

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Poughkeepsie does hereby set the **17th day of December 2025 at 7:00 p.m.** at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as the time, date and place of a public hearing at which all parties in interest and citizens may be heard in regard to the following:

“To Consider the Adoption of a Local Law of an addition to the Town Code specifically Chapter 108, entitled” A Local Law establishing Regulations for Commercial Filming”

AND PLEASE ALSO TAKE FURTHER NOTICE that said Proposed Local Law is available in full with Exhibit to preview on our website:
<https://ny-poughkeepsietown.civicplus.com/300/Public-Hearings>
Or in person @ the Town Clerk’s Office, Monday – Friday, 8AM – 4PM.

Felicia Salvatore, Town Clerk
Town of Poughkeepsie
December 4, 2025

RESOLUTION 12:3 - #1 OF 2025

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie, pursuant to a duly noticed public hearing held on December 3, 2025 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York, to consider amendments by local law, specifically Chapter 108, entitled “A Local Law Establishing Regulations For Commercial Filming”, and does hereby close that public hearing, take no action on said amendments; and

BE IT FURTHER RESOLVED, the Town Board has received a substantially amended new “Local Law Establishing Regulations For Commercial Filming” requiring a new public hearing; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 17th day of December, 2025 at 7:00 pm at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York, as and for the time, date and place of a public hearing to consider the adoption by local law of an addition to the Town Code known as Chapter 108, entitled “A Local Law Establishing Regulations For Commercial Filming”, and

BE IT FURTHER RESOLVED, that the proposed amendments are attached hereto and incorporated herein at Exhibit A, and the Town Board does hereby waive a verbatim reading of said amendments and does direct that they be spread across the record as if they, in fact, had been read verbatim; and

BE IT FURTHER RESOLVED, that the local law is a Type II action pursuant to SEQRA requiring no further environmental review; and

BE IT FURTHER RESOLVED, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

Dated: December 3, 2025

Moved: Bill Reuter

Seconded: Barbara Laird

Motion passes/ fails: Ayes 6 Nays 0

ES/mem
t-12/3/2025
m-12/3/2025

	AYE	NAY	ABSTAIN
<u>PRESENT/ABSENT</u> Councilman Reuter	<u>✓</u>	_____	_____
<u>PRESENT/ABSENT</u> Councilwoman Laird	<u>✓</u>	_____	_____
<u>PRESENT/ABSENT</u> Councilwoman Burger	<u>absent</u>	_____	_____
<u>PRESENT/ABSENT</u> Councilman Cifone	<u>✓</u>	_____	_____
<u>PRESENT/ABSENT</u> Councilman Sharpe	<u>✓</u>	_____	_____
<u>PRESENT/ABSENT</u> Councilwoman Shershin	<u>✓</u>	_____	_____
<u>PRESENT/ABSENT</u> Supervisor Edwards	<u>✓</u>	_____	_____

Redlined

**TOWN OF POUGHKEEPSIE
PROPOSED LOCAL LAW ____**

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

SECTION 1. TITLE.

This Local Law shall be entitled “A Local Law Establishing Regulations For Commercial Filming.”

SECTION 2. AUTHORITY AND SUPERSESSON

This law is enacted pursuant to Section 10(1)(ii)(a)(6), (11) and (12) of the Municipal Home Rule Law and Section 64(10-b) and (24) of the Town Law. It is the intention of the Town Board to supersede any inconsistent terms in state law to the extent authorized by the Constitution and Municipal Home Rule Law.

SECTION 3. ENACTMENT OF COMMERCIAL FILMING CODE

The Code of the Town of Poughkeepsie is hereby amended by adding Chapter ____, to read as follows:

§ ____-1. Findings; purpose.

- A. The Town Board finds that significant commercial filming and its associated activities on private and public property ~~hashave~~ been and will be taking place in the Town of Poughkeepsie ~~for commercial purposes and~~ that such filming may benefit the Town but also may create hardship, inconvenience, danger, and nuisance to Town residents and visitors. Prospective impacts include, but are not limited to, disruption of traffic on public streets and private neighborhoods, and potential interference and utilization of police and other Town functions and operations.
- B. The Town Board finds that the public’s health, safety and welfare will be served by adoption of a local law providing ~~a means of regulating the undertaking of any filming, for regulation of commercial purposes~~ filming on public property, and regulation of the same activities ~~conducted~~ on private property where such activities will result in disturbance, interference, or inconvenience to the public, including but not limited to excess use and/or closure of roads in the Town, and noise, visual impacts, parking, equipment storage and other potential nuisances.

§ ____-2. Definitions.

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

ADVERTISEMENT — Any film, as defined herein, produced for use in a television or internet commercial, or for a published advertisement.

FILM or FILMING — The taking of still or motion pictures, whether on film, videotape, digital recording, or by similar recording medium, for commercial or educational purposes and intended for viewing on television, in theaters or for institutional uses. Filming shall also include support activities such as transportation of people and equipment and supplies, interruption of traffic, staging, parking of automobiles and any other activity supporting filming. -The provisions of this chapter shall not be deemed to include the filming of news stories within the Town of Poughkeepsie.

PUBLIC LANDS — Any public street, highway, sidewalk, square, public park or playground, or any other public place within the Town of Poughkeepsie, which is within the jurisdiction and control of the Town of Poughkeepsie.

§ ____-3. **Permit required.**

- A. No person or organization shall film commercially on public land or outdoor private property within the Town of Poughkeepsie, unless exempt as provided below, without first having obtained a permit from the Town of Poughkeepsie, pursuant to this chapter. Such permit shall set forth the approved location and duration of such filming and applicable restrictions by reference to specific properties, day or dates, hours and regulated activities.
- B. No person shall film Town employees in the course of their duties on behalf of the Town, for commercial purposes, unless the proponent first obtains a permit from the Town.

§ ____-4. **Permit exemptions.**

- A. The provisions of this chapter shall not apply to and no permit or fee shall be required for the following activities, provided they will not require closure of a public street or right of way or substantially impede vehicular traffic:
 - (1) News media: reporters, or camera operators in the employ of a newspaper, news service, or similar entity engaged in publishing or broadcasting of news events concerning those persons, scenes or occurrences which are in the news and of general public interest;
 - ~~(2) Filming conducted entirely within a fixed place on private property (including on-campus);~~
 - ~~(3)~~(2) Filming conducted for use in a criminal investigation or civil or criminal court proceeding;
 - ~~(4)~~(3) Filming activities taking place under sponsorship of the Town of Poughkeepsie, whether on public or private property;
 - ~~(5)~~(4) Filming conducted ~~on private property~~ solely for private or family use; and

~~(6)~~(5) Still photography, or staging thereof, when conducted to the exclusion of any other filming, provided the still photography will not require closure of any public street or sidewalk or otherwise obstruct a public right-of-way.

B. An application for a film permit, as required by this chapter shall only be required for the following activities if street closures are proposed, and if required to apply, the application fee shall be waived:

(1) Projects that qualify under Section 501(c)(3) of the Internal Revenue Code.

(2) Off-Campus filming by a student pursuant to a course of study at an accredited academic institution.

~~(3) Commercial filming activities conducted exclusively on private property where such activities will not result in external disturbances to the public, including but not limited to light, noise, vibration or odor nuisances, or obstruction.~~

§ ____-5. Permit applications.

A. Applications may be submitted to the Town through the office of the Town Clerk in person or by mail and must contain the following:

(1) The name of the applicant;

(2) The street address or location of the properties where filming is to take place;

(3) Whether the applicant is owner or tenant in possession of property and authorization by the owner of property if the applicant is not the owner;

(4) Whether any street closures, sidewalk obstructions or other inconveniences to the public will be required, and the proposed dates and times for such closings; and

(5) Payment for the nonrefundable application fee, as set forth in the Town fee schedule.

B. The applicant shall submit a use plan showing the days and hours of proposed operation, parking plans and any mitigating measures proposed and the name, local address and local telephone number of a person who will be available 24 hours a day during the activity and who shall have control of and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.

C. The Chief of Police shall have the power to enforce the conditions set by any permit granted pursuant to this chapter.

§ ___-6. Permit Classifications.

Filming is classified by its size and scope and its potential impact on the Town and its residents, according to the following criteria:

A. Type I permit (basic).

~~A.~~ Type I permits may be issued by the Town Supervisor, with Police Chief approval, if filming meets all of the following conditions:

(a) Filming is fully contained ~~to~~on private property;

~~(b) individuals;~~

~~(c)~~(b) Filming is limited to daytime hours;

~~(d)~~(c) Filming is limited to ~~three~~five or fewer continuous days at the location;

and

~~(e)~~ Filming involves ~~no~~minimal potential noise, traffic or light impacts outside of the property where filming occurs.

B. Type II permit.

~~(1)~~(1) Type II permits may be issued by the Town Board, with Police Chief approval, if there are special or significant conditions that could potentially cause inconvenience or disruption to neighboring properties or traffic.

~~(2)~~(2) Significant conditions include, but are not limited to, one or more of the following:

(a) Filming will occur on public property.

(b) Filming may impede normal vehicular or pedestrian traffic or disturb neighboring property owners.

(c) Filming is outside normal daytime hours.

(d) Filming exceeds ~~three~~five days at the location.

(e) Filming involves potential noise, traffic or light impacts, including, but not limited to, the use of any generator, pyrotechnic device or high-powered, amplified sound, artificial lighting other than camera-mounted or handheld equipment; or complete or partial closure of a road or interruption of traffic.

(f) Production requires oversized vehicles, such as motor homes, trailers, and/or box trucks or excessive numbers of vehicles that cannot be contained to private property.

(g) Production requires the use of special effects on the property, such as artificial rain, snow, fire, sound effects or others.

(h) Production requires the use of any off-site or public areas for staging areas, crowd control, parking, sanitary facilities, cleanup or any other use related to the production but not on the permitted property itself.

(i) Production requires the support of Town personnel, ~~including but not limited to members of the Police, Fire, or Ambulance Departments.~~

(j) Any other significant conditions where the Town Supervisor determines that such filming may cause a significant impact on merchants, residents, visitors, or passers-by within the Town of Poughkeepsie, or any condition that may require the imposition of mitigation measures at the discretion of the Town Supervisor.

§ ____-7. **Deadline for filing applications.**

Applications for a permit must be filed with the Town Clerk a minimum of ~~6~~4 weeks prior to the date when filming is to begin for Type II permits and ~~2~~1 week prior to filming is to begin for Type I permits. However, the Town Supervisor may waive the respective ~~6~~4 and ~~2~~1 week period, and ~~impose~~allow any shorter period, if in their discretion such shorter period will afford all applicable reviewing agencies sufficient time for their reviews.

§ ____-8. **Additional permit specifications.**

- A. Any permit issued hereunder shall attach conditions and safeguards ensuring the orderly conduct of the activity and the minimization of impacts of such use.
- B. A permit may require an applicant to provide at least 48 hours' notice, before the start of filming, to all property owners within a radius of 250 feet of the filming location. Such notice shall include a copy of the permit. Proof of such notification is required.
- C. The permit may require the applicant to submit a deposit, which the Town shall hold in a separate fund pursuant to the terms of this agreement. The deposit shall provide for all Town expenses in light of the filming, including but not limited to expenses for deployment of police officers to respond to infractions of the Town Code or this Agreement due to the Production Activity. The deposit shall also contain funds to be utilized in the event of any unforeseen damage caused by filming, and shall be replenished if depleted. The amount of the deposit shall be determined by the Town Supervisor in consultation with the Police Chief. Any unused funds in the deposit shall be returned to Applicant at the termination of the permit.
- D. ~~Site~~No site plan approval by the Planning Board ~~is not~~nor building permits from

the Building Department are required for placement, erection, or construction of a temporary structure that is to be removed prior to or upon conclusion of permitted filming activities; provided, however, if the Building Inspector requests, they shall be permitted given access to inspect any such temporary structure for compliance with the Town Code, to ensure it does not pose a danger to the public and to remediate those that do pose a threat.

E. If a permit is issued and filming does not take place on the dates specified therein due to inclement weather or other good cause, the Town Supervisor may, at the request of the permit holder, issue a new permit for filming subject to full compliance with all provisions of this chapter and conditions of the original permit.

~~F. For any productions that may impact neighboring properties, the Town requires that advanced notice be given to adjacent property owners. Proof of such notification is required.~~

~~G.F.~~ Permittee shall enter contracts for needed services to be provided by the Town, including with Town Police, Town Fire Districts, and other requested services.

~~H.G.~~ Permittee agrees to indemnify, defend and hold harmless the Town of Poughkeepsie, its officers, employees, agents and representatives from all loss, cost, expense, damages, and suits, including reasonable attorney's fees, which relate to or arise from filming activities whether caused by the Permittee or others, except to the extent caused by the negligence or willful misconduct of the Town of Poughkeepsie, its employees, agents and representatives.

~~H.H.~~ Before engaging in filming the permittee shall provide proof of General Liability, Auto, and Workers' Compensation Insurance consistent with the limits annexed. The General Liability Insurance shall name the Town of Poughkeepsie, its officers, employees, agents and representatives as additional insureds on policies written by New York admitted carriers with a waiver of subrogation in favor of the Town.

~~H.I.~~ The above indemnity and insurance coverage shall include all filming locations and dates, and cover, for the benefit of the Town, all persons and entities involved in those activities.

~~K.I.~~ Obtaining and delivering all required ~~building and other~~ Town permits, other governmental permits (including County and NYSDOT) and owners' consents (including from the owners of all private properties and roads) in advance of filming.

§ ____-9. Fees, Deposits, and Agreements for Town Services.

A. Application fee.

Permit holders shall pay an application fee to the Town of Poughkeepsie, in an amount set forth in the Town fee schedule.

B. Permit fee.

Permit holders shall pay a daily fee to the Town of Poughkeepsie, ~~in an amount from a range of amounts set forth in the Town fee schedule, as determined by the Town, based on scope, duration, and impact of filming.~~

~~C. Compensation for loss of business.~~

~~Where permitted filming activities require closure of a street or sidewalk and thereby temporarily eliminate access to an adjacent business, the permit holder may be required to compensate the affected business(es) for the resulting loss of income caused by elimination of a street or sidewalk or traffic.~~

C. Reimbursement of Town lost revenue and Residents.

~~D.~~

1) In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Town for any lost revenue, that the Town is prevented from earning because of permitted filming activity.

2) For Type II permits the Town Board may additionally require, in light of the prospective impact of the filming on the community and its residents, a fund to compensate and/or restore such affected area.

E.D. Security and other Town services.

~~1)~~ In addition to any other fee or cost mentioned in this chapter, a permit holder shall also pay an hourly rate for use of any Town Police, ~~Fire or Highway Department or other Town personnel or equipment~~ or Fire District personnel in connection with any filming activities subject to this chapter, whether for security or other purposes. The permit holder shall enter into a police or relevant service agreement with requested department at least five (5) days before such services are needed. If Town services are requested, such an agreement is a prerequisite to permit approval.

~~2)~~ The Town of Poughkeepsie Chief of Police, relevant Fire Chief and the Highway Superintendent or other designated Town personnel shall determine the number of personnel and equipment needed, if any, to provide adequate security precautions or other necessary services at the permitted location(s) and the date(s) and time(s) during which such precautions or services shall be required. Such services may also be provided upon written request by the permit-holder based upon the availability of personnel and equipment.

~~3.~~ For Type II permits the Town Board may additionally require, in light of the

~~prospective impact of the filming on the community and its residents, a fund to compensate and/or restore such affected area.~~

§ ____-10. Procedure for Appeals.

- A. In the event the applicant disagrees with the Supervisor's designation of the type of permit required, the applicant may appeal the Town Supervisor's determination to the Town Board, and the Town Board, in its discretion, may either affirm the designation or modify such designation.
- B. In the event that the Town Supervisor denies an application for a Type I permit, the applicant may appeal the Supervisor's determination to the Town Board, and the Town Board, in its discretion, may affirm the Town Supervisor's denial, grant the permit, or grant the permit with revised conditions and/or restrictions.

§ ____-11. Duties of permit-holders.

The permit-holder and all agents, employees, and contractors thereof shall comply with the following requirements:

- A. The permit-holder shall comply with all instructions, requirements and conditions set forth in the permit.
- B. The permit-holder shall comply with any instructions given by the Town of Poughkeepsie Police Department officer(s) relating to the filming at the permitted location.
- C. The permit-holder shall comply with instructions given by Town employees assigned to regulate the filming at the permitted location.
- D. The permit-holder shall clean and restore all Town-owned property utilized during the filming to the same condition as existed prior to the filming.
- E. The permit holder shall comply with all Town and State laws.

§ ____-12. Penalties for offenses.

- A. Any person, persons, corporation, company, group or other entity of any kind who or which fails to obtain the permit required herein, or otherwise violates any provision of this chapter, shall be guilty of an offense which shall be punishable by a fine of not more than \$350 per offense and the Town Police ordering such illegal filming operations to stop.
- B. The imposition of such fine shall not be the Town's exclusive remedy in the event of a violation of this chapter, and the Town may pursue any and all other legal remedies available in connection with any violation of this chapter or other Town laws, including Chapter 144, Nuisances.

§ ____-13. **Permit revocation or suspension.**

- A. The Town Supervisor may revoke a permit if the permit-holder or any agents, employees, or contractors of the permit-holder fail to comply with the requirements set forth in this chapter or if the Town Supervisor determines that the permit application was false in any material detail. Notice of the grounds for revocation of the permit shall be provided in writing to the applicant or person in charge of the filming.
- B. The Chief of Police may suspend the permit when the filming activities pose a hazard to persons or property and the location manager will not, or cannot, prevent the hazard after being instructed to do so by an officer of the Town of Poughkeepsie Police Department.
- C. Violation of the terms and conditions of a permit, without prior written modification by the Town Supervisor, shall constitute a forfeiture of the privileges conveyed pursuant to the permit, thereby requiring that all filming activities cease immediately, subject to fine or penalty for violation of this chapter.

SECTION 4. SEVERABILITY

If any part or provision of this local law of the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances.

SECTION 5. EFFECTIVE DATE

This law shall become effective immediately upon being filed in the office of the Secretary of State.



TOWN OF POUGHKEEPSIE
PROPOSED LOCAL LAW ____

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

SECTION 1. TITLE.

This Local Law shall be entitled “A Local Law Establishing Regulations For Commercial Filming.”

SECTION 2. AUTHORITY AND SUPERSESSION

This law is enacted pursuant to Section 10(1)(ii)(a)(6), (11) and (12) of the Municipal Home Rule Law and Section 64(10-b) and (24) of the Town Law. It is the intention of the Town Board to supersede any inconsistent terms in state law to the extent authorized by the Constitution and Municipal Home Rule Law.

SECTION 3. ENACTMENT OF COMMERCIAL FILMING CODE

The Code of the Town of Poughkeepsie is hereby amended by adding Chapter __, to read as follows:

§ ____-1. Findings; purpose.

- A. The Town Board finds that significant commercial filming and its associated activities on private and public property have been and will be taking place in the Town of Poughkeepsie and that such filming may benefit the Town but also may create hardship, inconvenience, danger, and nuisance to Town residents and visitors. Prospective impacts include, but are not limited to, disruption of traffic on public streets and private neighborhoods, and potential interference and utilization of police and other Town functions and operations.
- B. The Town Board finds that the public’s health, safety and welfare will be served by adoption of a local law providing for regulation of commercial filming on public property, and regulation of the same activities on private property where such activities will result in disturbance, interference, or inconvenience to the public, including but not limited to excess use and/or closure of roads in the Town, and noise, visual impacts, parking, equipment storage and other potential nuisances.

§ ____-2. Definitions.

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

ADVERTISEMENT — Any film, as defined herein, produced for use in a television or internet commercial, or for a published advertisement.

FILM or FILMING — The taking of still or motion pictures, whether on film, videotape,

digital recording, or by similar recording medium, for commercial or educational purposes and intended for viewing on television, in theaters or for institutional uses. Filming shall also include support activities such as transportation of people, equipment and supplies, interruption of traffic, staging, parking of automobiles and any other activity supporting filming. The provisions of this chapter shall not be deemed to include the filming of news stories within the Town of Poughkeepsie.

PUBLIC LANDS — Any public street, highway, sidewalk, square, public park or playground, or any other public place within the Town of Poughkeepsie, which is within the jurisdiction and control of the Town of Poughkeepsie.

§ ____-3. Permit required.

- A. No person or organization shall film commercially on public land or outdoor private property within the Town of Poughkeepsie, unless exempt as provided below, without first having obtained a permit from the Town of Poughkeepsie pursuant to this chapter. Such permit shall set forth the approved location and duration of such filming and applicable restrictions by reference to specific properties, day or dates, hours and regulated activities.
- B. No person shall film Town employees in the course of their duties on behalf of the Town, for commercial purposes, unless the proponent first obtains a permit from the Town.

§ ____-4. Permit exemptions.

- A. The provisions of this chapter shall not apply to and no permit or fee shall be required for the following activities, provided they will not require closure of a public street or right of way or substantially impede vehicular traffic:
 - (1) News media: reporters, or camera operators in the employ of a newspaper, news service, or similar entity engaged in publishing or broadcasting of news events concerning those persons, scenes or occurrences which are in the news and of general public interest;
 - (2) Filming conducted for use in a criminal investigation or civil or criminal court proceeding;
 - (3) Filming activities taking place under sponsorship of the Town of Poughkeepsie, whether on public or private property;
 - (4) Filming conducted solely for private or family use; and
 - (5) Still photography, or staging thereof, when conducted to the exclusion of any other filming, provided the still photography will not require closure of any public street or sidewalk or otherwise obstruct a public right-of-way.

B. An application for a film permit, as required by this chapter shall only be required for the following activities if street closures are proposed, and if required to apply, the application fee shall be waived:

- (1) Projects that qualify under Section 501(c)(3) of the Internal Revenue Code.
- (2) Off-Campus filming by a student pursuant to a course of study at an accredited academic institution.

§ ____-5. Permit applications.

- A. Applications may be submitted to the Town through the office of the Town Clerk in person or by mail and must contain the following:
- (1) The name of the applicant;
 - (2) The street address or location of the properties where filming is to take place;
 - (3) Whether the applicant is owner or tenant in possession of property and authorization by the owner of property if the applicant is not the owner;
 - (4) Whether any street closures, sidewalk obstructions or other inconveniences to the public will be required, and the proposed dates and times for such closings; and
 - (5) Payment for the nonrefundable application fee, as set forth in the Town fee schedule.
- B. The applicant shall submit a use plan showing the days and hours of proposed operation, parking plans and any mitigating measures proposed and the name, local address and local telephone number of a person who will be available 24 hours a day during the activity and who shall have control of and responsibility for the direction of all participants in the permitted activity and for the property for which the activity is permitted.
- C. The Chief of Police shall have the power to enforce the conditions set by any permit granted pursuant to this chapter.

§ ____-6. Permit Classifications.

Filming is classified by its size and scope and its potential impact on the Town and its residents, according to the following criteria:

- A. Type I permit (basic).
- Type I permits may be issued by the Town Supervisor, with Police Chief approval, if filming meets all of the following conditions:
- (a) Filming is fully contained on private property;

- (b) Filming is limited to daytime hours;
- (c) Filming is limited to five or fewer continuous days at the location; and
- (d) Filming involves minimal potential noise, traffic or light impacts outside of the property where filming occurs.

B. Type II permit.

- 1) Type II permits may be issued by the Town Board, with Police Chief approval, if there are special or significant conditions that could potentially cause inconvenience or disruption to neighboring properties or traffic.
- 2) Significant conditions include, but are not limited to, one or more of the following:
 - (a) Filming will occur on public property.
 - (b) Filming may impede normal vehicular or pedestrian traffic or disturb neighboring property owners.
 - (c) Filming is outside normal daytime hours.
 - (d) Filming exceeds five days at the location.
 - (e) Filming involves potential noise, traffic or light impacts, including, but not limited to, the use of any generator, pyrotechnic device or high-powered, amplified sound, artificial lighting other than camera-mounted or handheld equipment; or complete or partial closure of a road or interruption of traffic.
 - (f) Production requires oversized vehicles, such as motor homes, trailers, and/or box trucks or excessive numbers of vehicles that cannot be contained to private property.
 - (g) Production requires the use of special effects on the property, such as artificial rain, snow, fire, sound effects or others.
 - (h) Production requires the use of any off-site or public areas for staging areas, crowd control, parking, sanitary facilities, cleanup or any other use related to the production but not on the permitted property itself.
 - (i) Production requires the support of Town personnel.
 - (j) Any other significant conditions where the Town Supervisor determines that such filming may cause a significant impact on merchants, residents, visitors, or passers-by within the Town of Poughkeepsie, or any condition that may require the imposition of mitigation measures at the discretion of the Town Supervisor.

§ ____-7. Deadline for filing applications.

Applications for a permit must be filed with the Town Clerk a minimum of 4 weeks

prior to the date when filming is to begin for Type II permits and 1 week prior to filming is to begin for Type I permits. However, the Town Supervisor may waive the respective 4 and 1 week period and allow any shorter period, if in their discretion such shorter period will afford all applicable reviewing agencies sufficient time for their reviews.

§ ____-8. Additional permit specifications.

- A. Any permit issued hereunder shall attach conditions and safeguards ensuring the orderly conduct of the activity and the minimization of impacts of such use.
- B. A permit may require an applicant to provide at least 48 hours' notice, before the start of filming, to all property owners within a radius of 250 feet of the filming location. Such notice shall include a copy of the permit. Proof of such notification is required.
- C. The permit may require the applicant to submit a deposit, which the Town shall hold in a separate fund pursuant to the terms of this agreement. The deposit shall provide for all Town expenses in light of the filming, including but not limited to expenses for deployment of police officers to respond to infractions of the Town Code or this Agreement due to the Production Activity. The deposit shall also contain funds to be utilized in the event of any unforeseen damage caused by filming, and shall be replenished if depleted. The amount of the deposit shall be determined by the Town Supervisor in consultation with the Police Chief. Any unused funds in the deposit shall be returned to Applicant at the termination of the permit.
- D. No site plan approval by the Planning Board nor building permits from the Building Department are required for placement, erection, or construction of a temporary structure that is to be removed prior to or upon conclusion of permitted filming activities; provided, however, if the Building Inspector requests, they shall be given access to inspect any such temporary structure for compliance with the Town Code, to ensure it does not pose a danger to the public and to remediate those that do pose a threat.
- E. If a permit is issued and filming does not take place on the dates specified therein due to inclement weather or other good cause, the Town Supervisor may, at the request of the permit holder, issue a new permit for filming subject to full compliance with all provisions of this chapter and conditions of the original permit.
- F. Permittee shall enter contracts for needed services to be provided by the Town, including with Town Police, Town Fire Districts, and other requested services.
- G. Permittee agrees to indemnify, defend and hold harmless the Town of Poughkeepsie, its officers, employees, agents and representatives from all loss, cost, expense, damages, and suits, including reasonable attorney's fees, which

relate to or arise from filming activities whether caused by the Permittee or others, except to the extent caused by the negligence or willful misconduct of the Town of Poughkeepsie, its employees, agents and representatives.

- H. Before engaging in filming the permittee shall provide proof of General Liability, Auto, and Workers' Compensation Insurance consistent with the limits annexed. The General Liability Insurance shall name the Town of Poughkeepsie, its officers, employees, agents and representatives as additional insureds on policies written by New York admitted carriers with a waiver of subrogation in favor of the Town.
- I. The above indemnity and insurance coverage shall include all filming locations and dates, and cover, for the benefit of the Town, all persons and entities involved in those activities.
- J. Obtaining and delivering all required Town permits, other governmental permits (including County and NYSDOT) and owners' consents (including from the owners of all private properties and roads) in advance of filming.

§ ____-9. Fees, Deposits, and Agreements for Town Services.

A. Application fee.

Permit holders shall pay an application fee to the Town of Poughkeepsie, in an amount set forth in the Town fee schedule.

B. Permit fee.

Permit holders shall pay a daily fee to the Town of Poughkeepsie, from a range of amounts set forth in the Town fee schedule, as determined by the Town, based on scope, duration, and impact of filming.

C. Reimbursement of Town and Residents.

- 1) In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Town for any lost revenue, that the Town is prevented from earning because of permitted filming activity.
- 2) For Type II permits the Town Board may additionally require, in light of the prospective impact of the filming on the community and its residents, a fund to compensate and/or restore such affected area.

D. Security and other Town services.

- 1) In addition to any other fee or cost mentioned in this chapter, a permit holder

shall also pay an hourly rate for use of any Town Police, Highway Department or other Town personnel or equipment or Fire District personnel in connection with any filming activities subject to this chapter, whether for security or other purposes. The permit holder shall enter into a police or relevant service agreement with requested department at least five (5) days before such services are needed. If Town services are requested, such an agreement is a prerequisite to permit approval.

- 2) The Town of Poughkeepsie Chief of Police, relevant Fire Chief and the Highway Superintendent or other designated Town personnel shall determine the number of personnel and equipment needed, if any, to provide adequate security precautions or other necessary services at the permitted location(s) and the date(s) and time(s) during which such precautions or services shall be required. Such services may also be provided upon written request by the permit-holder based upon the availability of personnel and equipment.

§ ____-10. Procedure for Appeals.

- A. In the event the applicant disagrees with the Supervisor's designation of the type of permit required, the applicant may appeal the Town Supervisor's determination to the Town Board, and the Town Board, in its discretion, may either affirm the designation or modify such designation.
- B. In the event that the Town Supervisor denies an application for a Type I permit, the applicant may appeal the Supervisor's determination to the Town Board, and the Town Board, in its discretion, may affirm the Town Supervisor's denial, grant the permit, or grant the permit with revised conditions and/or restrictions.

§ ____-11. Duties of permit-holders.

The permit-holder and all agents, employees, and contractors thereof shall comply with the following requirements:

- A. The permit-holder shall comply with all instructions, requirements and conditions set forth in the permit.
- B. The permit-holder shall comply with any instructions given by the Town of Poughkeepsie Police Department officer(s) relating to the filming at the permitted location.
- C. The permit-holder shall comply with instructions given by Town employees assigned to regulate the filming at the permitted location.
- D. The permit-holder shall clean and restore all Town-owned property utilized during the filming to the same condition as existed prior to the filming.

E. The permit holder shall comply with all Town and State laws.

§ ____-12. **Penalties for offenses.**

- A. Any person, persons, corporation, company, group or other entity of any kind who or which fails to obtain the permit required herein, or otherwise violates any provision of this chapter, shall be guilty of an offense which shall be punishable by a fine of not more than \$350 per offense and the Town Police ordering such illegal filming operations to stop.
- B. The imposition of such fine shall not be the Town's exclusive remedy in the event of a violation of this chapter, and the Town may pursue any and all other legal remedies available in connection with any violation of this chapter or other Town laws, including Chapter 144, Nuisances.

§ ____-13. **Permit revocation or suspension.**

- A. The Town Supervisor may revoke a permit if the permit-holder or any agents, employees, or contractors of the permit-holder fail to comply with the requirements set forth in this chapter or if the Town Supervisor determines that the permit application was false in any material detail. Notice of the grounds for revocation of the permit shall be provided in writing to the applicant or person in charge of the filming.
- B. The Chief of Police may suspend the permit when the filming activities pose a hazard to persons or property and the location manager will not, or cannot, prevent the hazard after being instructed to do so by an officer of the Town of Poughkeepsie Police Department.
- C. Violation of the terms and conditions of a permit, without prior written modification by the Town Supervisor, shall constitute a forfeiture of the privileges conveyed pursuant to the permit, thereby requiring that all filming activities cease immediately, subject to fine or penalty for violation of this chapter.

SECTION 4. SEVERABILITY

If any part or provision of this local law of the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances.

SECTION 5. EFFECTIVE DATE

This law shall become effective immediately upon being filed in the office of the Secretary of State.

* public comments

Mary McAliney

From: Laurie Heldman <laurie@gordonsvenson.com>
Sent: Monday, November 17, 2025 11:12 AM
To: Mary McAliney
Subject: Fw: Draft Local Filming Law for your Review

Hello Mary,


An additional comment was received by William from the Best Medicine Team (concerning build permitting) to be included in the packet. Please see below.

Thank you,
Laurie

Laurie Heldman
Associate
Gordon & Svenson LLP
42 Catharine Street
Poughkeepsie, NY 12601
www.gordonsvenson.com

This e-mail may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: William Biavati <~~william.biavati@gmail.com~~>
Sent: Monday, November 17, 2025 10:53 AM
To: Tony Glazer <~~tony@choicefilms.com~~>
Cc: Laurie Heldman <laurie@gordonsvenson.com>; Summer Crockett Moore <~~summer@choicefilms.com~~>; Dan McCarthy <~~daniel_j_mccarthy@me.com~~>; Rebecca Edwards <redwards@townofpoughkeepsie-ny.gov>; David Gordon <david@gordonsvenson.com>
Subject: Re: Draft Local Filming Law for your Review

 Hi Laurie,

Thank you for sending this over! I have one big question that came to mind: **build permitting**.

On this project, we encountered some mild difficulty with our set builds, mainly because they fell into a grey area. I think that might be something that could use a specific carve-out or a guideline set in stone. Usually with other municipalities, or even here in the Town in the past (like the shows I Know This Much Is True or White House Plumbers)—set building is often covered under the terms of the film permit. It usually is vague, admittedly, but the question of permission generally leaned in our favor. I have some details below that explain the nature of film "construction."

SCENERY: A lot of our set builds are aesthetic in nature. We have a name for it: "Scenery." Think of the set pieces you find in a play backdrop. The craft of set building is an evolution of that discipline. We make

things that *look* real, but functionally aren't. This isn't to say we are out building functional spaces as flimsy backdrops with the risk that comes with it. What it usually means is—we will build facades that are temporary, and usually secured safely.

An example: let's say we're filming at a log cabin, but the scene involves a fireplace with a chimney, and this cabin doesn't have one. What we could do is build a faux chimney and fireplace. We wouldn't light a fire in the fireplace—no, it's obviously not the real thing. We would instead bring in a special effects team to use trickery like special lights and fog, or even just CGI the fire. But the chimney can be confused as "construction" or at the very least, come under scrutiny by a code inspection process that might not have a carve-out for film permit scenery.

Scenery is often temporary, and would be taken down after shooting is over, especially if it can be confused for something functional, like stairs. But production builds can also create "real" additions to spaces depending on the arrangement with the owning entity. Like at the New Hamburg Yacht Club, one of the deals we brokered was that the shingle facade would be functional, and left behind. In those instances, we typically build to code with the intention of leaving it behind. If we were to build a permanent shed or other structure, we would and should engage with the formal permitting process. To add to that, one of the reasons why permitting of builds tend to be lax with productions, is also because we hold the municipality and the property owner harmless of liability anyway. So there is a layer of protection by leaning on a trust system.

All that said, here are my personal recommendations.

- Language explicitly allowing the construction of "scenery/sets," in a capacity that would be recognized/understood by the building department.
- A pathway to expedite building permits within reason, maybe with a rush fee? I know this enters the realm of staffing and department availability, so maybe under the caveat of if the department can / is willing to take on the rushed permit. There should be a question on the permit that asks "does the production intend to construct a functional addition to the space" or whatever is best in the right legalese. It would be nice to have a quicker pipeline for the permit rather than waiting for it to be seen in a stack of other permits.
- And if the point above is not possible, maybe offering some language where a "real" piece of construction can be permitted on the back end? This might not make any sense, but it's an idea. When we build our sets, whether scenery or real, we don't allow the use of the set for many reasons, so if it helps, it might make sense to allow the build for filming with the understanding that we can get the approval for something we leave behind later. Which could also mean, if anything is built that doesn't pass code or needs adjustment, the permit should have in language that we need to remove said additions.

That's the biggest one I can think of for the permit! Really, our biggest enemy in filmmaking is time. It costs so many dollars per day to keep these large operations alive that any step we can add to save us time keeps all production alive!

Thank you,

~~William Biavati~~
~~(914) 365-0936~~

On Sun, Nov 16, 2025 at 9:50 AM Tony Glazer <tony@choicefilms.com> wrote:
Hey there

An application should be no more than \$150. (For context, Newburgh is \$50 but they do have a Rush Fee for \$500).

Happy to continue answering questions and offering my two cents as it comes together on your end.

Happy Sunday,

Tony

From: Laurie Heldman <laurie@gordonsvenson.com>

Date: Friday, November 14, 2025 at 3:21 PM

To: Tony Glazer <tony@choicefilms.com>, Summer Crockett Moore <summer@choicefilms.com>, William Biavati <william.biavati@gmail.com>, Dan McCarthy <daniel_j_mccarthy@me.com>, Rebecca Edwards <redwards@townofpoughkeepsie-ny.gov>, David Gordon <david@gordonsvenson.com>

Subject: Re: Draft Local Filming Law for your Review

Hello Tony,

Thank you for your feedback; I shared it with the Town Board for consideration of the local law. In response to your question, the application fee is not yet finalized--please feel free to share suggestions. The public hearing for this law is on 12/3 at 6 pm. You are welcome to attend or submit further written comments to me, and I will direct them.

Thank you,
Laurie

Laurie Heldman
Associate
Gordon & Svenson LLP
42 Catharine Street
Poughkeepsie, NY 12601
www.gordonsvenson.com

This e-mail may contain information that is privileged or confidential. If you are not the intended recipient, please delete the e-mail and any attachments and notify us immediately.

From: Tony Glazer <tony@choicefilms.com>

Sent: Friday, November 14, 2025 11:58 AM

To: Laurie Heldman <laurie@gordonsvenson.com>; Summer Crockett Moore <~~summer@choicefilms.com~~>; William

Biavati <[REDACTED]>; Dan McCarthy <[REDACTED]>; Rebecca Edwards <redwards@townofpoughkeepsie-ny.gov>; David Gordon <david@gordonsvenson.com>

Subject: Re: Draft Local Filming Law for your Review



Hi Laurie:

So sorry for the delay in response. Things have been very busy on this end, as I'm sure you can imagine. Generally, this looks good — a few thoughts:

Permit application:

Payment for the **nonrefundable application fee**, as set forth in the Town fee schedule. *(How much is the application fee?)*

Permit Classifications:

Type 1: I thought filming entirely on private property made one exempt from the permit requirement. (as stated in Permit Exemption B number 3)

Deadline for filing applications.

Applications for a permit must be filed with the Town Clerk a minimum of 6 weeks prior to the date when filming is to begin for Type II permits and 2 weeks prior to filming is to begin for Type I permits. However, the Town Supervisor may waive the respective 6 and 2 week period, and impose any shorter period, if their discretion such shorter period will afford all applicable reviewing agencies sufficient time for their reviews. *(I know there is some wiggle room but — 6 weeks is too long. They should have it be 3 - 4 weeks, and then have a RUSH fee, payable for anything less than 2 weeks notice.)*

Compensation for loss of business.

Where permitted filming activities require closure of a street or sidewalk and thereby temporarily eliminate access to an adjacent business, the permit holder may be required to compensate the affected business(es) for the resulting loss of income caused by elimination of a street or sidewalk or traffic. *(As a general heads up this always tends to be a complicated process. There is often some great area and how much compensation becomes a constantly debated term - That said, I think this should ONLY apply to full road closures.)*

Tony

TONY GLAZER

CHOICE FILMS INC.

CHOICE STAGES

BELOW THE LINE BOOTCAMP

Managing Partner

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web: www.tonyglazer.com



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From: Tony Glazer <tony@choicefilms.com>

Date: Tuesday, November 4, 2025 at 1:54 PM

To: laurie@gordonsvenson.com <laurie@gordonsvenson.com>, Summer Crockett Moore <summer@choicefilms.com>, William Biavati <william.biavati@gmail.com>, Dan McCarthy <daniel_j_mccarthy@me.com>, Rebecca Edwards <redwards@townofpoughkeepsie-ny.gov>, David Gordon <david@gordonsvenson.com>

Subject: Re: Draft Local Filming Law for your Review

Hi Laurie:

Thank you for sending — will look over and get right back.

Tony

TONY GLAZER

CHOICE FILMS INC.

CHOICE STAGES

BELOW THE LINE BOOTCAMP

Managing Partner

office: 845.717.9578

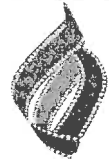
mobile: [917.856.5003]917.856.5003

email: tony@choicefilms.com

web: www.choicefilms.com

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web: www.tonyglazer.com



CHOICE CHOICE STAGES
films



From: Laurie Heldman <laurie@gordonsvenson.com>

Date: Monday, November 3, 2025 at 4:49 PM

To: Summer Crockett Moore <summer@choicefilms.com>, Tony Glazer <tony@choicefilms.com>, Will Biavati <william.biavati@gmail.com>, Daniel McCarthy <daniel_j_mccarthy@icloud.com>

Cc: Rebecca Edwards <redwards@townofpoughkeepsie-ny.gov>, David Gordon <david@gordonsvenson.com>

Subject: Draft Local Filming Law for your Review

Hello Best Medicine Team,

We hope things are going smoothly with the production. As you may remember, the Town of Poughkeepsie is in the process of adopting a local filming law and would appreciate your comments and insight on the current draft and associated documents. Please let us know if you have any feedback. We appreciate your expertise!

Thank you,
Laurie

Laurie Heldman
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Poughkeepsie, NY 12601
www.gordonsvenson.com

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