



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

September 24, 2012

To: Audit Committee

From: William T Fujioka
Chief Executive Officer

COUNTY FILM POLICY BASED ON CALIFORNIA FILM COMMISSION FILM ORDINANCE AND BEST PRACTICES

On July 24, 2012, on motion of Supervisor Knabe, the Board directed this Office to revise the County's current film practices in accordance with the recently revised California Film Commission's Model Film Ordinance, and review the Film Commission's suggested Best Practices for incorporation into the County's practices to the extent practicable.

On July 31, 2012, this Office provided the Board with a memorandum (Attachment I) recommending that the Commission's Model Film Ordinance and suggested Best Practices be adopted as a Board Policy, consistent with the Board's direction referenced above. As indicated in the memorandum, this approach avoids any conflict with existing County codes related to filming. It also provides flexibility to effect any modifications that may be made in the future, while serving as an effective vehicle for the Board to express its support for facilitating the County's interaction with the filming industry and encouraging retention of this important economic industry.

Attachment II is the proposed County Film Policy for your review. When this matter is scheduled for an Audit Committee meeting, my staff will be available to provide a presentation and answer any questions. If you have any questions, please contact Martin Zimmerman of this office at (213) 974-1326, or at mzimmerman@ceo.lacounty.gov.

WTF:ES:MKZ
FC:JR:ib

Attachments (2)

c: Executive Office, Board of Supervisors
Auditor-Controller
Internal Services

"To Enrich Lives Through Effective And Caring Service"

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WILLIAM T FUJIOKA
Chief Executive Officer

July 31, 2012

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

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CALIFORNIA FILM COMMISSION'S MODEL FILM ORDINANCE AND BEST PRACTICES

On July 24, 2012, on motion of Supervisor Knabe, the Board directed this Office to revise the County's current film practices in accordance with the recently revised California Film Commission's Model Film Ordinance, and review the Film Commission's suggested Best Practices for incorporation into the County's practices to the extent practicable, and bring the revisions back to the Board within 30 days for adoption. The Board also directed this Office to report back on the impacts on the film industry 2010 filming permit increases for the Fire Department.

As outlined below, we are recommending that the California Film Commission's Model Film Ordinance and Best Practices be reviewed for adoption as a Board Policy, after confirming there are no conflicts between these documents and current County Code. The report on the impacts of the Fire Department's 2010 filming permit increases on the film industry will be provided under separate cover.

Background

As indicated in our March 7, 2011 memorandum to the Board, this Office has been holding semi-annual filming activity coordination meetings with the California Film Commission, film industry representatives, FilmL.A., Board offices, and County departments involved in filming activities. These meetings provide a forum for discussing filming-related issues in the County and ways to improve the collaboration between the film industry, the County, and our residents. More recently, this Office has also been working with the County's Commission on Local Governmental Services, the City of Carson, and the Los Angeles Economic Development Corporation (LAEDC), to review the Commission's revised Model Film Ordinance and suggested Best Practices, and how to assist local cities in becoming more "film friendly."

At the June 14, 2012 semi-annual filming coordination meeting, this Office recommended that the Commission's revised Model Film Ordinance and suggested Best Practices be adopted as a Board Policy, after considering the following reasons:

- Existing County Code sections related to filming are addressed in 11 Titles and 16 Chapters, as many are tightly integrated with other non-filming-related ordinances. The Commission's Model Film Ordinance, in its current form, does not lend itself well to County Code's format, and removing, modifying, or relocating various Code sections may be problematic.

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Each Supervisor
July 31, 2012
Page 2

- The Model Film Ordinance and the suggested Best Practices may be further modified, as local municipalities begin to adopt the California Film Commission's language and suggest additional changes, resulting in situations where the Board may need to consider multiple County Code changes.
- Board Policy provides a more flexible and suitable vehicle for the Board to express its support for facilitating our interface with the filming community and encouraging retention of this critical industry.

Representatives from the California Film Commission, the film industry, FilmL.A., and County departments were very receptive to this approach. In addition, preliminary analysis indicates that the Model Film Ordinance and the suggested Best Practices are not in conflict with current County Code sections associated with filming. We believe this approach is consistent with the Board's direction of July 24, 2012, referenced above.

We anticipate presenting the Board Policy, incorporating as appropriate the Model Film Ordinance and Best Practices, to the Audit Committee within 45 days, after which the Policy will be submitted to the Board for approval.

Please let me know if you have any questions, or your staff may contact Martin Zimmerman at 213.974.1326 or mzimmerman@ceo.lacounty.gov.

WTF:EFS
MKZ:FC:ib

c: Sheriff
Executive Office, Board of Supervisors
County Counsel
Beaches and Harbors
Fire
Internal Services
Military and Veterans Affairs
Museum of Art
Music Center
Natural History Museum
Parks and Recreation
Public Health
Public Works
Regional Planning
County Commission on Local Governmental Services
Los Angeles Economic Development Corporation



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

Policy #:	Title:	Effective Date:
0.000	COUNTY FILMING POLICY	00/00/00

PURPOSE

To promote the establishment of permit policies, regulations, and best practices that increase or retain filming activity in Los Angeles County, while balancing the concerns of communities and County government.

REFERENCE

July 24, 2012 Board Order

July 31, 2012. Chief Executive Officer memorandum entitled: "California Film Commission's Model Film Ordinance And Best Practices"

POLICY

The County Board of Supervisors recognizes the economic importance of the filming industry to the region in terms of economic activity, tax revenue, jobs, and tourism. The following policies and procedures are adopted by the Board to retain and increase filming activities in Los Angeles County, while balancing the concerns of communities and county government.

I. DEFINITIONS:

- a. "Filming Activity" shall mean motion picture, television, and commercial still photography filming activities and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, commercials, and student films produced to satisfy a post-secondary school course requirement at an educational institution in any medium including film, tape or digital format.
- b. "Charitable filming activities" shall mean commercials, motion pictures, television, videotapes, digital recording 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 filming activities" shall mean the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or camerapersons.
- d. "Studio filming activities" shall be those filming activities described above that take place in a fixed place of business certified as such by local fire authority having jurisdiction.
- e. "Personal/Family filming activities" shall be those recording activities of visual images (motion or still photography) solely for private personal use, and not for commercial use.

II. PERMITS AND EXEMPTIONS:

- a. Permit required: No person shall use any public or private property, facility or residence in the County's unincorporated areas for the purpose of Filming Activity without first applying for and receiving a permit from the County.
 - 1) Exemptions: The permit requirements described above shall not apply to News Media filming activities, Studio filming activities, and Personal/Family filming activities.

III. RULES AND REGULATIONS:

- a. Rules: The County will promulgate rules and regulations, subject to approval by resolution of the Board, governing the form, time and location of any film activity set forth within the County. The County shall also provide for the issuance of permits. The rules and regulations may be based upon the following criteria:
 - 1) The health and safety of all persons;
 - 2) Mitigation of disruption to all persons within the affected area;
 - 3) The safety of property within the County; and
 - 4) Traffic congestion at particular locations within the County.

IV. APPLICANTS AND ISSUANCE:

- a. Issuing Authority: the issuing authority shall be the County.
- b. Applications: The following information may be included in the application:
 - 1) The specific location at such address or place;
 - 2) The inclusive hours and dates such filming activity will occur;
 - 3) A general statement of the character or nature of the proposed filming activity;
 - 4) The name, address, email address, and telephone number of the person or persons in charge of such filming activity;
 - 5) The exact number of personnel to be involved on-site;
 - 6) A description of the activities that may cause public alarm such as the use of any animals, gunfire, pyrotechnics, or helicopter activity; and
 - 7) The exact number and type of vehicles, and amount and type of equipment, to be used for the filming activities, along with a parking plan.

- c. Fee Schedule: The County shall adopt a fee schedule.
- d. Reimbursement for Personnel: The production company shall reimburse the County for any personnel provided to the company (e.g., police, fire, traffic) for the purpose of assisting the production.
- e. 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.

V. INDEMNIFICATION AND INSURANCE PROVISIONS

- a. Indemnification: Permittee shall indemnify defend and hold harmless the County, its special districts, elected and appointed officers, employees, agents and volunteers ("County Indemnitees") from and against any and all liability, including but not limited to demands, claims, actions, fees, cost and expenses (including attorney and expert witness fees), arising from and /or related to the permit, except for such loss or damage from the sole negligence or willful misconduct of the County Indemnitees.
- b. Insurance: The permit shall not be effective until permittee has submitted satisfactory evidence of general liability insurance, workers' compensation insurance, automobile insurance and employers' liability insurance conforming to the requirements of the County. The type, coverage, policy limits and other conditions of insurance shall be that required by the County at the time the permit is issued, unless a different type, coverage, policy limits and other conditions of insurance are specified in the permit.

VI. VIOLATION:

If an applicant violates any provisions of this ordinance or a permit issued pursuant thereto, the County may provide the applicant with verbal or written notice of such violation. If the applicant fails to correct the violation, the County may revoke the permit and all activity must cease.

VII. GUIDELINES AND BEST PRACTICES FOR FILMING ACTIVITIES

- a. Timely issuance of film permits: An applicant will be required to submit a permit request at least five business days 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, an application with Traffic Control Plans may be required at least 10 business days in advance.
- b. Standard hours for film activities: 7:00 a.m. – 10:00 p.m. for residential zones.
- c. Reasonable permit fees: Permit fees shall be established at reasonable rates consistent with fees charged by similar surrounding jurisdictions and stay within those limits. If appropriate, the Board of Supervisors may reduce permit fees for accredited student or charitable productions.

- d. Business license waiver: Business license shall not be required for temporary filming activities.
- e. County liaison: The County will have a liaison for coordinating permits who will have the authority to make decisions as the community representative prior to and during filming. The liaison should be aware of any previous film production within the community and remain sensitive to local citizens' concerns.
- f. Centralized filming website: A centralized filming website accessible on the internet clearly listing all County film regulations, permit and insurance requirements, fee schedules and liaison contact information should be created and maintained.
- g. Notification: All residents and merchants within a 500 feet radius of the film location must receive notice of filming dates, times, location address and production company contact at least 24 hours prior to the first film activity. When parking production vehicles on a public street, residents and merchants impacted by the parking must receive notice at least 24 hours prior to the arrival of the vehicles.
- h. Surveys: Require a survey of affected residents and/or businesses within a 500 ft. radius when the filming includes extraordinary activities such as full street closure, requests to film beyond the standard hours, and requests to film for extended periods of time.
- i. 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.
- j. 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.
- k. Flood Control (if applicable): When filming in a flood control channel, an applicant must vacate channel when permit indicates because of water releases. When filming in or on flood control properties, the Flood Control District must be named as an additional insured.
- l. Public Works Department (Road and Streets): If the applicant must park equipment, trucks, and/or cars in zones that does not permit it, temporary "No Parking" signs must be posted with approval of the local authority. The applicant must also obtain permission to lay and safely mat cable across sidewalks, or from generator to service point.

- m. 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 California Manual on Uniform Traffic Control Devices (California MUTCD), current edition. All appropriate safety precautions must be taken.
 - 2) For any lane closure, the period of time that traffic may be restricted will be determined by the County, based on traffic volumes for location and time of day.
 - 3) Any emergency roadwork or construction by County crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.
- n. Municipal Parking Lots: When parking in a municipal parking lot, an applicant may be billed according to the current rate schedule established by the County. In order to assure the safety of citizens in the surrounding community, access roads to beaches, which serve as emergency service roads, must never be blocked. No relocation, alteration, or moving of beach structures will be permitted without prior approval.

RESPONSIBLE DEPARTMENT

Chief Executive Office

DATE ISSUED/SUNSET DATE

Issue Date: October 15, 2012

Sunset Date: October 14, 2016