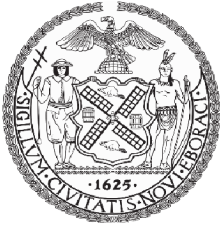


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FREQUENTLY ASKED QUESTIONS

Production Activity on Public Property in New York City During the COVID-19 New York State Emergency

Note: This FAQ is current as of December 23, 2020. This is a rapidly changing situation and the Mayor's Office of Media and Entertainment (MOME) will be updating this FAQ to reflect the latest information available. Please check MOME's website (www.nyc.gov/mome) and nyc.gov/health/coronavirus frequently for updates. Where there is a discrepancy between this FAQ and more current guidance, the more current guidance applies.



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Q1 When did media production resume in NYC?

A1 July 20, 2020, the date when NYC entered Phase Four (media production was allowed on a more limited basis prior to Phase Four). All media production is subject to guidance set forth in the [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency \("NYS Production Guidance"\)](#).

Q2 Is there any general COVID-19 guidance for businesses opening in New York City?

A2 Yes. Please see, the NYC Health Department's Reopening New York City: Frequently Asked Questions online at <https://www1.nyc.gov/assets/doh/downloads/pdf/imm/covid-19-reopening-nyc-faq.pdf>.

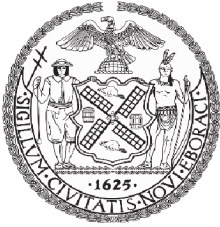
Q3 What is the maximum number of cast and crew allowed by MOME at exterior locations on public property covered by Film Permits?

- A3
- From September 1, 2020 to February 28, 2021, MOME may issue Film Permits for up to 100 cast and crew at exterior locations on public property.
 - In COVID-19 Red Zones, OFTB will not issue Film Permits for any activity, except to news media. To find out where the Red Zones are, please visit www.nyc.gov/covidzone. The [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency \("NYS Production Guidance"\)](#) states that only "essential individuals" are allowed at locations and productions are encouraged to minimize the use of extras and other cast and crew.
 - The production may not prohibit the public from using streets, sidewalks, or other public property.

Q4 If my production activity does not require a Film Permit, how many cast and crew are allowed?

A4 For production activity that does not require a Film Permit, the maximum number of cast and crew is governed by law, including the [New York State Department of Health Interim Guidance During the COVID-19 Public Health Emergency and New York State Executive Order 202.68 of October 6, 2020](#), applicable to the activity. The following summarizes some of the state limitations applicable to production activity:

- No production activity is allowed on-site in a Red Zone. To find out where the zones are, please visit www.nyc.gov/covidzone.
- For production activity in indoor [media production](#) facilities or locations, up to 50% of the area's maximum capacity on the certificate of occupancy or the



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maximum capacity of the space if there is no certificate of occupancy (unless the space is designed for one person). Employees, cast, and crew are limited to essential individuals.

- For [live studio audiences](#), up to 25% of the audience capacity or 100 individuals, whichever is lower. Audience members must maintain social distance of 6 feet in all directions. Audiences must be paid cast, crew, and other employees.
- For production activity in [offices](#), up to 50% of the office's maximum capacity on the certificate of occupancy.
- For [construction activity](#) (e.g., building sets), no more than 1 worker per 250 square feet is allowed on site, excluding supervisors, or a distance of at least 6 feet must be maintained among workers at all times, unless the core activity requires a shorter distance and workers are masked. [The NYC Department of Health strongly recommends masks for all indoor activity in a shared space even if 6 feet of distance can be maintained.](#)

Q5 What kind of filming activity does not require a Film Permit?

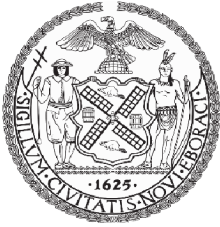
A5 [OFTB issues permits for some activity on public property.](#) Productions using a hand-held camera, camera on tripod, hand-held props and/or hand-held equipment, not asserting exclusive use of City of New York ("City") public property, not using prop weapons, prop vehicles, stunts, actors in police uniform and not requesting parking privileges for production vehicles do not need a permit. Standing on a City sidewalk, walkway of a City bridge or within a City park while using a hand-held camera and not otherwise asserting exclusive use of City property is not an activity that requires a Film Permit.

Q6 What are MOME's special rules for Film Permits during the COVID-19 emergency?

A6 The rules are in MOME Commissioner's Directives, which are on-line here:

<https://www1.nyc.gov/site/mome/permits/permits.page>.

- **Cast and crew:** From September 1, 2020 to February 28, 2021, MOME may issue Film Permits for up to 100 cast and crew at exterior locations on public property. In COVID-19 Red Zones, OFTB will not issue Film Permits for any activity, except to news media. To find out where the Red Zones are, please visit www.nyc.gov/covidzone.
- **Affirmation:** Film Permit applicants must submit the [New York Forward Safety Affirmation](#) before they submit a permit application.
- **Safety Plan:** Film Permittees must conspicuously post their [COVID-19 Reopening Safety Plan](#) on the location and make it available to authorities, including NYPD and MOME Field Representatives. If it is not practicable to conspicuously post the Plan on location, the Film Permittee must provide the



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Plan to all cast and crew by email or in hard copy in advance of the permit date and make a hard copy of the Plan available to authorities on demand at the location.

- **Intermittent Traffic Control:** Intermittent vehicular traffic control may be granted pursuant to 43 RCNY section 9-02(c)(12).)
- **NYPD Movie/TV Unit:** Pyrotechnics, police uniforms on public property, or potentially dangerous activities that require the presence of the NYPD Movie/TV Unit under 43 RCNY section 9-02(c)(11) (e.g., stunts, helicopters, firearms, or simulated firearms) may be permitted.
- **Limits on Locations (not applicable to news media):** No locations (1) within 21 feet of an establishment participating in the [NYC Open Restaurants program](#) without written consent of the establishment, (2) that may infringe upon or conflict with the flow of traffic in the surrounding area or the use of any part of a street that is in the Open Streets program, as indicated on the [Department of Transportation's website](#), or (3) that may interfere with the [New York City Department of Education Outdoor Learning Initiative](#). (Currently, MOME is not limiting locations near hospitals, mobile COVID-19 testing centers, and makeshift morgues unless they interfere with COVID-19 response.) A Hotspot map is online at <https://tinyurl.com/y3yd2gnm>.
- **Vehicles and Parking:** Permits may provide for held parking on one side of each approved block, including roadways adjacent to a film production facility, in OFTB's discretion. Film Permits may allow for vehicles requiring an [NYC DOT over-dimensional vehicle permit](#). No craft service activities, including tents, tables, and chairs, on sidewalks or curb lanes anywhere; however, food trucks may be permitted. (No buffet-style catering or craft services is allowed on any outdoor public property.)

Q7 Where can I find guidance on safe vehicle use?

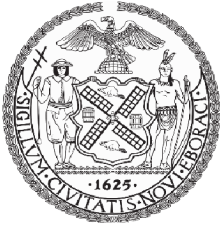
A7 The NYC Health Department provides [guidance on vehicle use](#).

Q8 Commissioner's Directives Nos. 6-8 stated that Film Permits would not allow parking for more than five vehicles, limited to passenger vans holding no more than 15 persons, cube-style trucks, and cargo vans. Is that restriction still in effect?

A8 No. MOME repealed the five-vehicle restriction and the limitation to passenger vans holding no more than 15 persons, cube-style trucks, and cargo vans.

Q9 May crew members park personal vehicles on public property at the Film Permit location to avoid public transportation?

A9 No.



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Q10 What are the restrictions on production equipment?

- A10
- The Film Permittee must keep equipment that is not being used for a shoot out of the way, not blocking passageways or traffic, and cover cables with mats.
 - All production tools and equipment must be regularly disinfected using New York State [registered disinfectants](#), including at least as often as crew change workstations or move to a new set of tools or equipment.

Q11 Will Film Permits restrict filming in certain public locations?

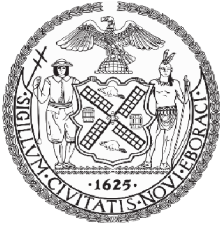
- A11
- OFTB will not issue Film Permits for locations that:
- are within 21 feet of an establishment participating in the [NYC Open Restaurants Program](#) without written consent of the establishment;
 - may infringe upon or conflict with the flow of traffic in the surrounding area or the use of any part of a street that is in the Open Streets program, as indicated on the [Department of Transportation's website](#);
 - [that may interfere with the New York City Department of Education Outdoor Learning Initiative](#); or
 - are in an area on the [Hotspot Map](#).

(These limitations do not apply to news media. Currently, MOME is not limiting locations near hospitals, mobile COVID-19 testing centers, and makeshift morgues unless they interfere with COVID-19 response.)

Q12 When I am filming at exteriors on public property in New York City, what constitutes compliance with the requirement that I "ensure that locations can be secured completely from the general public" on page 4 of the [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#)?

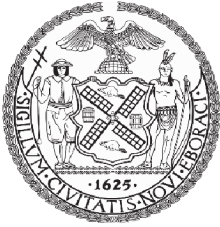
- A12
- In the context of filming at exteriors on public property in New York City, the Empire State Development Corporation has advised that the location that must be secured completely is the area where performers are not wearing face coverings, surrounded by six feet of space in all directions, during the time that the cameras are rolling and performers are not wearing face coverings.
- **Note:** The [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#) provides that performers may temporarily remove their face covering during performances and rehearsals, but they must don face coverings as soon as practicable following such activities.

Q13 Are there special requirements for filming in parks?



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- A13 Yes. The NYC Department of Parks and Recreation requires at least 10 days for review of applications for filming activities in parks that require a Film Permit. Permission is subject to restrictions due to COVID-19.
- Q14 Can I get a permit to film inside of a City-government owned building or a NYC Housing Authority (NYCHA) location?**
- A14 NYCHA is permitting production on its properties; see the following webpage for more information: <https://www1.nyc.gov/site/nycha/business/guidelines-permits.page>. The Department of Citywide Administrative Services (DCAS) is allowing filming inside of City-government owned buildings; see the following webpage for more information: <https://www1.nyc.gov/site/dcas/business/film-with-dcas.page>.
- Q15 May a production use a theater to film in?**
- A15 Yes, a production may film inside of a theater as long as the theater is closed to the public and the media production adheres to the [NYS DOH Interim Guidance for Media Production During the COVID-19 Emergency](#), including restrictions on audiences (must be paid employees, paid cast, or paid crew; up to 25% occupancy; 6-foot social distance between people in all directions).
- Q16 Can productions engage in activity that would require the NYPD Movie/TV Unit presence?**
- A16 Yes. Some activity requiring an NYPD Movie/TV Unit presence will be allowed at the discretion of OFTB and the NYPD Movie/TV Unit.
- Q17 Will my production be able to serve a catered meal on public property?**
- A17
- No craft service activities, including tents, tables, and chairs, on sidewalks or curb lanes anywhere; however, food trucks may be permitted. (No buffet-style catering or craft services is allowed on any outdoor public property.)
 - OFTB encourages productions to order packaged meals from local restaurants and caterers affected by the pandemic. NYC restaurants are not currently allowed to offer indoor dining.
 - The [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#) provides additional limits on meals, such as shared utensils and physical distancing requirements.



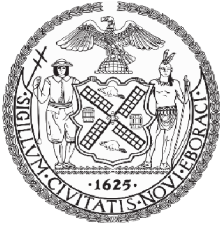
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Q18 What are the limits on meals and food in the [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency?](#)

- A18
- **Page 3:** “Responsible Parties must ensure that a distance of at least six feet is maintained between all employees, cast, and crew in all locations (e.g., meal areas, common areas, holding areas, trailers, video village, equipment areas) around the media production facility or location . . .”
 - **Page 4:** “Responsible Parties should put in place measures to reduce bi-directional foot traffic . . . in all commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g., health screening stations, meal areas, costume trailers).”
 - **Page 6:** “If open, Responsible Parties must make hand sanitizer or disinfecting wipes available near such amenities (e.g., vending machines, communal coffee stations, water fountains, snack bars).”
 - **Page 9:** “Responsible Parties must conduct . . . more frequent cleaning and disinfection for high-risk areas used by many individuals and for frequently touched surfaces (e.g., studios, production sets, hair and make-up stations, trailers, break areas, eating areas, vehicles).”
 - **Page 10:**
 - “Responsible Parties must prohibit shared food and beverage among employees, cast, and crew (e.g., self-serve meals and beverages) and reserve adequate space for employees, cast, and crew to observe social distancing while eating meals.”
 - “Responsible Parties may provide food service via buffest, provided that they are not self-serve and that they are sufficiently staffed to ensure that there is no employee, cast, and crew touching of common objects (e.g., serving spoons, tongs) and that appropriate social distancing is maintained.”
 - “Responsible Parties should consider providing food and beverage in pre-packaged containers to limit sharing between individuals. If providing food and beverage, Responsible Parties should also provide disposable or individually wrapped eating utensils.”

Q19 When a production is shooting on location, may it serve meals or snacks to cast and crew inside of a restaurant that it rented as a holding location for the day?

- A19
- Yes. The permittee should post a sign on the restaurant indicating that it is a holding area for a film shoot and must adhere to the requirements that



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cover eating in the [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#).

- In COVID-19 Red Zones, no media production is allowed on-site under NYS Executive Order 202.68. To find out where the zones are, please visit www.nyc.gov/covidzone.

Q20 When a production is filming on location in a restaurant, can the performers eat if the scene requires eating?

- A20
- Yes, when a production is filming on location in a restaurant, the performers can eat if the scene requires eating because eating in the restaurant/set location is integral to the media production activity.
 - In COVID-19 Red Zones, no media production is allowed inside of a restaurant under NYS Executive Order 202.68. To find out where the zones are, please visit www.nyc.gov/covidzone.

Q21 Can a media production facility (e.g., XYZ Studios) allow productions to serve meals and snacks to cast and crew indoors at the production facility (for example, in an employee cafeteria or a break room)?

- A21
- Yes. A media production facility may allow productions to serve meals and snacks to cast and crew indoors at the production facility.

Q22 Which NYS safety guidance applies to filming?

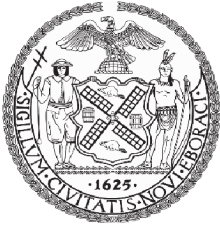
- A22
- The [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#) applies to all activities undertaken in motion picture, music, television, and streaming productions on set, on location, or at any production or recording site.

Q23 Which NYS safety guidance applies to scouting activity?

- A23
- The [New York State Department of Health Interim Guidance for Real Estate Services during the COVID-19 Public Health Emergency](#) applies to scouting.

Q24 Which NYS safety guidance applies to film/TV production construction activity, such as set construction?

- A24
- The [New York State Department of Health Interim Guidance for Construction Activities during the COVID-19 Public Health Emergency](#) applies to film/TV production construction activity. Also, please review the NYC Department of Buildings FAQ, here: https://www1.nyc.gov/assets/buildings/pdf/phase1_fags.pdf.



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Q25 Which NYS safety guidance applies to pre- and post-production work performed in an office?

A25 The [New York State Department of Health Interim Guidance for Office-Based Activities during the COVID-19 Public Health Emergency](#) applies to pre- and post-production work performed in an office. Also, please refer to the NYC Health Department guidance for [offices](#).

Q26 Which NYS safety guidance applies to hair and makeup for production?

A26 The [New York State Interim Guidance for Hair Salons and Barbershops during the COVID-19 Public Health Emergency](#) applies to hair and the [New York State Department of Health Interim Guidance for Personal Care Services during the COVID-19 Public Health Emergency](#) applies to makeup. Also, please refer to the NYC Health Department guidance for [hair salons and barbershops](#) and [personal care services](#).

Q27 Where can I find more information about creating a COVID-19 Reopening Safety Plan?

A27 On the State's website: <https://tinyurl.com/yji6zven>.

Q28 Am I required to have a safety monitor on site?

A28 Yes. The production must designate a site safety monitor whose responsibilities include continuous compliance with all aspects of the production's COVID-19 Reopening Safety Plan.

Q29 Where can I find additional health and safety guidance about reopening my business?

A29 The NYC Department of Health and Mental Hygiene has general guidance available here: <https://tinyurl.com/y5wyuojy>.

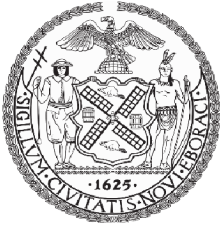
Q30 Where can I find samples of safety signage to be posted at my location?

A30 Samples of signage provided by the NYC Department of Health & Mental Hygiene can be found at <https://www1.nyc.gov/site/doh/covid/covid-19-posters-and-flyers.page>.

Q31 Reserved.

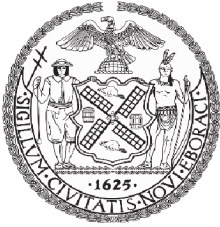
A31

Q32 As part of the COVID-19 Safety Plan, what should my screening log include?



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- A32 Screening logs must include a list of each cast (including extras), crew member, and visitor that visits the worksite, their contact information, and a record that they have responded to a health screening, and their answers have been reviewed. Keeping records of health data (e.g., temperature, symptoms) is prohibited.
- Q33 Are productions required to train individuals in COVID-19 safety requirements?**
A33 Productions must ensure that all cast and crew receive training on COVID-19 safety, hygiene, and disinfection protocols.
- Q34 Are productions required to provide cast and crew members with face coverings?**
A34 Yes, productions must provide cast and crew with face coverings. This requirement applies even if the cast or crew member is a freelance worker.
- Q35 Are face coverings required when filming on public property?**
A35 Yes, with exceptions. The [State Guidance](#) provides that the productions must “ensure that all employees, cast, and crew wear acceptable face coverings at all times within the media production facility or location provided the individual is over the age of two and medically able to tolerate such a face covering.” And cast and crew may remove their face coverings to eat.
- The [State Guidance](#) provides that performers may temporarily remove their face covering during performances and rehearsals, but they must don face coverings as soon as practicable following such activities.
- Q36 Is physical distancing required?**
A36 Productions must ensure that a distance of at least six feet is maintained between all cast and crew in all locations on location or in a media production facility, provided that certain functions during media production may require coming within six feet of other individuals. Productions must determine when it is not possible to maintain physical distancing and implement a protocol for mitigation of risk for affected individuals.
- Q37 Are face coverings required for cast members who are acting and must be within six feet of each other for the scene?**
A37 Cast members may temporarily remove face coverings “during performances or rehearsals, or when it interferes with a core activity such as hair, makeup, or wardrobe” but they must don face coverings as soon as practicable after the activity see page 3 of [the New York State Department of Health Interim Guidance for Media Production during the COVID-19 Public Health Emergency](#).



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Where possible, the production should limit scenes with prolonged close or proximate contact between individuals (e.g., fighting, dancing) or scenes requiring large crowds.

Q38 What are the requirements for individuals in close proximity to unmasked cast members?

A38 When cast members are unmasked, an individual in close proximity must wear a face covering and eye protection, such as a face shield and goggles.

Q39 When filming on location, may I create a zone where the public cannot enter for the duration of the Film Permit?

A39 No. You cannot prevent the public from entering public spaces for the entire length of the Film Permit.

Q40 When filming in a public location, are hand washing facilities required or are hand sanitizing stations enough?

A40 Hand washing facilities should be used where available and practical. If not, hand sanitizing stations can be used. In addition, the production should follow the requirements and recommendations in [New York State Department of Health Interim Guidance for Media Production During the COVID-19 Public Health Emergency](#) for minimizing contact with shared equipment and materials (e.g., digitizing paper documents like scripts and providing individual devices for communication).

Q41 Are all production tools and equipment required to be disinfected or only shared tools and equipment?

A41 All production tools and equipment must be regularly disinfected using New York State [registered disinfectants](#), including at least as often as crew change workstations or move to a new set of tools or equipment.

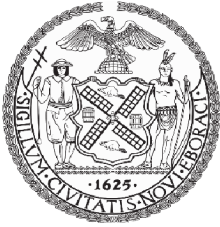
Q42 My production would like to disinfect the street and sidewalk where we are filming. May I do that?

A42 No.

Q43 To whom should cast and crew direct concerns about COVID-19 safety violations on set?

A43 A worker may contact one or more of the following local, state, and federal agencies.

- Call the NYC Worker Protection Hotline at 311 or 1-212-436-0381.



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- Workers may file complaints with the New York State Department of Labor here: <https://forms.ny.gov/s3/Department-of-Labor-COVID-19-Complaint-Form>
- Workers may file complaints about safety violations with OSHA: https://www.osha.gov/workers/file_complaint.html

Q44 Who must get tested for COVID-19?

A44 The production must ensure that employees, cast and crew members, whose job functions or roles involve close or proximate contact with cast members, have been tested for COVID-19 through a diagnostic test, prior to their participation in media production activities, and at least once per week thereafter, when on site or location.

Q45 Can other cast and crew members get tested for COVID-19 even if their functions or roles do not involve close or proximate contact with cast members?

A45 Although it is not required, all New Yorkers should get tested now, whether or not you have symptoms or are at increased risk. Testing is free, easy, and quick.

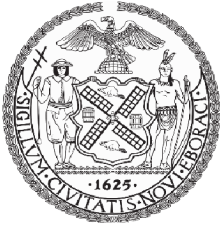
Q46 Where do I go to get information about COVID-19 Testing?

A46 There are hundreds of sites across New York City, with more added every week. Find information for how to access this service and locate a testing site near you by calling 311 or going online to <https://www1.nyc.gov/site/coronavirus/get-tested/covid-19-testing.page>. Testing is provided at no cost and regardless of immigration status.

Q47 Should employers notify public health officials if an employee tests positive for COVID-19?

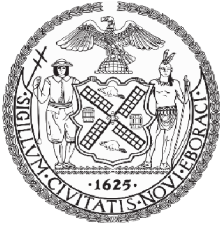
A47 Yes. State guidance requires employers to notify public health officials if they learn of an employee who is a confirmed or suspected case. If employers wish to report directly to public health authorities, they can email the New York City Test and Trace Corps at CovidEmployerReport@nychhc.org. Please note that the NYC Test and Trace program will only follow up on confirmed cases and will not reply to reports received through this email. New York City is performing contact tracing based on confirmed cases reported through a robust electronic laboratory reporting system.

Q48 Are OFTB Field Representatives and NYPD Officers subject to screening at filming locations on public property in the manner required in the guidance for employees and visitors?



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- A48 As city employees performing essential regulatory duties, all OFTB Field Representatives and NYPD Officers are required to wear face coverings when visiting sites. OFTB Field Representatives and NYPD Officers self-monitor for any COVID-19 symptoms. As such, OFTB Field Representatives and NYPD Officers are not subject to screening and must be permitted access to a filming location. Failure to provide access will result in the suspension of a Film Permit.
- Q49 Where can I find more information about the travel quarantine?**
A49 Information is available on the NYS website, here: <https://coronavirus.health.ny.gov/covid-19-travel-advisory>. The states covered by the travel quarantine change frequently so please check for updates regularly.
- Q50 Do I have to report that I traveled to New York from one of the designated states subject to quarantine?**
A50 Yes, to avoid a fine, you must report your arrival to New York State on the Traveler Health Form: <https://forms.ny.gov/s3/Welcome-to-New-York-State-Traveler-Health-Form>. You may be asked to show proof that you've completed this form, including, when you are checking in to a hotel. You do not need to provide this information to OFTB.
- Q51 Do I need to submit any documentation or notification before reopening? Do I need to notify OFTB?**
A51 Before reopening you need to create a [COVID-19 Reopening Safety Plan](#) and submit an [affirmation to the State](#). You do not need permission from OFTB to resume filming, rigging, or scouting unless your work requires a Film Permit.
- Q52 Will inspectors be visiting locations to confirm compliance with City and State requirements?**
A52 Yes. New York City will be educating businesses about how to comply with reopening requirements. Inspectors may visit businesses to promote compliance.
- Q53 Where can I find New York City's regulations covering Film Permits?**
A53 The regulations covering film permits are in [Title 43, Chapter 9 of the Rules of the City of New York](#) (43 RCNY Chap. 9).
- Q54 Why did OFTB deny a request in my Film Permit application?**
A54 OFTB has authority to deny a Film Permit application for any reason listed in 43 RCNY section 9-02(b)(7); OFTB staff has the discretion to deny a permit application



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(or require a change to a permit application) if any of those reasons exist. 43 RCNY section 9-02(b)(7) says:

MOFTB may deny a permit if any one or more of the following issues exists:

- a. conditions exist that may pose a danger or a threat to participants, onlookers or the general public;
- b. the location sought is not suitable because the proposed use cannot reasonably be accommodated in the proposed location;
- c. the date and time requested for a particular location is not available because (i) a permit has previously been issued for such date and time, or (ii) the permit request is the subject of a new project account application, as provided in paragraph (4) of this subdivision, or (iii) another City agency has issued a permit for such date or time;
- d. MOFTB has concluded, based on specific information, that the applicant is unlikely to comply with the material terms of the requested permit;
- e. use of the location or the proposed activity at the location would otherwise violate any law, ordinance, statute or regulation;
- f. use of the location would interfere unreasonably with the operation of City functions.

Q55 **If I have questions about this FAQ, who may I contact for help?**
A55 Please call the Film Office at (212) 489-6710.