

Chapter 17.138 COMMERCIAL FILMING PERMITS

17.138.010 Permits Required.

A. A temporary use permit for the use of any property, public or private, as background for commercial motion pictures, television, or still photography may be approved by the Community Development Director, upon written application of the owner of the property or authorized representative, if the Community Development Director finds that the use will not be detrimental to the public health, safety, or welfare.

B. The application shall set forth the location of the property, the name of the owner of the property, the name and address of the filming company, the name of a representative of the filming company who will be on the property during the filming and responsible for compliance with any conditions imposed by the Community Development Director, the date of the filming, the hours of the filming, the methods of illumination, and the plans for parking the motor vehicles and equipment of the filming company, as well as the general nature of the proposed filming activity. The application shall also indicate if there is to be any use of pyrotechnics, aircraft, or other devices that potentially threaten the health, safety, or welfare of the community and that will require special safety personnel or equipment. The Community Development Director shall have the right to impose reasonable conditions upon the said location filming in order to protect and preserve the public health, safety, or welfare. No permit will be required of the reporters, photographers or cameramen in the employ of a newspaper, news service, or similar entity engaged in on-the-spot broadcasting of news events concerning those persons, scenes or occurrences which are in the news and of general public interest. (Prior code § 8894.1)

17.138.020 Application Form.

The permit application shall be on a form furnished by the Community Development Department, signed by the applicant or agent thereof. Such form shall include, but not be limited to, the following information:

- A. Name, address, and telephone number of applicant and local agency, if any;
- B. Name, address, and telephone number of person in charge of filming on location;
- C. Filming locations(s), dates, and approximate daily call times of proposed filming activity;
- D. Description of scenes to be filmed including details of any filming activity employing firearms or replica firearms, explosives, the use of open flame, other pyrotechnical effects, animals, stunts, filming of moving motor vehicles, watercraft, or aircraft. The description must also include details of any amplified sound sources, times, and methods of illumination, or other annoying or hazardous activities;
- E. Description of the types and number of motor vehicles which will be parked on public roads, and description of any equipment to be placed on public property;
- F. Evidence of adequate required licenses and insurance certification;
- G. Any other information that the Community Development Director may require. (Prior code § 8894.2)

17.138.030 Permit Approval/Denial.

The application shall be approved or denied within two business days of receipt of the application, unless the proposed filming activity requires extensive notice or review by other City departments due to fire, traffic safety, environmental quality or other concerns. The film permit may be approved by the Community Development Director unless it is determined from consideration of the application or other pertinent information that any of the following conditions exist:

- A. The filming activity will substantially disrupt the use of a road at a time when it is usually subject to traffic congestion, or interfere with the operation of emergency vehicles in the proposed permit area;
- B. The location of the filming activity will substantially interfere with road maintenance work, or a previously authorized excavation permit, or other permit;

- C. The proposed permit location is on City property and the filming activity will substantially interfere with other previously authorized activities, contracts, or the safety of the public or City employees while on city property;
- D. The proposed permit location is on County property and the filming activity will substantially interfere with the conduct of city business adjoining that property or the scheduled maintenance of the City buildings or grounds;
- E. The filming activity creates a substantial risk of injury to persons or damage to property or a significant degradation of the environment;
- F. The applicant failed to complete the application after being requested to do so, or the information contained in the application is found to be false or misleading in any material detail;
- G. The particular filming activity would violate Federal, State, or local law, including licensing or permit requirements. (Prior code § 8894.3)

17.138.040 Permit Conditions.

The Community Development Director may condition the issuance of a film permit by imposing reasonable requirements concerning the time, place, manner, and duration of filming activities. Any conditions will be listed on “Terms and Conditions” to be attached to the permit. The following shall be included in the “Terms and Conditions” but not be limited to:

- A. Requirements for the presence of employees or agents of the City at the applicant's expense when required for the particular filming activity.
- B. Requirements concerning posting of no parking signs, placement of traffic control devices, and employment of traffic and crowd control monitors, including, but not limited to, local California Highway Patrol officers, at the applicant's expense.
- C. Requirements concerning posting of the outer boundaries of the filming activity, and providing advance notice to affected residents, property owners, and business owners.
- D. Requirements concerning the cleanup and restoration of City roads and other City property employed in the filming activity.
- E. Restrictions concerning the use of City employee services, vehicles, and other equipment in the filming activity.
- F. Requirements that the applicant pay all fees and obtain all permits and licenses required for the filming activity under local, State, and Federal law.
- G. Restrictions on the use of aircraft, firearms, pyrotechnics, explosives, amplified sound sources, lighting and other noise-creating, annoying or hazardous devices which may tend to disturb the peace.
- H. Restrictions on activity involving open flame, vehicle crashes, or hazardous material.
- I. Requirements concerning coverup of police, fire, and other official uniforms worn by actors, when the actors are not on camera.
- J. Restrictions on the daily hours the filming activity may be conducted within the City.
- K. Requirements concerning the posting of bonds or deposits to secure restoration or performance.
- L. The permit holder shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, ancestry, age, national origin, or physical handicap.
- M. The permit holder shall be bound by all local rules and regulations. (Prior code § 8894.4)

17.138.050 Fees.

- A. Applications for film permits shall be accompanied by application fees. The amount of the fees shall be established by the City Council by resolution or ordinance and shall reflect the cost to the City of reviewing,

approving, and enforcing film permits issued under this ordinance. The Community Development Director, at his or her discretion, may waive application fees for non-profit institutions and enterprises.

B. The applicant shall pay all costs incurred by the City in providing City employees to be present during filming activity. Said costs shall be calculated according to requirements for each Department involved. (Prior code § 8894.5)

17.138.060 Insurance Required.

The applicant for a film permit shall procure and maintain, for the duration of the film activity, insurance in the forms, types, and amounts prescribed by the Community Development Director and by the Fire Department. (Prior code § 8894.6)

17.138.070 Liability and Indemnification.

Prior to the issuance of film permit, the permit applicant must agree in writing to comply with the filming permit terms and conditions, as specified by the Community Development Director. (Prior code § 8894.7)

17.138.080 Intermittent Road Closures.

The applicant for a film permit may request that the City, in compliance with applicable law, authorize an intermittent interruption in traffic flow on public roads at the site of the filming activity. (Prior code § 8894.8)

17.138.090 Permit Revocation or Suspension.

The film permit may be suspended or revoked by the Community Development Director, Police Chief, Fire Chief, or their designees, or any park ranger in their area of jurisdiction, if the permittee, or any agents, employees, or contractors of the permittee, fail to comply with the requirements set forth in this ordinance, or with the conditions imposed on filming by the Community Development Director, if the Community Development Director determines, after the permit is issued, that the permit application was false or misleading in any material detail or that the public safety or welfare is being imperiled by the filming activity. (Prior code § 8894.9)

17.138.100 Notice.

The Community Development Director shall require proof of notice to be filed with the permit application. Notice in such cases shall be given to all occupants and owners of real property, located within 300 feet of the site of the proposed filming activity, as determined by the most recent assessor's tax roll. In the case of road closure or encroachment, notice shall also be given to occupants and owners of real property with no means of access except for the affected road. The Community Development Director may waive or modify this requirement if such notice is not necessary to protect the public health, safety, and general welfare. (Prior code § 8894.10)