

Chapter 11.10

PRODUCTION OF MOTION PICTURES

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11.10.010 Purpose and intent.

It is the purpose and intent of the City of Tacoma to encourage the motion picture and television production industry to utilize the scenic beauty and variety of locations afforded in the City of Tacoma as locations for filming, video taping, or otherwise recording motion pictures for movie or television production for commercial purposes, provided such activities do not unreasonably interfere with the public health and safety of our citizens or unreasonably endanger any property within the city. It is the purpose and intent of this chapter to provide the means by which such activities may be reasonably regulated to preserve the public health and safety and provide for the protection of property, to not unduly restrict such activities, and to maintain harmonious relations between the community and those engaged in such activities. Subject to the restrictions of this chapter, property in any zoning district may be used as a location for filming or video taping.

(Ord. 25208 § 4; passed Nov. 24, 1992; Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.010)

11.10.020 Definitions.

For the purpose of this chapter only, the following words and terms shall be deemed to mean and be construed as follows:

- A. "Film Production Coordinator" is the City Manager or his or her designee.
- B. "News purposes" is the filming, video taping, photographing or otherwise preserving for newspapers or television news broadcasting by reporters, photographers, or cameramen in the employ of a newspaper, news service, television station, or similar entity, of news events concerning those persons, scenes, or occurrences which are in the news and are of general public interest.
- C. "Charitable purposes" is the filming, video taping or otherwise preserving for motion picture or television production, or photographing for display, conducted by an organization which qualifies under Section 170 of the Internal Revenue Code of 1954, as a charitable organization provided that no individual, either directly or indirectly, receives a profit from the production, marketing, or showing of the products thereof.

(Ord. 25208 § 4; passed Nov. 24, 1992; Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.020)

11.10.030 Permit required.

Except as otherwise provided herein, it shall be unlawful for any person to engage in the business or activity of the filming, video taping or otherwise producing motion pictures for television or public exhibition at any place within the City, other than at or in an established motion picture, television or photography studio, unless such person has first been issued a film production permit by the Film Production Coordinator.

(Ord. 25208 § 4; passed Nov. 24, 1992; Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.030)

11.10.040 Exceptions.

The provisions of this chapter shall not apply to the filming, video taping, or the photographing or otherwise preserving of motion pictures:

- A. Solely for private or family use;

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- B. For use in a criminal investigation or civil proceeding;
- C. For news purposes;
- D. For charitable purposes.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.040)

11.10.050 Application for permit.

An application for a film production permit shall be submitted to the Film Production Coordinator, on a form which the Film Production Coordinator shall furnish, wherein the applicant shall state the following information:

- A. Full legal name of applicant;
- B. Business name of applicant (if different);
- C. Business address of applicant;
- D. Business telephone number of applicant;
- E. Location(s) of proposed motion picture activity;
- F. Date(s) and time(s) of proposed motion picture activity;
- G. A description, including the number and type of all motor vehicles which applicant will utilize;
- H. A list of all public facilities which applicant desires to use in conjunction with the proposed activity;
- I. The name of the person in charge at each location where the proposed activity will occur;
- J. Such other information as the Film Production Coordinator may deem necessary.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.050)

11.10.060 Application fee.

An application fee, to cover the actual cost of processing the permit, in an amount determined by resolution of the City Council, shall be paid by applicant to the Film Production Coordinator when the completed application form is submitted for approval.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.060)

11.10.070 Application approval.

Upon a determination by the Film Production Coordinator that the activities described in the application form do not pose a threat to the public health and safety and provide for the protection of property, the application may be approved. The Film Production Coordinator may impose such conditions to approval as are necessary to make such a determination. If such a determination cannot be made, the application for motion picture permit shall be denied.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.070)

11.10.080 Issuance of permit.

Upon the approval or conditional approval of the application for a motion picture permit and after applicant has:

- A. Procured public liability insurance in the amount of \$1,000,000.00 combined single limit naming the City of Tacoma as co-insured (this requirement may be waived by the City's Risk Management Officer); and
- B. Executed an agreement to indemnify, defend, and save the City harmless from any and all claims and liability of any kind whatsoever resulting from or arising out of the issuance of such permit.

The Film Production Coordinator shall issue a motion picture permit to applicant. The permit shall be subject to the conditions of the approved application.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.080)

11.10.090 Term of permit.

The term of the permit shall be for such period of time as is necessary to complete the activities set forth in the application for the permit.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.090)

11.10.100 Extension of term of permit.

If the activities described in the application form are not completed when the permit expires and, upon good cause shown, the Film Production Coordinator may extend the term of the permit for a period of time necessary to complete the activities set forth in the application for the permit.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.100)

11.10.110 Reimbursement of costs to the City.

Permittee shall reimburse the City for extraordinary costs incurred by the City which result from the issuance of the permit and the activities authorized therein.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.110)

11.10.120 Authority to promulgate rules and regulations.

The Film Production Coordinator is authorized to promulgate such rules and regulations as are necessary to realize the purpose and intent of this chapter and which are not inconsistent therewith.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.120)

11.10.130 Suspension or revocation of permit.

If the permittee shall violate any of the conditions of approval, perform those activities described in the application for motion picture permit in a manner that poses a threat to the public health and safety or the preservation of property, or engage in activities outside the scope of the activities described in the application, an initial letter of warning will be issued. If compliance is not accomplished in a reasonable time, the Film Production Coordinator may suspend or revoke the permit.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.130)

11.10.140 Appeal.

Any person with legal standing aggrieved by an action taken by the Film Production Coordinator may appeal such action to the Hearing Examiner pursuant to the provisions of Chapter 1.23 of the Official Code of the City of Tacoma.

(Ord. 25208 § 4; passed Nov. 24, 1992: Ord. 25039 § 1; passed Jan. 14, 1992. Formerly 11.21.140)