

Chapter 4.65

FILM PERMITS

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4.65.010 Definitions.

- (a) "City" means the City of La Mirada.
- (b) "City Council" means the City Council of the City of La Mirada.
- (c) "City Manager" means the City Manager of the City of La Mirada, or designee.
- (d) "Commercial filming" means motion picture, television, still photography at the same location more than six days out of a period of 90 consecutive days for any purpose other than news purposes.
- (e) "County" means the County of Los Angeles, California.
- (f) "Director" means the Finance Director or designee.
- (g) "Limited filming" means motion picture, television, still photography at the same location for six or fewer days out of a period of 90 consecutive days.
- (h) "Motion picture, television, still photography" means and includes all activity of staging or shooting commercial motion pictures, television shows or programs, and commercials in any medium including film, tape or digital format.
- (i) "News purposes" means the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or cameramen, and which are intended for broadcast within 24 hours after the event.
- (j) "Noise disturbance" means any sound which:
 - (1) Endangers or injures the safety or health of humans or animals; or
 - (2) Annoys or disturbs a reasonable person of normal sensitivities; or
 - (3) Endangers or injures personal or real property.
- (k) "Permit Review Board" means City of La Mirada staff appointed by the City Manager to review and process business permits.
- (l) "Person" means any individual, firm, corporation, association, group or combination acting as a unit, nonprofit entity, or government agency.
- (m) "Student" means a person studying motion picture, television, and/or still photography at a school or college and who can provide proof of enrollment.
- (n) "Studio" means a fixed place of business where filming activities are regularly conducted upon the premises.

(Ord. 688 § 2, 2017)

4.65.020 Filming - Permitted Zones.

- (a) Limited filming shall be permitted in all zones, subject to a film permit.
- (b) Commercial filming shall be permitted in Commercial and Industrial Zones, subject to a film permit.
- (c) Commercial filming shall be permitted in Residential Zones, subject to written permission by 75% of the property owners or residents within a 300 foot radius of the proposed film location property lines, and subject to a film permit.

(Ord. 688 § 2, 2017)

4.65.030 Commercial or Limited Filming - Film Permit Required.

- (a) A film permit shall be required for commercial or limited filming on private property within the City.
- (b) A film permit shall be required for commercial or limited filming on any City street, alley, sidewalk, park, off-street parking facility, public right-of-way or other public property.
- (c) All filming on any publicly owned property within City boundaries that is not owned or controlled by the City shall require written permission and any applicable permits from the public entity that has jurisdiction over that property. A public entity can include, but is not limited to, a school district, community college district, county or state agency, and the California Department of Transportation.

(Ord. 688 § 2, 2017)

4.65.040 Exemptions to Film Permit Requirement.

The provisions of this chapter shall not apply to filming for the following purposes:

- (a) News purposes, provided that filming is for less than six days out of a period of 90 consecutive days at substantially the same location;
- (b) Private family use;
- (c) Criminal investigations, civil proceedings or emergencies such as fires, flood or police actions;
- (d) Education, government and public access and local original programs for cable television systems franchised within the City;
- (e) Filming by the City itself;
- (f) Filming that is being conducted on private property, completely inside an enclosed building or structure, and that is not viewable from adjoining public or private property, with a cast and crew of four or fewer people, involving two or fewer motor vehicles in connection with the filming, and not involving pyrotechnics, use of hazardous materials, open flames, special effects smoke or use of vehicles inside buildings associated with the filming; however, a complete film permit application shall be submitted as provided for, with no fee required, and such filming shall nonetheless comply with this chapter;
- (g) Filming conducted entirely inside a studio;
- (h) Filming by a student as part of a class in which the student is currently enrolled, shall be subject to the film permit requirements but are exempt from any and all fees pursuant to this chapter; and
- (i) Filming conducted inside a city facility where a rental agreement has been obtained.

(Ord. 688 § 2, 2017)

4.65.050 Film Permit Application.

Any person desiring to use any public property or facility or any private property for commercial or limited filming shall file an application for a film permit with the Director, on a form furnished by the City, not less than 30 days before the date on which such person desires to conduct filming. The permit application shall include the permit fee established by a resolution of the City Council, which fee shall not exceed the reasonable estimated costs of administering the film permit application process and the requirements of this chapter. The Director may use discretion and waive the requirement that applications be filed no less than 30 days prior to the date on which the filming is to be conducted. The following information shall be included in the application, and the application shall be signed under penalty of perjury:

- (a) The name and address of business.
- (b) Name, address, phone number and email address of the business owner and any representative(s).
- (c) Proposed film location address(s).
- (d) Proposed hours and dates such filming will occur.
- (e) General statement of the character or nature of the filming.
- (f) The exact number of personnel to be involved.
- (g) The exact number, description and license numbers of vehicles to be used at the filming location.
- (h) General description of the equipment and any sets to be used.
- (i) Property owner's written permission, consent, and/or lease for use of property not owned or controlled by the City.
- (j) Copy of insurance endorsement, naming the City as an additional insured, in such form and with such limits as required by the City's risk manager.
- (k) Signed indemnification form.
- (l) Any additional special circumstances.

(Ord. 688 § 2, 2017)

4.65.060 Film Permit Conditions.

The Director may impose conditions and/or require guarantees for the film permit to ensure compliance with this section and other applicable provisions of this Code, and to prevent adverse or detrimental impacts to the City. This shall include reimbursement to the City for any personnel provided to the applicant (e.g., police, fire, or other staff) for the purpose of assisting the production. Notwithstanding the foregoing, anyone conducting filming in the City shall be in violation of this chapter if the Director determines that, at any time during the term of the film permit, the permittee, or anyone acting on behalf of, or with the consent of, or under the supervision of, the permittee, engaged in any of the following:

- (a) Any activity or failure to act constituting a violation of any applicable local, state, or Federal law, statute, or regulation, including the provision of workers compensation for all employees;
- (b) Any activity creating any noise disturbance, as defined;
- (c) Any activity generating any public complaint and resulting in a second police response;
- (d) Any activity without possessing a permit or license required by any other provision of this Code.

(Ord. 688 § 2, 2017)

4.65.070 Film Permit - Decision to Grant, Conditionally Grant or Deny.

(a) The Director shall investigate and grant, conditionally grant, or deny an application for a permit within the time limits set forth in this section.

(b) The Director shall determine the completeness of an application within five working days of its submittal to the City. If the Director determines that the application is not complete, he or she shall notify the applicant in writing that the application is not complete and the reasons therefor, including any additional information necessary to render the application complete. Such notification by the Director may be sent by electronic mail, hand delivery, facsimile, or deposited in the U.S. mail or postage prepaid.

(c) Within five working days following receipt of an amended application or supplemental information, the Director shall determine whether the application is complete in accordance with the procedures set forth above. If an amended application is not filed with the City within 15 days of the date of the notice to the applicant, the application shall be deemed to have been withdrawn and the applicant will be required to submit a new application to the City.

(d) Upon receiving a complete application, the Director shall direct City staff to conduct an investigation to determine whether the facts set forth in the application are true and correct, and whether the film permit shall be approved. The investigation shall include consultation with the Permit Review Board.

(e) The Director shall render a written decision within 15 calendar days of the submission of a deemed-complete application. Once a decision is made the applicant shall be notified in writing forthwith.

(f) Additional time, beyond what is provided for in this section, may be requested by the film permit applicant to amend an incomplete application. Reasonable or justifiable extensions of time shall be granted, up to 30 days. Extensions of time sought by applicants shall not be considered a delay on the part of the City or constitute failure by the City to provide for prompt decisions on applications.

(g) A film permit may be denied for the following reasons:

- (1) A complete application is not submitted;
 - (2) The applicant, or his or her predecessor, employer, or agent, has been convicted of violating any of the provisions of this chapter during the preceding twelve months;
 - (3) The applicant has failed to submit the required fees;
 - (4) The applicant has failed to obtain any necessary permits or written permissions;
 - (5) The City has already issued a filming permit for a location, date, and/or time that conflicts with the applicant's request;
 - (6) If the City deems the proposed filming to be a potential threat to the public health, safety, and general welfare of the residents of La Mirada; or
 - (7) The applicant has misrepresented a material fact in the application.
- (h) If the permit is denied, the written decision shall state the reasons for the denial.

(Ord. 688 § 2, 2017)

4.65.080 Film Permit Denial - Appeal.

(a) Any person aggrieved by the Director's decision shall have the right to appeal the decision to the City Manager. An appeal must be in writing and submitted within ten calendar days from the date of the denial of the filming permit, along with the appeal fee, in the amount set forth by resolution of the City Council.

(b) The City Manager shall set a hearing within ten days from the date the written request is received by the City.

(c) The formal rules of evidence shall not apply at the hearing. All relevant evidence may be considered, and the hearing officer has the discretion to exclude evidence if he or she finds such evidence to be irrelevant or needlessly repetitive. The hearing officer has the authority to cut off presentation of evidence if he or she reasonably believes that the evidence being presented is irrelevant or needlessly repetitive.

(d) After considering all of the testimony and evidence submitted at the hearing, the City Manager shall issue a written decision to grant, conditionally grant, or deny the permit and shall list in the decision the reasons for that decision. The decision of the City Manager shall be final.

(e) The City Manager's written decision shall be served on the appellant within five calendar days from the date of the hearing by mailing to the appellant by certified mail, return receipt requested, via the U.S. mail. Service of the City Manager's decision shall be deemed to have been completed on the date of mailing.

(Ord. 688 § 2, 2017)

4.65.090 Film Permit Revocation.

(a) Any film permit issued pursuant to the provisions of this chapter may be revoked summarily by the Director, pending a hearing if requested, upon the occurrence of any of the following:

(1) Filming or related activity has been conducted in a manner which violates one or more of the conditions imposed upon the film permit, including failure to conform to the plans and procedures described in the application, or violation of the occupant load limits or other restrictions established by the Los Angeles County Fire Department;

(2) The permittee has failed to obtain or maintain all required City, County and state licenses and permits;

(3) The permit is being used to conduct an activity other than that for which it was issued, or the permittee or anyone acting on behalf of the permittee, has engaged in any illegal conduct;

(4) The permittee has misrepresented a material fact in the application;

(5) Private property owner(s) and/or tenant(s) on whose property the filming was permitted have withdrawn consent to the filming.

(b) The Director shall advise the permittee of the basis or bases for the revocation.

(c) The permittee may appeal the revocation decision, in writing, to the City Manager, who shall hold an appeal hearing within 48 hours, or as soon thereafter as is reasonably convenient.

(d) The City Manager shall issue his or her decision to uphold the permit revocation or reinstate the permit, with or without conditions, on the next business day following the hearing. The City Manager's decision shall be in writing and shall be final. Such written decision shall include findings upon which the decision is based.

(Ord. 688 § 2, 2017)