

Filming, Photography and Videography Policy and Guidelines for Outside Vendors

With its visually and architecturally impressive historic buildings and location and its proximity to the Atlantic Ocean and Delaware Bay, Cape May, N.J., a National Historic Landmark City, is a sought-after choice for photographers and media and production companies siting locations for film, video and photography projects.

The 1879 Emlen Physick Estate, the 1859 Cape May Lighthouse, and the World War II Lookout Tower are historic sites leased and managed by Cape May MAC (Museums+Arts+Culture), a multi-faceted, not-for-profit organization, whose mission is to promote the preservation, interpretation and cultural enrichment of the Cape May region for its residents and visitors. Cape May MAC’s property also includes the ubiquitous red and green trolleys that carry visitors on professional, educational and entertaining guided tours along the streets of Cape May and are a popular image inherently identified with the city and with Cape May MAC.

Cape May MAC has been committed to its mission of historic preservation and cultural programming excellence since 1970, when a group of volunteers banded together and succeeded in preventing the magnificent 1879 Emlen Physick Estate from being demolished. The organization they formed has grown exponentially and thrives today as one of Cape May’s strongest assets.

Cape May MAC maintains a rigorous public tour and special event schedule throughout the year with tours, activities and events scheduled daily from March through December and seasonally from January through February.

Cape May MAC’s three historic sites and Cape May MAC’s trolleys are available as potential locations for filming and photography projects to outside vendors, for projects consistent with Cape May MAC’s mission, and conditioned on adherence to the following policy and guidelines.



1879 Emlen Physick Estate



1859 Cape May Lighthouse



MAC Trolleys



World War II Lookout Tower (Fire Control Tower No. 23)

Policy Purpose

Cape May MAC allows filming and photography at its locations via a permit process. The following policy and guidelines apply to all filming and photography to ensure that:

- Historical and natural resources are protected from damage;
- Visitors, Cape May MAC staff, filmmakers and photographers are kept safe;
- Public access to Cape May MAC locations is not compromised;
- Cape May MAC's mission is preserved;
- The guidelines are applied consistently.

Overview

Permit Guidelines: No Permit Required

Personal filming and photography by visitors for personal purposes are encouraged to enhance visitor enjoyment. Both are generally allowed without special permission or permit. Personal filming and photography must take place during normal public hours and use only hand-carried equipment. No professional props or sets, actors or models, large backpacks, supplemental lighting, or specialized large motorized equipment can be used. No flash may be used inside the Physick House Museum. All personal photography, both still and video, is subject to the direction of Cape May MAC staff. Any activity that interferes with the use, operation or enjoyment of the site may be limited or prohibited by Cape May MAC staff.

Further, no permit is required for the coverage of breaking news by print, online and broadcast news media. Breaking news is an event that cannot be covered at any other time or at any other location. Media staff covering breaking news may not disrupt visitors or staff, damage resources, or compromise public health or safety regulations. Media staff covering breaking news should immediately contact the Director of Media Relations, Susan Krysiak, 609-224-6036.

Filming for other news media including magazines, editorials, features, live broadcasts not intended to cover breaking news, and delayed broadcast programs might require a permit. All these requests shall be directed to the Director of Media Relations, Susan Krysiak, 609-224-6036 with adequate advance notice.

Permit Guidelines: Permit Required

The types of filming and photography that generally require a permit include, but are not limited to, documentaries, public service announcements, local promotional pieces, student work, supernatural or paranormal investigations, personal photo projects, personal portraiture, and all work for profit or sale. Examples of activities requiring a permit include projects that:

- Advertise products or services;
- Use talent, models, props, crews or sets;
- Have the potential to disrupt site activities or visitors;
- Use more than just hand-carried equipment;
- Request access to closed or restricted areas;
- Request access outside of normal public hours;

- Request access during public or private tours, activities or events;
- Are a potential risk to safety or resources.

Activities, Prohibited

Only Cape May MAC staff is authorized to touch, move, clean, or in any way alter artifacts, structures, reproductions, displays, or building materials at any of its sites or properties. Some activities are incompatible with Cape May MAC's responsibility to protect its resources, its image, and the safety of its staff and visitors. Prohibited activities are those that:

- Alter, damage or remove any resource for any reason;
- Involve any smoking or smoke machines in buildings;
- Include any nudity or sexual content;
- Use any type of open flame, or pyrotechnics;
- Involve filming inside Cape May MAC work or office areas.
- Overly strain Cape May MAC staff resources.
- Interfere with Cape May MAC's mission.

Activities, Restricted

Given the potential for damage to resources or harm to visitors, staff and crew, the following activities and equipment must be approved in advance on a case-by-case basis. Approval will depend upon the specific location, time of year, time of day, and other factors particular to each site and each project. When completing the permit application form, provide as much detailed information as possible about the use of the following restricted activities and equipment:

- Large or heavy vehicles
- Large sets and props
- Large or heavy equipment (greater than 50lbs.)
- Use of vehicles off established roads and parking areas
- Use of minors
- Use of animals
- Aerial filming
- Stunts
- Discharge of blank ammunition and weapons
- Loud or amplified music or sounds
- Fire
- Foggers
- Large Crowd Scenes
- Generators
- Use of extensive makeup, hairspray or elaborate costuming
- Involve use of drones over Cape May MAC sites or property.

The permit holder is required to adhere to all federal, state and local standards, regulations, rules, ordinances and statutes including safety, fire and vehicle operation.

Requests and Procedures

I. Permit Application Process

All applications for a filming or photography permit at Cape May MAC locations must be made at least two weeks prior to the requested beginning date.

*****In addition, the Cape May Lighthouse and the World War II Tower and its parking area require an additional separate permit process, with contacts listed below. Once notified, Cape May MAC will actively coordinate with these parties to help streamline the permit process. *****

Motion pictures or complicated projects will require a longer application period due to the complexity of analyzing the impact of the project. An application request does not ensure that a permit will be granted. If issued, a permit is not assignable or transferable to any other person or entity.

Outside production companies, photographers, filmmakers, and others who want to use the following Cape May MAC buildings and property in print, on film, or on videotape should contact the appropriate individual(s) to start the permit application process:

Emlen Physick Estate	Cape May MAC - Susan Krysiak, Director of Media Relations skrysiak@capemaymac.org
Cape May MAC Trolleys	Cape May MAC - Susan Krysiak, Director of Media Relations skrysiak@capemaymac.org
Cape May Lighthouse	Cape May MAC - Susan Krysiak, Director of Media Relations skrysiak@capemaymac.org and State of NJ – Vincent Bonica, Cape May Point State Park, NJ Department of Environmental Protection, Division of Parks & Forestry vincent.bonica@dep.nj.gov (both required)
World War II Lookout Tower	Cape May MAC - Susan Krysiak, Director of Media Relations, skrysiak@capemaymac.org and State of NJ -- Vincent Bonica, Cape May Point State Park, NJ Department of Environmental Protection, Division of Parks & Forestry vincent.bonica@dep.nj.gov (both required)
Parking lot (across from World War II Tower)	Cape May MAC - Susan Krysiak, Director of Media Relations skrysiak@capemaymac.org State of NJ -- Vincent Bonica, Cape May Point State Park, NJ Department of Environmental Protection, Division of Parks & Forestry vincent.bonica@dep.nj.gov State of NJ - New Jersey Department of Environmental Protection, Division of Fish & Wildlife (all 3 required)

Application Form

The Cape May MAC permit process begins with a completed application form. The application form will become part of the permit.

Application Fee

A non-refundable application fee of \$50 (non-profits/individuals) or \$75 (commercial entities) will accompany the permit application and may be paid in person, by credit card or by check. Checks shall be made out to *Cape May MAC (Museums+Arts+Culture)*. There is no fee for full-time students.

Script

A copy of the full script and detailed treatment of all activity to be conducted at Cape May MAC sites must be submitted in advance with the filming and photography permit application to determine the scope of the project, operational impact, consistency with Cape May MAC's mission, and the likelihood of resource damage. The script and treatment will be used only for permit evaluation and will be kept confidential.

Walk-through

A walk-through by the director or photographer with the Cape May MAC Director of Media Relations or designated monitor(s) will be required for all filming and photography projects as part of the application review process.

Safety

Appropriate public officials and Cape May MAC's Director may be involved in determining if a request creates an imposition on Cape May MAC facilities and/or the community.

Insurance

The permit holder will procure and maintain, applicable during the term of the location agreement. Cape May MAC retains the right to require additional insurance based on the production size and level.

The insurance to be provided by the permittee shall be as follows:

- a. General liability policy as broad as the standard coverage forms currently in use in the State of New Jersey which shall not be circumscribed by any endorsements limiting the breadth of coverage.

The policy shall be endorsed to include:

1. BROAD FORM COMPREHENSIVE GENERAL LIABILITY
2. PRODUCTS/COMPLETED OPERATIONS
3. PREMISES/OPERATIONS

The limits of liability for bodily injury and property damage shall not be less than \$1,000,000 per occurrence as a combined single limit. "*Cape May MAC (Museums+Arts+Culture)*" shall be named as an "Additional Insured."

b. Workers' Compensation Insurance applicable to the laws of the State of New Jersey and Employer's Liability Insurance with limits not less than:

\$1,000,000 BODILY INJURY, EACH OCCURRENCE

\$1,000,000 DISEASE EACH EMPLOYEE

\$1,000,000 DISEASE AGGREGATE LIMIT

c. Automobile liability insurance which shall be written to cover any automobile used by the insured. Limits of liability for bodily and property damage shall not be less than \$1 million per occurrence as a combined single limit.

Location Fees

Location fees are based on a half-day/full-day rate system. Half-day rates are based on a 1- to 5-hour time period; full-day rates are based on a 5- to 10-hour time period. Additional facility rental fees may apply.

Full-day productions that overrun their contracted time will be charged an additional \$200/hr. Half-day productions that overrun their contracted time or occur outside of the designated hours will be charged at the full-day rate.

Type of Production	Full-day location fee/per day/per site (5–10 hours)	Half-day location fee/per day/per site (1–5 hours)
Major motion pictures Paranormal investigations/subjects	\$3,000	\$1,500
Motion pictures, television shows or commercials, videos or any filming for electronic media (non-paranormal subjects)	\$1,750	\$875
Dress/strike set (additional days)	\$1,250	\$625
Still photography	\$1,000	\$500
Documentaries (including staff interviews and visuals of historic sites)	Fee will be dependent on scope of project and evaluated on a case-by-case basis	

- Time covered by the agreement begins when the first production staff person arrives on site on the day(s) of the shoot, until the last production staff person leaves.

- Rates are determined by the nature and scope of each production (i.e., film, video, still photography).
- Extensive revisions of the Location Agreement requiring support from legal counsel may be subject to additional fees.
- Additional production costs including staffing and/or equipment rental will be paid by the production company. These potential fees include parking fees, security fees, custodial services, electricians, table and chair rental, etc. All fees must be paid a minimum of 24 hours in advance.

Damages

A damage deposit equal to a minimum of one (1) day's location fee must be presented in addition to the location fees payment. The deposit will be used to correct any damage to Cape May MAC facilities and/or to offset any additional location/staffing fees owed by the production company.

The deposit should be paid by separate check or money order and will be held until completion of filming. The check will be refunded in full after satisfactory inspection of the location(s) by Cape May MAC. Cape May MAC staff are responsible for documenting and reporting all such hardships to the location coordinator within five (5) working days of the last day when production company representatives were at the facility.

Cancellation Fee

A fee equal to one-third of the first day's location fee will be charged if the cancellation occurs less than 48 hours before the production is scheduled to begin.

Parking Fees

- Cape May MAC cannot guarantee parking. Based on the scope of the project, parking will be arranged on a case-by-case basis and may require fees.
- Cape May MAC parking regulations must be followed at all times. The production company must advise cast and crew of parking structure height limitations and location of designated spaces.
- Under no circumstances will fire, safety zones/lanes, or handicapped parking spaces be compromised or will pedestrian walkways be used for vehicular traffic.
- All parking lots must be returned to their original state at the completion of production.
- Cape May MAC events will have preference in the case of potential scheduling conflicts.

Security Fees

Security requirements may require separate fees and will be made on a case-by-case basis. The rate of pay varies and will be provided when staffing arrangements are made. Cape May MAC officials in consultation with local officials will determine staffing requirements.

Staff Assistance (Location Coordinator) Fee

The fee for the location coordinator who in most instances will be the Cape May MAC Director of Media Relations or a representative, is included in the location fee. The location coordinator, or a designated

representative, will assist production company personnel with scouting, help coordinate with interested parties, handle contract negotiations, and be accessible while the production team is on site.

Technical Assistance Fees

Electrical work and other technical services related to Cape May MAC's buildings and grounds and their systems, including custodial and telephone utility work, must be performed and supervised by Cape May MAC's Facilities Maintenance Services staff. Arrangements must be made in advance and will be charged to the production company.

II. Permit Conditions

Supervision

All filming, photography and related permit activities shall be supervised by the Director of Media Relations, or a designated monitor or monitors. The degree of monitoring and number of monitors required will be determined by Cape May MAC staff after analyzing the size and complexity of the proposed project. This monitoring may incur overtime and other costs that must be paid by the permit holder. A permit may be denied if the supervisory requirements for the proposed project will place unreasonable burdens on Cape May MAC staff, regardless of the applicant's willingness or ability to pay.

Changes

Any changes to an issued permit must be made and approved in writing and agreed upon by all pertinent parties.

Termination

Permits may be terminated with little notice in the case of unforeseen emergencies, disasters, or events both natural and man-made. The return of unused fees will be made on a case-by-case basis. Non-compliance with any permit condition or making false or misleading statements to obtain a permit will result in revocation of the permit and suspension or termination of activities at any time, with no notice, no liability, and no refund of fees. Cape May MAC is not responsible for any inaccurate information provided by location scouts or their representatives. Cape May MAC reserves the right to add any additional requirements and guidelines to the permit necessary to protect resources and ensure safety. Requests to substantially alter or amend the policy for especially large or complex projects must be approved in advance by Cape May MAC Director of Media Relations.

Cleaning & Damage Deposit

After evaluation of the permit application, a refundable Cleaning & Damage deposit will be required for projects that have a high potential for resource damage. The deposit amount will be determined by estimating costs of monitoring and potential restoration. The deposit or its remainder will be released when the Cape May MAC Director of Media Relations has determined that the project is complete and any necessary clean-up and restoration is finalized.

All areas impacted by the project are to be cleared of all equipment and trash and returned to original condition to the satisfaction of the Cape May MAC Director of Media Relations. All trash and debris must be removed and disposed of at the end of each day of the project. No Cape May MAC trash receptacles

may be used without prior written approval. It is the responsibility of the permit holder to notify all of its contractors and subcontractors of the clean-up rules.

Copyright

Cape May MAC makes no representation as to the ownership of any materials or associated intellectual property rights in any structure or objects within its museums, trolleys and historic sites. Certain materials may be protected by copyright or other right controlled by a third party. The permit holder assumes all responsibility for determining these rights and obtaining all necessary permissions.

Identifying Cape May MAC

Cape May MAC (Museums+Arts+Culture), the Cape May Lighthouse, the World War II Lookout Tower (Fire Control Tower No. 23) or Cape May MAC trolleys may not be identified without express written permission from the Director of Media Relations. Express written permission from the Director of Media Relations is required to use the Cape May MAC logo. Incidental filming of the museums, sites and logo, such as on an employee uniform, an exterior of a Cape May MAC trolley or other vehicle, or on a sign, is acceptable.

Credit Line & Logo

The suggested format for identification, if approved for use, is:

“Cape May MAC (Museums+Arts+Culture)
Cape May, N.J.”

Preferred short form/second reference is “Cape May MAC” (rather than “the Cape May MAC”)

Cape May MAC Equipment

Cape May MAC Equipment is not available for loan or rent.

Documentation and Archiving

Cape May MAC reserves the right to document, through filming, photography, or any other means it deems appropriate, any project conducted on property it owns or controls. The permit holder must furnish to Cape May MAC a complete copy for archival purposes.

Student Filming & Photography

Student filming and photography is carried out to educate those learning film and photographic methods. A letter from a supervising educator with contact information certifying that the person or group is filming to satisfy a specific course requirement is required. Depending upon the complexity of the student project, certain permit requirements may be waived.

Waiver

Certain permit conditions may be waived if the project is being completed in conjunction with Cape May MAC as a partner, or Cape May MAC realizes a direct marketing benefit. Even if the permit requirement is waived, insurance requirements must be met.

Governing Law

The permit shall be governed by the laws of the State of New Jersey and the copyright laws of the United States of America.

III. Requirements for Protection of Historic Finishes and Fixtures

No museum furnishings and decorative objects shall be touched or moved, except by Cape May MAC staff. No equipment shall be placed on furnishings.

Existing furnishings may not be used for support.

Furniture pads and other protective materials shall be placed under all production equipment.

All light stands shall have plastic or rubber tips.

No materials shall be attached, fused, nailed, taped or otherwise affixed to any furnishings or architectural surfaces.

The rooms available in the Physick House Museum via permit may be limited based on project size and scope.

All areas are available in the Cape May Lighthouse for filming or photography via permit except above the Watch Room/Gallery.

All areas are available in the World War II Tower for filming or photography via permit.

Contact:

Susan Krysiak
Director of Media Relations
Cape May MAC (Museums+Arts+Culture)
1048 Washington St.
Cape May, NJ 08204
skrysiak@capemaymac.org
Phone: 609-224-6036
609-602-1383 (cell)

Frequently Asked Questions

Q. I just want to take photos of the Cape May Lighthouse (or the Physick Estate, or the World War II Tower) because I visited and for my personal use. I want to put them on my Facebook page. Is that OK?

A. Yes. Cape May MAC encourages members of the public to take their own personal photos of Cape May historic sites to record their visit! We encourage you to post your photos on social media and encourage you to include #capemaymac in your postings. Restrictions include: no use of flash photography inside the Physick House Museum; no leaning out of or standing up in trolleys or recording tours, no leaning out windows and no leaning out of Watch Gallery guardrails at the lighthouse.

Q. I am creating a calendar for sale that includes my own photos of Cape May historic sites. Do I need Cape May MAC permission to sell this?

A. No. But if you wish to take photos on the grounds of any of these historic sites for commercial purposes, you might need a permit to do so depending upon the extent of your request. See “Permit Guidelines: Permit Required” above.

Q. I want to use the Cape May Lighthouse (or the Physick House Museum, or the World War II Tower) as a backdrop outdoors for my family photo. Can our family just show up with our hired photographer and take outdoor photos there?

A. Professional photographers are welcome for your outdoor personal photo session as long as they do not interfere with Cape May MAC tours, activities and events on the grounds of these historic sites or cause a disruption to visitors. For this reason, we request that you and your photographer contact our Director of Media Relations in advance of your planned photo session. Special requests may require a permit. Indoor photo requests require a permit.

Q. I want to fly my drone in Cape May. Whose permission do I need?

A. Drone use is PROHIBITED over all Cape May MAC properties and historic sites. Drone use is PROHIBITED at Cape May Point State Park. Those wishing further information should consult an attorney specializing in drone use and New Jersey law.

Q. Why do the Cape May Lighthouse and World War II Tower require additional permit processes?

A. Cape May MAC leases the Cape May Lighthouse and the grounds within the fenced-in area surrounding the lighthouse from the NJ Department of Environmental Protection, Division of Parks & Forestry, which operates the Cape May Point State Park surrounding the lighthouse. Requests for filming need permissions both from Cape May MAC and the State Park Service, depending upon the extent of the project and use of the parking lot. At the World War II Tower, the same applies, and in addition, the NJ Division of Fish and Wildlife controls the parking lot across Sunset Boulevard, and so that is a third party that would be necessary for permission if the project required use of the Tower parking lot. Cape May MAC will work to help streamline where possible any permitted filming activity involving multiple parties.

Q. What about other areas of Cape May?

Requests to film in other areas within the City of Cape May should be directed to both City of Cape May Director of Marketing, 609-884-9565 and Chamber of Commerce of Greater Cape May 609-884-5508.