

**ORDINANCE NO. 06-03**

**AN ORDINANCE OF THE CITY OF AZUSA,  
CALIFORNIA ADDING ARTICLE XXII TO CHAPTER 18  
OF THE AZUSA CITY MUNICIPAL CODE  
CONCERNING FILM PERMITS**

**WHEREAS**, the City of Azusa is often used as a backdrop for commercial film production due to our proximity to the San Gabriel Canyon, and San Gabriel River recreational areas, and the unique quality and character of many areas in the community; and

**WHEREAS**, the "Uniform Film Permit Act" commencing with Section 14999.20 et seq. California Government Code encourages the adoption of uniform film permit procedures throughout the state.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AZUSA DOES  
ORDAIN AS FOLLOWS:**

**SECTION 1.** Chapter 18, Article XXII, entitled Film Permits is hereby added to the Azusa Municipal Code to read as follows:

**ARTICLE XXII. FILM PERMITS**

**Sec. 18-1300 Chapter Purpose**

The purpose of this chapter is to implement provisions of the "Uniform Film Permit Act" as codified in Section 14999.20 et seq California Government Code and to establish a uniform process for the permitting of commercial film activities in the City of Azusa as defined.

**Sec. 18-1301 Definitions**

As used in this chapter:

"Charitable films" means commercials, motion pictures, television, video tapes, or still photography produced by a nonprofit organization which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the charitable film or from showing the films, tapes or photos.

"Filming activity" means the filming, videotaping, digitally capturing, photographing or other similar process conducted for the making of motion pictures, television programs, commercials and non-theatrical productions.

“Film permit” means written authorization from the City of Azusa to conduct the filming activity described in the permit.

“News purposes” means a filming activity conducted for the purpose of reporting on persons or events which are in the news for television and other reporting services.

“Studio” means an approved place of business where filming activities are conducted entirely upon the premises.

**Sec. 18-1302 Permit required**

It is unlawful to conduct a filming activity as defined in Section 18-1304 without first obtaining a film permit from the City of Azusa.

**Sec. 18-1303 Permit Exemptions**

The provisions of this chapter shall not apply to any of the following activities:

- A. Film activities conducted for news media purposes.
- B. Filming activities conducted in a studio.
- C. Filming activities conducted for criminal investigation or civil or criminal court proceedings.
- D. Filming or video taping of motion pictures solely for private family or personal use.
- E. Filming or video taping by charitable organizations.

**Sec. 18-1304 Application form**

The permit application shall be on a form furnished by the City of Azusa. Such form shall request the following information:

- A. The name, business address and telephone number of the applicant or duly authorized representative, and, if available, of the director, assistant director, unit production manager, or location manager;
- B. The name and address of the individual or production company to whom the permit is to be issued;
- C. The type of the production or project;
- D. The date(s), time(s), and locations(s) (including preparation and striking days);
- E. A brief description of the proposed filming activity, including any other activity that would affect the use of public facilities in the area;
- F. An estimate of the number of individuals in cast and crew;

- G. An estimate of the types and number of vehicles;
- H. If an applicant intends to use either wild animals, chemicals, explosives or fire, or intends to engage in any other hazardous activity, a statement to that effect;
- I. Any additional information the city deems necessary.

**Sec. 18-1305 Deadline for Filming Applications**

Applications for a filming permit must be filed within the time limits set forth in Section 18-1307 in advance of the time that the proposed filming activity is to commence.

Application deadlines may be waived for good cause by the City Manager or his/her designee if there is sufficient time remaining to process the application, and for the City to prepare for the requested filming activity.

**Sec. 18-1306 Permit approval or denial**

A. The application for a film permit shall be approved or denied within the following time periods:

- 1. Within seven (7) calendar days of receipt of a completed application for approval and issuance of a permit for filming entirely on private property without city services.
- 2. Within fourteen (14) calendar days of receipt of a completed application for approval and issuance of a permit requiring traffic control, street closure of any kind, involves vehicle stunts, or use of pyrotechnics.

B. The film permit shall be approved by the City unless it is determined from consideration of the application or other pertinent information that any of the following conditions exists:

- 1. The filming activity will substantially interfere with the operation of emergency vehicles in the proposed permit area.
- 2. The filming activity creates a substantial risk of injury to persons or property.
- 3. The applicant failed to complete the required application form or the information contained in the application is found to be false in any material detail.
- 4. The particular filming activity would violate federal, state, zoning and/or film permit requirements.

C. When the grounds for permit denial can be corrected by imposing reasonable permit conditions, the City shall impose such conditions rather than deny the permit.

D. When street closure is required any affected street shall be posted a minimum of 24 hours in advance of closure. The police department and City Engineer shall approve all signs providing notice of closure.

**Sec. 18-1307 Permit Conditions**

The City may condition the issuance of a filming activity permit by imposing reasonable requirements concerning the time, place and manner of filming activities, including but not limited to the following:

- A. Requirements for the presence of Police, Fire, Public Works, Building, Parks personnel, and any other appropriate City employees when required for the particular filming activity at the applicant's expense.
- B. Requirements concerning the posting of NO PARKING signs and the placement of other traffic control devices at the applicant's expense.
- C. Restrictions on the use of gunfire, explosives and any other activities which generate substantial noise or are determined by the City to be hazardous;
- D. Restrictions on the hours of filming activity;
- E. Requirements concerning notice to affected property owners concerning the manner, time and place of filming activities.

**Sec. 18-1308 Duties of the permittee**

- A. Each permittee shall comply with all terms and conditions of the permit. Failure to comply with all permit terms and conditions is grounds for permit revocation by the City Manager.
- B. Each permittee shall clean and restore all city owned property utilized in the filming activity.
- C. The person in charge of the filming activity shall retain a copy of the film permit on location.

**Sec. 18-1309 Designated film representative**

In accordance with Government Code Section 14999.20(a), the City Council herein designates the City Manager or his/her designee as the Designated Film Representative, to coordinate issuance of film permits, assist in attracting motion picture production and expedite the processing of all permits for motion picture, television and commercial filming within the City.

**Sec. 18-1310 Change in filming date**

Upon reasonable notice by the permittee in advance of the filming activity, the City Manager or his/her designee is authorized to change the date for which the film permit has been issued without requiring a new application or payment of an application fee.

### **Sec. 18-1311 Indemnification and liability**

Prior to the issuance of a film permit, the applicant must submit an indemnification agreement, on a form approved by the City Attorney, in which the permittee agrees to defend, indemnify and hold-harmless the City, its officers, agents or employees from all claims and liability resulting from the filming activity or issuance of the film permit.

### **Sec. 18-1312 Insurance**

A. The applicant for a film permit must possess or obtain liability insurance to protect against loss from liability imposed by law for damages in the following amount:

1. One million dollars (\$1,000,000.00) combined single limit coverage for bodily injury and/or property damage;
2. One million dollars (\$1,000,000.00) automobile liability.

The City, its officers, agents and employees shall be named as additional insured.

B. A copy of the required insurance policy or a certificate of insurance with all necessary endorsements must be filed with the City Manager or his/her designee prior to the commencement of filming activity, unless the City Manager or his/her designee for good cause waives the filing deadline.

### **Sec. 18-1313 Schedule of fees and service charges**

All fees and charges associated with the issuance and regulatory costs of film permits shall be set forth in the Schedule of Fees and Charges adopted annually by separate resolution of the City Council.

### **Sec. 18-1314 Violation; penalty.**

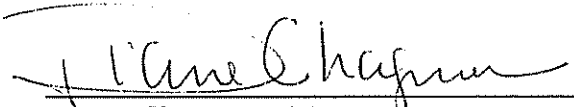
A. Any person, firm, or corporation preparing to conduct filming, is in the process of filming, or employed or contracted with a film company engaged in filming activity or related services without first obtaining a permit is guilty of a misdemeanor.

B. Any person, firm, or corporation that fails to comply with any condition set forth in an approved film permit is guilty of an infraction.

C. In addition to any criminal penalty, and notwithstanding the Administrative Penalty amounts set forth in Section 1-24 Azusa Municipal Code under separate resolution of the City Council, any person, firm, or corporation shall be subject to an administrative penalty of \$1,000 per day for violations deemed a misdemeanor, and \$500 per day for violations deemed an infraction. Administrative penalties shall be imposed pursuant to provisions set forth in Section 1-25 Azusa Municipal Code.

**SECTION 2.** The City Clerk shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED AND ADOPTED** this 3<sup>rd</sup> day of April, 2006.

  
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Diane Chagnon, Mayor


STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )SS.  
CITY OF AZUSA                    )

I, Vera Mendoza, City Clerk for the City of Azusa, do hereby certify that the foregoing Ordinance No. 06-03, was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 20<sup>th</sup> day of march 2006, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 4<sup>th</sup> day of April, 2006, by the following vote to wit:

AYES:            COUNCILMEMBERS: HARDISON, CARRILLO, ROCHA, HANKS, CHAGNON

NOES:            COUNCILMEMBERS: NONE

ABSENT:         COUNCILMEMBERS: NONE

  
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Vera Mendoza, City Clerk