

CITY OF PALM SPRINGS FILMING POLICIES AND REGULATIONS

POLICIES

1. Definitions.

a. "Motion picture, television, still photography" 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, 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 film or from showing the films, tapes or photos.

c. "News Media" shall mean the photographing, filming or video taping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or camera persons.

d. "Studio" shall mean a fixed place of business where filming activities (motion or still photography) are regularly conducted upon the premises.

2. Permits and Exceptions.

a. **Permit Required.** No person shall use any public or private property, facility or residence for the purpose of taking commercial motion pictures or television pictures or commercial still photography without first applying for and receiving a permit from the film permit officer designated by the city.

b. Exceptions.

1) News Media: Reporters, photographers or camera persons in the employ of a newspaper, news service or similar entity engaged in on-the-spot print media, publishing or broadcasting of news events concerning those persons, scenes or occurrences that are in the news and of general public interest; and/or those who are filming or video taping for use in criminal investigations, civil proceedings, and emergencies such as fires, floods, police actions, etc. This exception does not apply to magazines or documentary programs.

2) The filming or video taping of motion pictures solely for private family use.

3) Charitable Films: Projects that qualify under Section 501(c)(3) of the Internal Revenue Code.

4) Filming activities (motion or still photography) conducted in a studio.

5) Education, government, and public access and local origination programs for cable television systems franchised within the city.

NOTE: Publications (newspapers, magazines, etc.) and filming companies (television, motion picture companies) producing films/still photography for the City of Palm Springs' benefit (publicity, advertising and tourism-related purposes) are required to obtain film permits and furnish the required certificate of insurance, but all fees will be waived.

3. Obtaining a Permit.

Applications for film permits can be requested by writing, telephoning or visiting the City of Palm Springs Film Permit Office at 401 S. Pavilion Way, Palm Springs, CA 92262; telephone: (760) 323-8265; fax: (760) 323-8279.

Permits may require review and approval by the following departments and divisions, depending upon the nature of the project:

a) Police Department: location security, traffic and noise control. (Charge for services: \$46/hour with

an 8-hour minimum)

b)Fire Department: fire safety check, especially for indoor locations and outdoor areas of high fire danger, and pyrotechnics. (Charge for services: \$35/hour with an 8-hour minimum)

c)Aviation Department: airport locations, air traffic (Average charge for services: \$100/hour plus security costs)

d)Traffic and Engineering Divisions: street closures, traffic control (Charges vary depending upon complexity of street closure)

e)Streets and Facilities Maintenance Divisions: traffic control equipment, labor (Charges vary depending upon complexity of street closure)

REGULATIONS

1. **Advance Notice for Approval.** An applicant will be required to submit a permit request at least one working day prior to the date on which such person desires to conduct an activity for which a permit is required. If such activity interferes with traffic or involves potential public safety hazards, a permit request may be required at least seven days in advance.

2. **Clean-up.** The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the cleanup 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. If permittee fails to restore the scene to the original condition, the City reserves the right to clean and restore the scene and then charge the permittee for all associated costs.

3. Filming on Private Property and in Residential Areas.

a. 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 city. Written permission of the property owner must be presented at time of permit application.

b. Applicant agrees that production vehicles will not be permitted to drive or park off the public right-of-way unless written permission has been obtained from the property owner. Applicant agrees that parking for production company equipment will be designated so that there is minimal concentration at the production site.

c. When shooting in a residential area, applicant must make its best effort to notify the residents in the area no later than 48 hours before shooting. Applicant shall supply residents with the shooting times, parking restrictions and the name, address and telephone number of the company's local office or representative.

d. Applicant shall minimize interference with the normal activities of a neighborhood, including access to private or public property. No littering is permitted and all litter must be cleaned up completely and properly disposed of prior to leaving the location.

4. **Filming at City Facilities.** All filming at city facilities must be approved by the City Manager or his designee. City facilities shall include, but shall not be limited to, parks, golf course, stadium, swim center and other recreational facility locations, police department and fire department facilities, convention center, airport, library and city hall. The use of city equipment, vehicles and/or other city-owned property shall be approved in advance by the City Manager.

5. **Flood Control.** When filming in a flood control channel, an applicant must vacate the channel when permit indicates because of water releases. Please note that when filming in or on flood control properties, the agency must be named as an additional insured.

6. **Public Works Department (Roads and Streets).** If the applicant must park equipment, trucks and/or cars in zones that will not permit parking, the area must be posted with temporary parking

signs as required by the City Engineer. The applicant must also obtain permission to string cable across sidewalks or from the generator to the service point.

7. Traffic Control.

a. For filming that would impair traffic flow, an applicant must use the Palm Springs Police Department personnel and comply with all traffic control requirements deemed necessary.

b. A minimum of two police officers is required for all traffic control situations. Fees will be charged directly from the Palm Springs Police Department for all personnel, vehicle and mileage-related expenses.

c. An applicant shall furnish and install advance warning signs and any other traffic control devices needed. All appropriate safety precautions must be taken.

d. Traffic may be restricted to one 12-foot lane of traffic and/or stopped intermittently. The period of time that traffic may be restricted will be determined by the Palm Springs Police Department, based on location and time of day.

e. Traffic shall not be detoured across a double line without prior approval of the Palm Springs Police Department.

f. Unless otherwise authorized by the Palm Springs Police Department, the camera cars must be driven in the direction of traffic and must observe all traffic laws.

g. Any emergency road work or construction by city crews and/or private contractors under permit or contract to the Public Works Department shall have priority over filming activities.

8. **Parking Lots.** When parking in a parking lot, an applicant may be billed according to the current rate schedule established by the city.

9. Fees.

a. Motion pictures/film: Application Fee-\$100
Location Fee-\$ 25/day

b. Still photography: Application Fee-\$ 50
Location Fee-\$ 10/day

c. Facilities Use Fee: Facilities managed by various city departments and divisions have fee schedules established for their use. Use fees appropriate to these facilities will be charged directly by the specific department or division in addition to the Application and Location Fees.

d. Service Fee: Fees will be charged to cover expenses to the city for personnel, equipment and vehicle expenses incurred by the city to assist a film project. The fees will reflect actual costs to the city and are applied in addition to Application and Location Fees.

10. Insurance Requirements.

a. **Liability Insurance.** Before a permit is issued, a certificate of insurance will be required in an amount of at least \$1,000,000 naming the city as a co-insured for protection against claims of third persons for personal injuries, wrongful deaths, and property damage. The city and employees shall be named as additional insureds. The certificate shall not be subject to cancellation or modification until after thirty days' written notice to the city. A copy of the certificate will remain on file.

b. **Worker's Compensation Insurance.** An applicant shall conform to all applicable federal and state requirements for Worker's Compensation Insurance for all persons operating under a permit.

c. **Hold Harmless Agreement.** An applicant shall execute a hold harmless agreement as provided by the city prior to the issuance of a permit.

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 city, the bond may be returned to the applicant.

The authority to regulate the production of motion pictures and still photography within the City of Palm Springs is provided in Chapter 5.76 of the Palm Springs Municipal Code. Copies of the ordinance amending the code are available from the Film Permit Office.