

B. All permits shall be applied for and obtained from the office of the Municipal Clerk during normal business hours. Applications for such permits shall be in a form approved by the Commissioner-in-Charge and be accompanied by a permit fee in the amount established by this chapter in §182-10 herein.

C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Commissioner-in-Charge may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

§182-3 Issuance of permits.

A. No permits will be issued by the Commissioner-in-Charge unless applied for prior to three days before the requested shooting date; provided, however, that the Commissioner-in-Charge may waive the three-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.

B. No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:

(1) Proof of insurance coverage as follows:

(a) For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.

(b) For property damage for each occurrence in the aggregate amount of \$300,000.

(2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.

(3) The hiring of an off-duty police officer for the times indicated on the permit.

C. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

§182-4 Interference with public activity; notice of filming.

A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.

B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Commissioner-in-Charge, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Commissioner-in-Charge within two days of the requested shooting date.

§182-5 Refusal to issue permit; employment of patrolmen and electrician.

A. The Commissioner-in-Charge may refuse to issue a permit whenever he or she determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Village agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.

B. Further, the Village reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

§182-6 Appeals.

A. Any person aggrieved by a decision of the Commissioner-in-Charge denying or revoking a permit or a person requesting relief may appeal to the Board of Commissioners. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Municipal Clerk.

B. An appeal from the decision of the Commissioner-in-Charge shall be filed within 10 days of the Commissioner's decision. The Board of Commissioners shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Board of Commissioners shall be in the form of a resolution supporting or reversing the decision of the Commissioner-in-Charge at the first regularly scheduled public meeting of the Board of Commissioners after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Commissioner-in-Charge shall be deemed to be affirmed.

§182-7 Waiver of requirements of chapter by Commissioner-in-Charge.

The Commissioner-in-Charge may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Commissioner-in-Charge determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Commissioner-in-Charge shall consider the following factors:

A. Potential traffic congestion at the location.

B. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.

C. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.

D. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.

E. The extent to which the filming may affect adjoining and nearby property owners and occupants.

F. The Village's prior experience with the applicant, if any.

§182-8 Copies of permit; inspections.

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Prevention Bureau or other Village inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other Village inspectors.

§182-9 Reimbursement of certain costs.

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Village for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Village was prevented from earning because of filming.

§182-10 Fees.

The schedule of fees for the issuance of permits authorized by this chapter are as follows:

- A. Student filming permit: No Fee
- B. Basic filming permit: \$100. Where an applicant requests a waiver of the provision of § 3B requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150.
- C. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$200 per day.
- D. Daily filming fee payable for major motion picture when filming entirely on public property: \$1,000 per day.
- E. Filming permit for nonprofit applicants filming for educational purposes, not including student films (no daily rate required): \$25.
- F. Filming on private property: Permit Fee \$25.

§182-11 Violations and penalties.

Any person who violates any provision of this chapter shall be subject to immediate suspension of filming privileges and, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered

a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

§182-12 Absence of Commissioner-in-Charge.

In the absence of the Commissioner-in-Charge the Mayor may.....

Section 2. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date.

This Ordinance shall become effective 20 days after adoption and publication as required by law.