

## CHAPTER 116: FILM PERMITS

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### § 116.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**MOTION PICTURE, TELEVISION, RADIO, OR PHOTOGRAPHIC PRODUCTION.** All activity attendant to staging or shooting (video taping or filming or digital recording) commercial motion pictures, television shows, programs, or commercials and to the taking of single or multiple photographs for sale or use for a commercial purpose where either or both of the following occur:

**PUBLIC PROPERTY, EASEMENT, OR RIGHT OF WAY.** Activity attendant to a motion, picture, television, radio, or photographic production or other stationary equipment placed on publicly owned land, easement, or right-of-way in any one location for longer than five consecutive minutes, or in the event that public use of publicly owned land, easement, or right-of-way is impaired.

**PRIVATE PROPERTY.** Activity attendant to a motion picture, television, radio, or photographic production involves any of the following:

- (1) The outdoor presence of five or more passenger vehicles on private property or adjacent publicly owned land, easement, or right-of-way.
- (2) The outdoor presence of one or more semi-trucks or commercial vehicles exceeding a gross vehicle weight of 10,000 pounds on private property or adjacent publicly owned land, easement, or right-of-way.
- (3) The outdoor use of pyrotechnics, explosives, or stunts using vehicles.
- (4) The outdoor use of one or more electric generators.
- (5) The outdoor presence of 12 or more people.
- (6) The outdoor use of floodlights at night.

- (7) The generation of excessive noise heard outdoors.

(Ord. 266, passed 12-6-10)

§ 116.02 PERMIT REQUIRED.

No motion picture, television, radio, or photographic production may take place in the city unless he/she shall have first made application for and obtained, as prescribed in this chapter, a permit for each instance.

(Ord. 266, passed 12-6-10) Penalty, see § 10.99

§ 116.03 EXEMPT ACTIVITIES.

Notwithstanding the foregoing definition, the following activities are exempt from the provisions of this chapter:

(A) Current news productions, which includes reporters, photographers, or camera persons in the employment of a newspaper, news service, broadcasting station, or similar entity engaged in the broadcasting of news events;

(B) Productions which are conducted by the city's public, education, and government access organizations or by or at the direction of the city;

(C) Companies doing weddings, senior photos, athletic events, parades, or other similar events of a public nature, and non-commercial events are exempt from this chapter and fees.

(D) Any other activity deemed to be in the public interest by the City Manager.

(Ord. 266, passed 12-6-10)

§ 116.04 PERMIT APPLICATIONS.

(A) Any person desiring a permit to conduct a motion picture, television, radio, or photographic production that is not exempt under the provisions of § 116.03 shall make application on the appropriate form provided by the city, or by furnishing the required information in person or by first class mail, facsimile, or the internet to the City Clerk's office. The form must be signed and accompanied by all required fees, deposits, hold harmless agreements, and insurance certificates required by this chapter before it will be processed.

(B) The applicant for a permit required by this chapter shall supply all the requested information as describe in the production filming permit application.

(C) Each application shall be accompanied by a fee, in an amount which shall be established from time to time by the City Council as necessary and which shall be kept on file in the office of the City Clerk.

(D) Each application for a permit required by this chapter shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

- (1) The size or area of the property to be used, including a sketch of the filming site showing placement of work trucks and location of production vehicles;
- (2) Sketch of the "base camp" if any, showing any off-street locations for crew parking, honey wagon, catering, and nonessential production vehicles;
- (3) Traffic control plan of the exact filming location, listing roads or lanes to be closed, if any;
- (4) Letter of notification and signatures from businesses/neighborhoods impacted by filming if required by the City Manager or his/her designee; and
- (5) Insurance arrangements and coverage.

(Ord. 266, passed 12-6-10)

#### § 116.05 INVESTIGATION OF APPLICATION.

Upon receipt by the City Clerk's office, copies of the application for a permit required by this chapter shall be forwarded to the appropriate city departments and to such other appropriate public officials as the City Manager or his/her designee deems necessary.

(Ord. 266, passed 12-6-10)

#### § 116.06 ISSUANCE REQUIREMENTS.

(A) In processing an application for a production filming permit required by this chapter, the city shall, at a minimum, require the following:

- (1) Security personnel. The permittee shall employ at his or her own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the location of the filming activity and for the preservation of order and protection of property in and around the site of the filming activity.
- (2) Notification. The permittee or his/her designee shall notify affected residents, occupants, and businesses in advance of filming, and as instructed by the City, of the duration and location of filming activities.
- (3) Access. Production vehicles may not block parking lot access drives, fire hydrants, or be parked in fire lanes and must allow a minimum of 20 feet of clearance between vehicles parked on either side of the road for emergency response vehicles to pass.

(4) Base camps. Base camps may not be located on a public street unless approved in writing by the city or the Police Chief or his/her designee.

(Ord. 266, passed 12-6-10)