

**AN ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF  
MERCER, STATE OF NEW JERSEY, AMENDING A ARTICLE 4-14, ENTITLED  
“FILMING” IN THE BOROUGH CODE TO REGULATE COMMERCIAL  
FILMING IN THE BOROUGH**

**WHEREAS**, the Borough of Hightstown finds it necessary to amend Article 4-14, entitled “Filming”, in the Borough Code to facilitate and regulate motion picture filming within the Borough and establish “Film Ready” standards.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Hightstown, in the County of Mercer, State of New Jersey, as follows:

**Section 1.** Article 4-14, of the Borough Code is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

**§ 4-14-1 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 or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters, major linear broadcast network or streaming platforms, 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: NBCUniversal, including Peacock; Warner Bros. Discovery, including New Line Cinema, HBO, DC Studios and Castle Rock Entertainment; Paramount Pictures, including Miramax, MTV Films, Showtime, Skydance, Dreamworks and Nickelodeon Movies; Walt Disney Studios, including 20th Century Studios, Searchlight Pictures, Hulu and Marvel Studios; Sony Pictures, including Columbia Pictures, Screen Gems and Tristar Pictures; Amazon MGM Studios; Netflix Studios; A24; Lionsgate; any film for which the budget is at least \$20,000,000; or any 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.

**§4-14-2. 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 Municipal Clerk, 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 the Borough 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 Municipal Clerk and be accompanied by a permit fee in the amount established by this chapter in § 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 Municipal Clerk 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.

**§ 4-14-3. Issuance of permits.**

- A. No permits will be issued by the Municipal Clerk unless applied for at least 4 business days prior to the requested shooting date; provided, however, that the Borough Administrator may waive the 4 day period if, in his 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 a Certificate of Insurance naming the Borough of Hightstown as an additional insured:
  - 1. Minimum additional insured insurance coverage as follows:
    - a) General Liability of \$1,000,000 per occurrence with \$2,000,000 aggregate.
    - b) Medical expenses (any one person) in the amount of \$5,000
    - c) Damage to Rented Premises \$100,000.000
  - 2. Additional required proof of insurance:
    - a) Provide evidence of auto liability and workers' compensation coverage.
  - 3. An agreement, in writing, whereby the applicant agrees to indemnify and hold harmless

the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.

4. The hiring of off-duty police officer(s), if required by the Chief of Police, according to the agreed upon public safety plan, 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.

**§ 4-14-4. 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 Municipal Clerk, 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 Municipal Clerk within two days of the requested shooting date. **§ 4-14-5. Refusal to issue permit; employment of patrolmen and electrician.**

A. The Borough Administrator may refuse to approve a permit whenever the Administrator determines, based on information provided by the Police Department and/or other Borough agency, 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, or otherwise create substantial operational or logistical concerns for the Borough.

B. Further, the Chief of Police reserves the right to require one or more on-site off-duty officers in situations where the proposed production may impede the proper flow pedestrian or vehicular traffic, and according to agreed upon public safety plan. The cost of said off-duty officers shall be borne by the applicant pursuant to Hightstown Borough Code §2-19-19, at the borough's standard hourly rate. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician shall be required if the production company does not have a licensed electrician on staff.

**§ 4-14-6. Appeals.**

A. Any person aggrieved by a decision of the Borough Administrator denying or revoking a

permit or a person requesting relief may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Borough Clerk.

- B. An appeal from the decision of the Borough Administrator shall be filed within 10 days of the Administrator's decision. The Borough Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed with the Borough Clerk. The decision of the Borough Council shall be in the form of a resolution supporting the decision of the Borough Administrator at the first regularly scheduled public meeting of the Borough Council 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 Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application.

**§ 4-14-7. Waiver of requirements of chapter by the Borough Administrator.**

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

1. Potential traffic congestion at the location.
2. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
3. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
4. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
5. The extent to which the filming may affect adjoining and nearby property owners and occupants.
6. The Borough's prior experience with the applicant, if any.

**§ 4-14-8. 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 Motion Picture and Television Commission at [njfilm@njeda.gov](mailto:njfilm@njeda.gov). The applicant shall permit the Fire Prevention Bureau and other Borough inspectors to inspect the site and the equipment to be used. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Borough inspectors.

**§ 4-14-9. Reimbursement of certain costs.**

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

**§ 4-14-10. Fees.**

CATEGORY	FEE
Basic filming application (one-time; with 4 or more business days advance notice of the first day of filming)	\$100
Expedited basic filming application (one-time; with 3 or less business days advance notice of the first day of filming with authorization from the Chief of Police)	\$250
Basic filming permit for nonprofits, including student films (one-time; no daily rate required)	\$25
<b>Daily filming on public property</b>	
Film and television projects with a budget under \$20mm	\$150 per day
Film and television projects with a budget over \$20mm	\$500 per day
Daily filming on private property	NO FEE CHARGED BY MUNICIPALITY
<b>Public Safety</b>	
Hiring of off-duty police and fire inspections, according to agreed upon public safety plan	The municipality's standard hourly rates for police and fire
<b>Inconvenience fees</b>	
Municipal Road Closure	\$1,000 per day
County Road Closure – Authorization must be obtained directly from Mercer County	Fee is set by Mercer County
State Road Closure – Authorization must be obtained directly from New Jersey Department of Transportation	Fee is set by NJDOT

Properties in background - or used - in shot	Fee is negotiated between a production company and a private business or residence
Daily prep of business that is being “dressed”	Fee is negotiated between a production company and a private business
Daily filming of business that is “dressed”	Fee is negotiated between a production company and a private Business

**§ 4-14-11. Violations and penalties.**

Any person who violates any provision of this chapter shall, 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.

**Section 2. Repealer.** Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Hightstown, inconsistent with the provisions of this ordinance, is hereby repealed to the extent of such inconsistency, only.

**Section 3. Severability.** If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

**Section 4. Enactment.** This ordinance shall become effective immediately after publication in the manner provided by law.

**Section 5. Continuation and codification.** This ordinance shall be a part of the “Revised General Ordinances of the Borough of Hightstown,” as through codified and fully set forth herein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Borough Code. The Borough Clerk and Borough Attorney are authorized and directed to change any chapter, article and/or section number of the “Revised General Ordinances of the Borough of Hightstown,” in the event that the codification of this ordinance

reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and accidental repeal of existing provisions not intended to be repealed.

Introduction: October 6, 2025

Adoption: October 20, 2025

**ATTEST:**

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MARGARET RIGGIO, RMC  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR