

City of Rocklin

APPLICATION FOR COMMERCIAL PHOTOGRAPHY/FILMING PERMIT

1. PURPOSE

A. The permit is to be issued for the taking of commercial motion pictures, television pictures, charitable films or commercial still photography on public or private property within the City of Rocklin.

B. The permit is not required for news media or the filming or video taping of motion pictures solely for private use by individuals or families as specified under Section 501 (c)(3) of the Internal Revenue Code.

2. PREAPPLICATION AND DETERMINATION OF CATEGORY

The applicant shall arrange a preapplication meeting with the Management Analyst in the City Manager's office at an early point in the process to determine whether the filming activity would be exempt from the permitting process, would qualify for an "Administrative Special Event" permit or would require a "Special Event Permit" to be approved by the City Council. The purpose of the preapplication meeting is to expedite the application processing by enabling Staff to work with the applicant to assure that the applicant fully understands the information to be submitted with the application and that initial City concerns may be discussed. The pre-application meeting can be conducted over the phone.

3. APPLICATION

A. Application for filming on public or private property shall be made on the City approved application form, with the attachments specified in RMC 17.63, including but not limited to the following:

1. Detailed description of the location for the filming, which may include a map drawn to scale showing lot lines and dimensions, ingress and egress points, improved areas, grading if applicable, parking, traffic control locations, any use of public rights of way, number of people involved in the operation (including anticipated spectators), security provisions, building use description and special information pertinent to the filming event.

2. Fee in an amount determined by City Council resolution for Special Events.

3. Written authorization of the subject property owner or his/her designated representative agreeing to the filming.

4. The names and mailing addresses of the property owners as shown on the current County equalized assessment roll for properties within 600 feet of the special event site. (This list can be waived by the Community Development Director.)
5. A written explanation of the nature and duration of the special event.
6. Such additional information as the planning director may require.

4. PUBLIC PROPERTY:

A. City Manager and City Council Review

Activities that are to be conducted on public property shall be processed by the City Manager, using the criteria outlined below and conditions contained in Section 6. The applicant shall request a pre-application meeting with the City Manager. The meeting may be attended by other City Department Heads who may have interest in the requested application as determined by the City Manager.

In reviewing the application the City Manager shall determine whether the specific request will require final approval by the Rocklin City Council.

B. Liability Insurance

1. Applicant shall maintain in full force and effect a policy of commercial general liability insurance (ISO occurrence form CG0001) fully covering the activities described in the application with limits as set by the City Manager or Community Development Director. A typical limit could be one million dollars (\$1,000,000.00) per occurrence for bodily injury, personal injury and property damage. If a general aggregate limit is used, either the general aggregate limit shall apply separately to the application or the general aggregate limit shall be twice the required occurrence limit.
2. The policy shall be endorsed to provide the following:
 - a) City, its officers, employees, agents and volunteers shall be added as "insured";
 - b) Applicants' insurance coverage shall be primary as to City, its officers, employees, agents and volunteers, and City's insurance or self-insurance coverage shall be excess of applicant's insurance and shall not contribute with it;

c) Applicants' insurers shall provide City at least 30 days prior written notice of material changes to or cancellation of insurance policy, or a reduction in limits below the minimums required by the application;

3. The insurance shall be maintained from the time the filming or associated activity first commences until completion of the activity described in the application.

4. The insurance company or companies providing applicant coverage as required by the application shall be admitted in the State of California and have a current A.M. Bests rating of no less than A:VII or the equivalent.

5. Concurrent with the execution of the application, the applicant shall furnish City a fully completed certificate of insurance for the type of coverage required, signed by an authorized representative of the carrier. The certificate of insurance and endorsements shall be on approved City forms (see attached).

C. Workers Compensation Insurance

Applicant must conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.

D. Hold Harmless Agreement

1. Applicant shall agree to and shall defend, indemnify and hold harmless the City, its officers, employees, agents and volunteers, from and against any and all liability, loss, damage, expense, costs (including without limitation, costs and fees of litigation) of every nature arising out of or in connection with the event which is the subject of this application, except such loss or damage caused by the sole negligence or willful misconduct of the City.

2. The Applicant shall pay and satisfy or shall cause to be paid and satisfied, any judgment decree, order, directive, or demand rendered, made or issued against applicant, or the City, its officers, employees, agents or volunteers. Such indemnity and defense shall exist and continue without reference to, or limitation by, the amount of any bond, policy of insurance, deposit, undertaking or other insurance required hereunder or otherwise.

5. PRIVATE PROPERTY

A. Exempt Filming Categories

1. Project can be considered exempt in accordance with Section 17.63.010 of the RMC if in the opinion of the Community Development Director the following criteria are met:

- a) The filming is to be conducted entirely on private property;
- b) There is no potential adverse impact, including traffic, noise, parking, or lighting on adjoining properties. This includes nuisances that could occur from the gathering of spectators attracted to the filming;
- c) A minimal duration of the filming.

2. The determination that a filming project is exempt shall occur within 5 days of receipt of the application.

B. Administrative Filming Permit

1. Project can be processed under the Administrative Review procedures in accordance with Section 17.63.020 of the RMC if, in the opinion of the Community Development Director, impacts on surrounding properties and rights of way are minimal. In making that determination impacts on the following shall be considered:

- a) Parking;
- b) Duration and frequency of filming activity;
- c) Nuisance issues (dust, noise, odor, traffic);
- d) Traffic circulation;
- e) Public safety;
- f) Lighting;
- g) Attendance (including anticipated spectators);
- h) Clean-up;
- i) Location;
- j) Special effects to be used, including pyrotechnics;
- k) Public notice requirements;
- m) Other

2. Permitting process shall be the same as that for an Administrative Special Event Permit as outlined in Section 17.63.070 of the RMC. The determination by the Community Development Director shall be made within 10 days of receipt of the application, followed by a ten day appeal period where applicable.

C. City Council Review

Project can require review and approval by the Rocklin City Council in accordance with Section 17.63.030 of the RMC if, in the opinion of the Community Development Director, impacts on surrounding properties and rights of way are substantial. Upon determination by the Community Development Director that City Council review is required, a public hearing shall be held in accordance with Special Event requirements as outlined in Section 17.63.70 B. of the RMC.

D. Findings

The decision to grant a filming permit shall be based on a finding by the decision maker or the decision making body that the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed filming, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City.

6. CONDITIONS OF APPROVAL.

A. The following conditions shall be required of all filming permits on public or private property:

1. Property owner(s)' permission, consent, and/or lease for use of property not owned or controlled by the City is required;
2. Clean Up: The applicant shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the clean up of trash and debris. The area used shall be cleaned of trash and debris upon completion of shooting at the scene, and the location shall be restored to its original condition unless property owner agrees to leave the property in this altered state prior to the applicant's leaving the site.
3. Costs: Applicant shall assume and reimburse the City for any and all costs and expenses determined by the City to be unusual or extraordinary and related to the activity for which the permit is sought. These costs may include, but not be limited to:
 - a) The cost of providing, erecting and moving barricades and/or signs;
 - b) The cost of providing and moving garbage or waste receptacles;

c) The cost of City personnel who are required to work overtime hours or other than a regular shift to perform duties as a result of the permitted activity.

4. Inspection: The City shall have the right to inspect the premises covered by the permit at all times.

B. In addition to the above, the decision maker or decision making body may condition the granting of a Filming Permit as necessary to protect the public health and safety and to effect the purpose of this entitlement. Such condition may include, but are not limited to, the following:

1. Fire and pyrotechnics: Any use of fire or pyrotechnics must be described in the permit application, and safety measures shall be taken to the satisfaction of the Fire Chief;

2. Stunts and special effects: Information about any stunts or unusual special effects shall be included in the permit application, and measures to assure the safety and welfare of the community shall be taken, to the satisfaction of the Police Chief and the Fire Chief;

3. Sanitary Provisions: The application shall contain any information required about the provision of sanitary facilities if the filming operation is of a scale that would require them, to the satisfaction of the Community Development Director and/or the City Manager;

4. Street blockage or closure: In the event a street blockage or closure is necessary to carry out the activity being requested, applicant must submit a plan for barricade placement as part of the permit. All streets shall be maintained accessible to all emergency equipment at all times. The applicant must also obtain permission to string cable across sidewalks or from generator to service point;

5. Security provisions: Any specific security provisions, including but not limited to, protection of personnel and equipment of the filming operation, traffic control, crowd control or any other specific security provision associated with a filming event shall be provided by the applicant, and all costs relating to such security shall be borne by the applicant, to the satisfaction of the Police Chief;

6. Faithful performance bond: To insure cleanup and restoration of the site, applicant may be required to post a faithful performance bond in the form acceptable to the City Attorney, and in an amount to be determined by the Community Development Director at the time the application is approved.

Upon completion of filming, inspection of the site and acceptance of the clean-up by the City, the bond shall be released;

7. Regulation of the placement of the filming operation or equipment associated with the filming: Information about the location of the filming activity and the placement of specific equipment associated with the filming, including, if necessary, a description of any special equipment required in conjunction with the filming, shall be included in the application. The City may place specific conditions on the location and placement of the equipment and the filming operation to protect the health and welfare of the community;

8. Regulation of the nature, hours, and extent of the proposed filming: The City may, as a condition of approval, regulate the nature, the hours and other specifics of the proposed filming, based on information contained in the application, in order to protect the health and welfare of the community;

9. Noise: The City may require noise attenuation measures, if appropriate;

10. Other: The City may impose other conditions deemed appropriate by the decision maker for the particular filming to occur within the City to protect the health and welfare of the neighborhood.

7. VIOLATION

No alteration or variation of the terms of the permit shall be valid unless made in writing and approved by the City. If the applicant violates any provision of the permit, the City may cancel the permit without notice.

8. OTHER

The applicant shall agree to comply with all the rules and regulations of the facility or institution subject to the permit. The permit shall not be assigned, and shall be kept on the site at all times.

9. APPLICANT'S ENDORSEMENT

I have read and will abide by the above provisions.

Signature _____ Date _____

CITY OF ROCKLIN
PHOTOGRAPHY/FILMING PERMIT
COMMUNITY DEVELOPMENT
3970 Rocklin Road
Rocklin, California 95677
(916) 625-1560
FAX (916) 625-5195

Date: _____ Location Manager: _____
Company: _____ Telephone: _____
Address: _____ Production Manager: _____
_____ Telephone: _____
Telephone: _____ Other Contact: _____
Project Title: _____ Telephone: _____

| FILMING SCHEDULE | | | |
|------------------|------|-----------------------|--------|
| Date | Time | Location and Activity | F/C/S* |
| | | | |
| | | | |
| | | | |
| | | | |

*Film/Construct/Strike _____ Attach Map or Diagram
Total Personnel: _____ Total Vehicles/Equipment: _____
Generators: _____ Cars: _____ Trucks: _____ Motorhomes: _____ Other: _____
Pyrotechnics: _____ State Issued Special Effects Permit
#: _____
Pyrotechnician: _____ License #: _____
This permit to apply for the period from: _____ to: _____
Parking requirements (specify): _____
Size of spectator crowd: _____
Method of crowd control: _____

- Attachments
- Barricade Plan
 - Location/Activity Diagram
 - Fire/Pyrotechnics Plan
 - Certificate of Insurance
 - Signed Application

Approved Denied Approved with conditions

Conditions: _____

Performance Bond Submitted \$ _____

City Manager

Date

Community Development Director

Date

=====

FOR INTERNAL USE ONLY:

- cc: Community Development Director
 Chief of Police
 City Attorney
 Fire Chief
 Risk Management Director
 Economic Development Manager
 Director of Administrative Services
 City Engineer
 Public Works
 Public Transportation Authority
 Post Office
 Solid Waste Contractor
 Applicant
 Other: _____

| | |
|----------------------------|----|
| Date Received: | |
| _____ | |
| Performance Bond Released: | |
| _____ | |
| Date | \$ |
| Fee Collected: | |
| _____ | |