

TITLE 6: BUSINESS REGULATIONS AND LICENSES

CHAPTER 7. - FILM PERMITS

Section 6.07.010 - Definitions.

- A. Motion Picture, Television, Still Photography, Video, and/or Digital Film shall mean and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, and commercials.
- B. Charitable Films shall mean commercials, motion pictures, television, digital video, or still photography, or other medium 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 film or from showing the films, tapes or photos.
- C. News Media shall mean the photographing, filming (by any medium) for the purpose of spontaneous, unplanned television news broadcast by reporters, photographers, or camera operators.
- D. Business Day shall mean any day the County of Nevada is regularly open for transactions with the public.
- D.E. Studio shall mean a fixed place of business certified as such by local fire authorities having jurisdiction, if required, where filming activities (motion or still photography) are regularly conducted on the premises.

(Ord. 2522. (04/18/2023))

Section 6.07.020 - Permits and Exemptions.

- A. Permit required. No person shall use any County property or public rights-of-way for the purpose of taking ~~commercial motion pictures or television pictures or commercial still photography~~ motion pictures, television, commercials, digital content, or still photography for commercial use, without first applying for and receiving a permit from the officer designated by the County of Nevada. A separate Encroachment Permit is required for any work within public road, street, or highway right of way.
- B. Exemptions.
 - 1. News media: The provisions of this Chapter shall not apply to or affect reporters, photographers, or camera operators in the employ of a newspaper, television station, news service, or similar entity engaged in on-the-spot print media, publishing, or broadcasting of news events concerning those persons, scenes, or occurrences which are in the news

and of general public interest.

~~2. Photographing, filming, digital or video recording solely for non-commercial use or where the project budget is less than twenty-five thousand dollars (\$25,000.00).~~

~~3. Charitable films:~~

2. Personal/Family Video: The recording of visual images (motion or still photography) solely for private personal use, and not for commercial use.

3. Studio Filming: Filming Activities (motion or still photography) conducted at a studio.

(Ord. 2522. (04/18/2023))

Section 6.07.030 - Rules and Regulations.

The issuing authority is hereby authorized and directed to promulgate rules and regulations, including forms and applications, subject to the review and approval of the appropriate designated representatives of public works and general services, sheriff, county counsel, and risk management, governing the form, time and location of any film activity set forth within the county.

A. Change of Date. Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued provided established limitations are complied with in respect to time and location.

B. Rules. The designated County Film Liaison is hereby authorized and directed to promulgate rules and regulations, ~~subject to approval by resolution of the Board of Supervisors,~~ relating to the time and location of any film activity set forth within the County of Nevada. They shall also provide for the issuance of permits. The rules and regulations shall be based upon the following criteria:

1. The health and safety of all persons.

2. Avoidance of undue disruption of all persons within the affected area.

3. The safety of property within the County.

4. Traffic congestion at particular locations within the County.

5. Avoidance and/or mitigation of environmental or sensitive areas or resources.

4.6. Sufficient advance notice of filming activities is provided to the public for the purpose of minimizing unanticipated disruptions to public use.

(Ord. 2522. (04/18/2023))

Section 6.07.040 - ~~Applications and Permit~~ Issuance.

- A. Issuing Authority. The issuing authority shall be the County of Nevada.
- B. ~~Applications~~~~Permits~~. ~~Permit a~~Applications shall be completed and filming/~~;~~ photography shall not commence until a permit is approved by the County of Nevada.
- ~~C. No use fees are required.~~
- ~~D. Reimbursement for Personnel. The production company shall reimburse the County for any personnel provided to the company (i.e., sheriff, fire, traffic control) for the purpose of assisting the production.~~

(Ord. 2522. (04/18/2023))

Section 6.07.050 - Liability Provisions.

- A. *Liability Insurance*. Before a permit is issued, a certificate of insurance will be required naming the County as co-insured for protection against all claims for personal injuries, wrongful deaths, and property damage. The certificate shall not be subject to cancellation or modification until after thirty (30) days written notice to the County and must remain valid during the term of the permit. A copy of the certificate will remain on file.
- B. *Workers' Compensation Insurance*. An applicant shall conform to all applicable Federal and State requirements for Workers' Compensation Insurance for all persons operating under a permit.
- C. ~~Indemnification~~~~Hold Harmless~~ Agreement. An applicant shall execute an indemnification-hold-harmless agreement as provided by the County prior to the issuance of a permit under this Chapter.
- D. *Faithful Performance Bond*. To ensure clean-up and restoration of the site, an applicant may be required to post a refundable faithful performance bond (amount to be determined) at the time the application is submitted. Upon completion of filming and inspection of the site by the designated County officer, the bond may be returned to the applicant.

(Ord. 2522. (04/18/2023))

Section 6.07.060 - Violation.

If an applicant violates any provision of this ~~Chapter article~~ or a permit issued pursuant thereto, the County may ~~cancel~~provide the applicant with written notice of such violation. If the applicant fails to correct the violation, the county may revoke the permit and all activity must cease. the permit immediately. Violation of the terms and conditions of the film permit is considered a misdemeanor. ~~The County of Nevada reserves the right to pursue all other remedies available and necessary under the~~

circumstances.

(Ord. 2522. (04/18/2023))

Section 6.07.070 - Film Liaison Position.

The Board of Supervisors or County Executive Officer may designate a member of the County's staff as a County Film Liaison. Subsequent to such designation, all permit requests shall be submitted to said County Film Liaison for approval and said County Film Liaison shall have the authority to issue permits as set forth in this Chapter.

Section 6.07.0780 - Filming Regulations.

- A. Advance Notice for Approval. An applicant will be required to apply submit for a film permit request at least onethree (13) business days prior to the date on which such person desires to conduct in advance of an activity for which a permit is required. No person or entity shall engage in any filming activity without having first obtained an approved film permit. If such activity interferes with traffic or involves potential public safety hazards, an application may be required at least four ten (410) business days in advance.
- B. Clean-Up. The permittee 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 restored to the original condition before leaving the site.
- C. Filming on Private Property. An applicant is required to obtain the property owner's permission, consent and/or lease for use of property not owned or controlled by the County of Nevada.
- D. Flood Control. When filming in a flood control channel, an applicant must vacate the channel when indicated by the permit because of water releases. When filming in or on flood control properties, the County of Nevada must be named as an additional insured.
- E. Use of Streets and Highways. If the applicant mustAny use of public streets, roads and/or highways for any part of filming, park equipment, trucks and/or cars in zones that will not permit it, temporary "No Parking" signs must be posted by the County. such temporary storage must be at least eight (8') feet off of the county-maintained road. If the minimum offset cannot be met, the applicant must apply for an will require an Encroachment Permit.
- F. Traffic Control. For filming that would impair traffic flow, an applicant must use California Highway Patrol (CHP), County Sheriff, or local law enforcement personnel and comply with all traffic control requirements deemed necessary.

1. An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the Manual of Traffic Controls, State of California, Department of Transportation. All appropriate safety precautions must be taken.
 2. Traffic may be restricted to one (1) lane of traffic and/or stopped intermittently. The period of time that traffic may be restricted will be determined by the County of Nevada based on location.
 3. Traffic shall not be detoured across a double line without prior approval of the appropriate department representative.
 4. Unless authorized by the County of Nevada, the camera cars must be driven in the direction of traffic and must observe all traffic laws.
 5. Any emergency road work or construction by County of Nevada crews and/or private contractors under permit or contract to the appropriate department shall have priority over filming activities.
- G. Campfires. When a scene requires a fire or campfire, a gas jet must be used. No fires other than gas jets will be allowed unless the area is equipped with fire rings. All local, State, and Federal fire regulations shall be observed.
- H. Parking Lots. When parking in a parking lot, an applicant may be billed according to the current rate schedule established by the County of Nevada. In order to assure the safety of citizens in the surrounding community, access roads which serve as emergency service roads must never be blocked. No relocation, alteration or moving of structures will be permitted without prior approval.
- I. Generator Usage. The applicant must also obtain permission to string cable across sidewalks or from generator to service point.

(Ord. 2522. (04/18/2023))

~~Section 6.07.090 - Permit Maximum Time Requirements-~~

~~The permit shall be issued with the following maximum time requirements:~~

~~A. Two (2) business days for approval and issuance of a "normal" permit.~~

~~B. Four (4) business days for traffic control which exceeds three (3) minutes, stunts, or special effects.~~

~~C. Ten (10) business days for road closures.~~

~~(Ord. 2522. (04/18/2023))~~

Section 6.07.100080 - Additional Permit Requirements.

A. Unlimited permit "riders" (a written attachment to the permit that accommodates minor changes) shall be used. However, a permit cannot be amended by rider after the completion of the filming activity.

~~B. Business license fees shall not be collected when County of Nevada location use fees are being charged.~~

~~C.B.~~ The production company must have a copy of the permit on-site at all times and be available upon request.

~~D. Fees are required on all encroachment permits.~~

(Ord. 2522. (04/18/2023))