



TOWN OF EDGARTOWN
SELECTBOARD
70 Main Street, P.O. Box 5158
Edgartown, MA 02539
508-627-6180

FILM, VIDEO, AND PHOTOGRAPHY POLICY

Effective date: June 18, 2024

I. POLICY STATEMENT

Commercial Film, Video and Photography companies and productions may be permitted to use property under the control of the Town of Edgartown for approved projects.

II. PURPOSE:

Edgartown has long been a highly sought after location for commercial film, video and photography companies. The Town supports these industries and encourages their use of the island. It is recognized that these industries create and support both direct and indirect economic benefit to the Town.

Due to the Town's size, location, historical significance, fragile natural resources and seasonal tourist demands, such activity requires regulation to ensure that impacts on vehicle and pedestrian traffic, safety of bystanders and crew, and quality of community life are minimized for protection and the least possible disruption.

This policy applies to all Town Properties. The guidelines and regulations contained herein apply to all commercial filming activity. Additional conditions may be attached to the individual permit based on impact.

III. ADMINISTRATION:

All commercial film, video, or photography requests must be approved by the Selectboard. This policy is administered by the Town Administration on behalf of the Selectboard. The office of the Selectboard and Town Administrator shall be the initial contact for all filming and photography projects and is responsible for managing requests. Required fees and ancillary permits associated with the production must be completed and approved prior to filming.

IV. RULES AND REGULATIONS:

- 1) **PERMIT REQUIRED:** A Film Permit shall be required for (but not limited to) the following conditions:

- a) For Film, Videography, Photography or Droning production for commercial purposes on, over or from Town of Edgartown property.
- b) For productions involving the use of, or impacting upon public property, traffic flow, pedestrian movement, public facilities, parks, sidewalks, street area or harbor.
- c) Student productions filming for non-commercial and educational purposes may be exempt from some fees but are still required to file an application.
- d) Other film, videography, photograph, droning or productions not specifically identified in IV (1) (a-d) that have a similar impact on the Community, Businesses, or Natural Resources of the Town, as determined by the Selectboard.

2) PERMIT EXEMPTIONS:

- a) Credentialed members of the media such as reporters, photographers or camera operators in the employment of a newspaper, news service, radio or television broadcasting station, or similar entity engaged in on the spot broadcasting, reporting or photographing of news of general public.
- b) Private social events (i.e. weddings).
- c) Wedding and Family Portraits.
- d) Martha's Vineyard based non-profit organizations.
- e) Artists working with up to one assistant.
- f) EXCEPTION: If such exempted activities will result in adverse impacts on adjacent properties a permit is required.

3) RESTRICTIONS:

- a) Night shooting between hours of 10:00p.m. and 7:00a.m. is restricted without prior approval.
- b) Commercial filming or photography within the Downtown Historic District and Harbor is strictly regulated with minimal production and no blocking of sidewalks or streets between May 15th and September 15th. All applications for filming during Spring and Summer Season must be received by March 15th for consideration by the Selectboard.
- c) The Historic District and Harbor may also be restricted during certain hours due to considerations such as impact to pedestrian and vehicle traffic, and business interruption.

4) INSURANCE:

- a) All productions are required to submit an original, signed Certificate of Insurance, in an amount of \$1,000,000.00 minimum per instance of claim for general liability for the duration of the production, with the "Town of Edgartown" listed as an additional insured.
- b) Additional coverage may be required for productions with significant impact on public property and/or natural resources and those with extensive special effects.
- c) Student projects may be exempt from the insurance requirement. Student applicants should provide an original signed letter on school letterhead from their Instructor, department head or dean of college stating the student's name(s), title of the project,

purpose of the project, and confirmation that the project is an official school assignment covered by the school's liability insurance policies.

V. APPLICATION PROCESS

- 1) **TIMELINE:** Initial inquiries for filming or photography on Town property may be done by phone or email to selectboard@edgartown-ma.us. To begin the official process an application must be completed and submitted to the Selectboard as follows:
 - a) Selectboard receipt of completed application for review no later than 60 days prior to the anticipated filming.
 - b) For Spring/ Summer projects between May 15th and September 15th, completed applications are due by March 15th.
 - c) Permission may be denied if an application is not complete and/or cannot be accommodated within the available time frame.
- 2) **REVIEW AND APPROVAL**
 - a) Once the completed application has been received, it will be reviewed by Selectboard office staff who will determine what Town departments need to sign off on the project before it comes before the Selectboard. The availability of the requested Town Property(ies) will also be determined at this time.
 - b) The referred Town departments will determine if allowable under their purview and if any ancillary permits or documents are required for them to sign off. Sign off is required for the permit process to move forward.
 - c) Police details may be required as determined by the Police Chief or designee. Fees for details are billed separately.
 - d) Any use of drones requires permission of the Edgartown Police Department.
 - e) It is the responsibility of the applicant to work with residents and business owners in advance of the proposed production locations to ensure that neither business nor daily living functions are impacted by the proposed production. To ensure minimal disruption, notification must include the duration and location of the filming and any planned interference with pedestrian or vehicular traffic. The applicants should keep a record of the persons they communicated with to satisfy this paragraph and be prepared to disclose that information of request.
 - f) The Town is indemnified from any responsibility for work done on private property.
 - g) The full application with all required documentation, department sign offs and insurance certificate(s) must be completed and presented to the Selectboard no later than 30 days prior to the anticipated filming.
 - h) The applicant will be required to appear before the Selectboard in order to obtain the necessary permit(s)
 - i) Once approved, a Film Permit will be prepared and issued. All relevant departments will be notified.