

## Film Production Permit Application Packet

### Instructions for Film Production Permits - Chapter 10.5

- A. Any producer who wishes to perform filming must obtain a permit prior to filming.
- B. Permits shall be issued by the planning and economic development director or her designee and shall be issued to a producer.
- C. The permit is allowed with conditions in all zoning districts. Whenever a permit is sought for activities in primarily residential neighborhoods, extra consideration shall be given to the conditions imposed to ameliorate as much as possible inconvenience to the residents.

### Application and permit procedure

All applications shall be made electronically on forms provided by the city. Applications shall be submitted in duplicate originals. No application shall be deemed accepted unless accompanied by payment of the requisite application fee in U.S. funds.

- (1) Every application shall state the name and contact information of a responsible representative of the applicant, who shall be available at all times during actual production activity within the city and for a period of not less than one year thereafter; more than one point of contact may be specified.
- (2) The application shall contain a detailed narrative of the scope of production activities, and include drawings, maps, or plats to illustrate locations, property boundaries, existing material improvements, planned temporary improvements, curb cuts and driveways, adjoining streets, traffic patterns, and similar information helpful to assess the impact of the proposed activity.
- (3) When activity is to occur in or near residential areas, personal notice of intent to secure a permit and the place, date and time of the proposed film activity shall be provided by the applicant within three days of filing the application; to the extent feasible, written acknowledgment of the notice shall be obtained from the resident or resident's agent. For purposes of their section, all residential properties within five hundred feet of the outside boundaries of the location(s) where production activity is to occur shall be notified.
- (4) A signed indemnification and hold harmless agreement, in a form acceptable to the city attorney, shall accompany the application, together with a certificate of insurance naming the city as an additional insured. The minimum limits of insurance coverage shall not be less than \$1,000,000.00 per occurrence.
- (5) All applications shall be filed with the planning and economic development director, or her designee, who may require such additional information as needed to assess the proposed extent and intensity of the production within the city.
- (6) A minimum of five million dollars (\$5,000,000.00) of such bond, general liability insurance coverage or both shall be required in the event aircraft, helicopters, pyrotechnics, or automobile chase scenes are used in the activity. Such insurance shall be evidenced by the standard general liability special endorsement form mandated by this chapter.
- (7) All applications shall be approved with specific terms and conditions, or denied, by the planning and economic development director, or her designee, in writing. If approved, the city shall issue a permit to the applicant, in writing, with all terms and conditions clearly set forth therein. Applications shall be approved within five business days of receipt by the city a completed application. If the application is denied, the planning and economic development director, or her designee, shall state, in writing, the reason(s) for denial. An aggrieved applicant may appeal to the city council at the next regular meeting occurring more than five days following receipt of a written denial.
- (8) Permits may be denied, in whole or in part, due to prior scheduled events or activities sanctioned or permitted by the city under other provisions of the Code.
- (9) Any material variation from the approved scope of work permitted shall be grounds for permit revocation unless the permit is modified in advance by the permittee.
- (10) Application fees are nonrefundable and must be paid, in full, at time of application.
- (11) Daily permit fees are required for each calendar day on which production activity physically occurs within the city shall be paid upon the last day of scheduled activity; if a production is scheduled for a duration in excess of a calendar month, the accrued daily fee shall be due and payable on the last day of each month in which production activity occurred. Daily permit fees shall be set by resolution of the mayor and city council.
- (12) Additional fees and charges may be assessed based upon specific requirements, including fees for the monitoring of public safety or special services by a city department, based upon labor, time and equipment necessary to provide the service.



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When using city-owned buildings or property other than public road rights-of-way, for production activities, a separate rental fee or charge may be negotiated.

- (13) Application fees and daily permit fees for use of city services or facilities may be reduced or waived for charitable or nonprofit organizations holding § 501(c) status from the I.R.S., or for other governmental agencies. All waivers shall require approval of the planning and economic development director.
- (14) Reduction or waiver of daily permit fees may be approved by the city council for commercial productions providing a greater than normal economic benefit to the community, as determined on a case-by-case basis.
- (15) A rush fee may be assessed if an applicant fails to submit the application at least five business days prior to the first scheduled event or day of filming.
- (16) If a producer fails to obtain the proper permits, the planning and economic development director or her designee may assess additional fines.

### General standards

Prior to making application for a permit, it shall be incumbent on the applicant to meet with the planning and economic development director, planning and economic development director, to review locations and the general scope of activities planned during the production. A copy of the script shall be made available, upon request, to allow the city staff to better understand the applicant's needs.

The following general standards shall apply to all permits:

- (1) Maintain a copy of the production permit on-site at all times.
- (2) Permittees must provide all residents and businesses within a 500-foot radius of the film location notice of the dates, times, location addresses and production company contact at least 48 hours prior to the first film activity. If a permittee requires on-street parking for production vehicles, residents and merchants impacted by the parking requirements must receive notice at least 48 hours prior to the arrival of the vehicles.
- (3) No tents, temporary sanitary facilities, trash collection or food service facilities shall be located within one hundred (100) feet of the property line of any property used for residential use, unless the owner or tenant gives written consent.
- (4) Tents, depending on their square footage, and other temporary structures may require a separate building permit from the city; any food preparation or food service provided at the location shall require a food service permit from the county health department, or evidence of exemption.
- (5) Lighting for filming should be oriented away from adjacent or nearby properties as much as possible and shall not interfere with the safe movement of vehicular traffic.
- (6) Temporary signage must be approved in writing, in advance, prior to erection, by the development director, or her designee; approval of temporary signage is conditioned restoration of permanent signage following completion of the film activity.
- (7) No regulatory traffic control signage within a public right-of-way shall be removed without the prior written consent of the chief of police.
- (8) No modification to any existing traffic signage, street light, traffic control device or other officially-installed facility or improvement shall be made without prior consent of the chief of police.
- (9) No street, road, alley, or sidewalk shall be closed, barricaded or other obstruction erected within a public right-of-way, including the laying of mats across cables, and no access shall be denied or restricted to public or private property or facilities unless the closure or restriction is approved as a condition of the permit; reasonable alternative access shall be arranged whenever possible.
- (10) No trees, vegetation (including grasses), or ornamental shrubs shall be cut or removed from public property without prior written consent of the city in the permit, based upon an agreed landscape restoration plan. A land disturbance permit may be separately required depending upon the nature and extent of the activity.
- (11) **Traffic management plan.** The applicant shall submit to the chief of police and public works director a traffic management plan to address traffic flow in the vicinity of the location where production activity is to occur, even if normal traffic flow is not to be obstructed or interrupted. Detours shall be determined and approved by the chief of police; temporary traffic control devices and



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signage as required by the Manual on Uniform Traffic Control Devices (MUTCD) shall be provided at the sole expense of the applicant; the fire marshal shall also review and approve such plan.

- (12) Fireworks, explosives, etc. No film activity which involves the use of explosives, pyrotechnics, fire, smoke-making machines or other special effects may be undertaken unless specifically approved by the fire marshal.
- (13) **Noise Ordinance.** Comply with the City of Clarkston.
- (14) **Faithful performance bond.** To ensure clean-up restoration of any site on public property or public right-of-way used by permittee within the city limits, said permittee may be required to post a refundable faithful performance bond. Upon completion of the production and upon the finding by the City of Clarkston that the site has been satisfactorily cleaned up and restored, the bond may be returned to the permittee.
- (15) The City of Clarkston shall be listed in the production credits for all permits required.

### Sec. 10.5-14. Enforcement.

A violation of the provisions of this chapter shall be a misdemeanor and may be punishable by a fine of five hundred dollars (\$500.00), or imprisonment for up to six (6) months in jail, or by both such fine and imprisonment.



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Pursuant to the City of Clarkston Municipal Code Section 10.5-8, the permit application fee must accompany the application for the purpose of defraying costs of processing. The fee shall be property of the City and shall be retained, whether the permit is granted or denied.

Name of the Company Requesting Film Permit	
Company Address	
Name of Person Requesting Film Permit (Contact Representative)	
Telephone No.	Email
Name of Film Production Company/Applicant	
Address	
Telephone No.	
Total No. of Participants Involved	Parking: <input type="checkbox"/> Off-Street <input type="checkbox"/> On-Street <input type="checkbox"/> Both
Total No. and Types of Vehicles Involved, Including All Caterers or Vendors	

<b>Filming Location</b>	
Date	Time
Property Owner	
Mailing Address	Phone No.
<b>Filming Location</b>	
Date	Time
Property Owner	
Mailing Address	Phone No.
<b>Filming Location</b>	
Date	Time



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Property-owner	
Mailing Address	Phone No.

Detailed Description of Scenes (Describe by Date and Location) Attach script, if necessary.

Applicant intends to use any of the following (describe all that apply):

- Animals \_\_\_\_\_
- Chemicals \_\_\_\_\_
- Explosives \_\_\_\_\_
- Fire \_\_\_\_\_
- Other \_\_\_\_\_
- Pyrotechnics \_\_\_\_\_
- City Facilities \_\_\_\_\_
- City Streets \_\_\_\_\_
- None of the Above



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On behalf of the film production company, I hereby agree to defend, indemnify, and hold City, its elective and appointive officers, agents, employees, and volunteers harmless from any claim, demand, damage, liability, loss, cost, or expense for any damage whatsoever, including but not limited to death or injury to any person and injury to any property arising from the performance of the film production company's activities. The City shall not waive any rights against the film production company by any acceptance or deposit by the film production company of insurance policies. I understand that if the requirements of the Municipal Code Chapter 10.5, Film Production Policies and Procedures and/or any applicable conditions set forth are not met that our use will not be permitted or may be terminated.

Signature with Title

Date

### FOR CITY USE ONLY

Each department listed below is requested to indicate terms and conditions that must be met before permit will be issued.

#### Public Safety/Police Department

Supplemental Personnel Required:  No  Yes

Comments/Recommended Conditions are as Follows (attach additional sheet, if necessary):

Signature

Title

Date



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### Public Works Department

Supplemental Personnel Required: <input type="checkbox"/> No <input type="checkbox"/> Yes	
Comments/Recommended Conditions are as Follows (attach additional sheet, if necessary):	
Signature	
Title	Date

### Business License

- Proof of \$1,000,000 Liability Insurance and/or Cash Bond
- Proof of Conformance with Federal and State Worker's Compensation Requirements
- Proof of Permit Fee Exemption: Non-Profit or Student Film Status

Signature	
Title	Date

### Department of Planning and Economic Development or Designee

- Administrative Approval of Permit is Hereby Granted
- Approval of Permit is Hereby Granted with Conditions Listed Below
- Permit is Hereby Denied, \_\_\_\_\_



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Conditions of Community Development Approval are as Follows:

1.
2.
3.
4.
5.

Signature	
Title	Date

Funds (**Faithful performance bond**) Received on (Date): \_\_\_\_\_ By: \_\_\_\_\_

Return Date: \_\_\_\_\_

### FILM PERMIT FEES

Film Production Permit (This is in addition to any fee charged in another department)	Approved 2023
Application Fee (non-refundable)	\$500.00
Cancellation Fee (cancellation fee for project given approval but cancelled by applicant prior to obtaining permit)	\$250.00
Parking (per day and per location: For parking services only for base camp, crew, or trucks)	\$150.00
Film Permit (per day)	\$250.000
Clarkston Police (per officer and per hour)	\$75.00
Street Closure (per day)	\$1,000.00
City Park Rental (per day and per location)	\$500.00
Fire Marshal Fee (per location and per basecamp)	\$100.00
Community Building - (per day)	\$500.00
Rush Fee (application submitted in full of less than 5 business days notice)	\$300.00
Fee for filming done without a permit	200% of the original permit fee