

CITY OF NORTH MIAMI
ADMINISTRATIVE REGULATIONS AND INCENTIVES

City Manager
Larry M. Spring, Jr.

Administrative Regulation 00-51
Approved LSZ
Date 6/20/17

ALL DEPARTMENTS

FILM PERMITTING PROCESS & INCENTIVES

OBJECTIVE

To provide procedures for film permit processes within the City of North Miami and to promote a positive environment for the film, video, and still photography business.

RESPONSIBILITIES

The City Manager will designate a liaison from the Community Planning & Development Department for the permitting of film, video and still photography in the City.

The liaison will coordinate all aspects of film, video, and still photography activities in the City, including documentation, use of City facilities and services, as well as coordination with appropriate City departments.

The City Manager shall have final approval of all major film permits. The Community Planning & Development Director or his/her designee shall have final approval of all minor film permits.

MAJOR & MINOR FILM PRODUCTIONS

The distinction between major and minor still, video, or film project will be made by City staff.

Minor productions are defined as:

- Crew size of 12 or less; OR
- Budget of \$30,000 or less.

Major productions are defined as:

- Crew size of 13 or more; OR
- Budget of \$30,000 or greater

PROCEDURES

1. Permit Approval Procedure and Requirements

All persons wishing to film in the City will apply for, and obtain, a permit prior to commencement of filming. The City Manager, at his discretion, and in the interest of the public safety, welfare,

and benefit of the City, may amend the requirements, impose additional requirements, or waive requirements as deemed necessary. The following items will be submitted for permit issuance:

- Completed application form, which may be amended from time to time (Exhibit A), at least three (3) business days in advance for all filming locations.
- Letter of intent indicating, at a minimum, the exact location of the filming; dates and hours of filming; maximum number of people on the property, at any time, for the filming; description of purpose of filming; and types of shots being filmed.
- Site plan clearly indicating staging and set-up areas, as well as location of parking for all vehicles, trailers, and equipment in connection with the filming.
- Proof of public liability insurance in the minimum amount of \$1,000,000, or as otherwise imposed by the City, naming the City as an additional insured (with the City Hall address).
- Fee of two hundred and fifty dollars (\$250.00) will be submitted with an application for a major still photo, video, or film permit production for a maximum of two (2) consecutive days, and a fee of one hundred and fifty dollars (\$150.00) for each additional day after will apply upon approval of the permit. A fee of one hundred dollars (\$100.00) will be submitted with an application for a minor still photo, video, or film permit production for a maximum of two (2) consecutive days, and a fee of twenty five (25.00) dollars for each additional day will apply upon approval of the permit.
- Projects requiring the use of City facilities (i.e. parks, community centers, stadium, etc.) are required to sign a separate rental agreement with the Parks & Recreation Department and pay required rental fees prior to the issuance of the film permit.

2. Permit Review

The City will have at least three (3) business days to review an application for a filming permit and may approve with conditions or deny the request.

The permit will be reviewed by the City liaison, City Manager or his designee, and other City officials or agencies as deemed necessary. The City Manager may, at his/her discretion, with the intent of protecting public interest, safety and welfare impose conditions such as:

- Require the applicant to secure signatures from abutting property owners within a seventy (70) foot radius that may be impacted by the project. The applicant will be responsible to certify to the City that all property owners, within the area designated as the impact area, have been notified of the filming. Designation of the impact area will be at the discretion of the City Manager or his/her designee.
- Limit filming in a residential location to no more than three (3) a year for projects of more than five (5) days.
- Limit filming in residential neighborhoods to the hours of 6:00 a.m. to 11:00 p.m.
- Require the applicant to hire off-duty police officers to supervise and control traffic and other matters when the public rights-of-way are utilized for filming.

- Require the applicant to hire off-duty police officers to provide security and control of filming on private property.
- Filming at non-residential locations may be limited by dates and/or times to minimize disruptions abutting neighborhoods.
- Limit the number and location of vehicles, trailers, and equipment as depicted on the approved site plan submitted in order to minimize intrusive impacts on neighborhoods.
- The City exerts authority for all aerial filming that occurs from ground level to 1000 feet above ground. As part of an Unmanned Aerial System (UAS), request for aerial filming over the City, the production must follow all requirements of the Federal Aviation Administrations (FAA) UAS rule.
- All applicants using an UAS must indicate the extent of use and location of any such mechanisms.
- UAS applicants shall be subjected to the following FAA restrictions:
 - UAS flight operation must take place only during daylight hours, defined as 30 minutes after sunrise to 30 minutes prior to sunset;
 - UAS flight operation must remain lower than 400 feet above ground level;
 - UAS flight speed must remain lower than 87 knots (100 mph);
 - UAS operator must maintain unaided visual line of sight with the aircraft at all times; and UAS operation is prohibited under general public at all times and must be only within an area contained and populated solely by the production cost and crew with production fully indemnifying the City for such use.
- Depending on the size and impact of the project, require the applicant to sign an agreement with the City and/or post a cash bond to be held by the City and to be used if necessary by the City to repair damages to public property caused by filming or remuneration for violations of conditions of the permit.
- Require the applicant to provide proof of compliance with other local municipalities and agency regulations.
- Any other conditions or limitations, which are necessary to protect neighborhoods from negative impacts and intrusions.

3. Extended Production Permit

To qualify for an extended production permit, productions must be substantially similar to original production and require multiple days of filming over an extended period of time. Productions that deviate substantially from the approved production application require a separate permit application and assessed fee.

The applicant must indicate the estimated number of production days needed and dates of the production. If exact dates are not known, permits must indicate estimated month of production. Estimated production dates must be within twelve (12) months of date of permit application.

If future dates are not specified on application for extended production permit, the City must receive forty-eight (48) hours written notice (by signed letter or email) prior to each subsequent

film production. Failure to notify within this timeframe will result in a violation which may subject the offender to fines stated herein.

Fee structure for extended production permit is as follows:

Major Productions

- A fee of two hundred and fifty dollars (\$250.00) will be submitted with an application for a major production for a maximum of two (2) consecutive days.
- An additional upfront fee of one hundred and fifty dollars (\$150.00) will be submitted for each subsequent day of production listed on the application.

Minor Productions

- A fee of one hundred (\$100) for a minor production will be submitted with an application
- An additional upfront fee of twenty five (\$25.00) will be submitted for each subsequent day of production listed on the application

If the applicant wishes to film additional days not listed on the original extended production application submitted, applicant must submit additional film permit application and have permit processed as an original permit with associated two hundred fifty dollar (\$250.00) fee.

VIOLATIONS

A violation of these regulations shall be considered a violation of the City's Code of Ordinances. Persons engaged in production without a permit, or otherwise in violation of the guidelines herein, shall be subject to enforcement by City police or Code Compliance officers, through the issuance of immediate cease and assist orders. The offender may be subjected to the following immediate fines:

- For the first offense within a 12-month period, a fine of \$500;
- For the second offense within a 12-month period, a fine of \$1500; and
- For the third offense within a 12-month period and subsequent offenses, a fine of \$3,000.

4. Denial

The City Manager may deny a permit request if there is evidence that previous filming at the same location disrupted the neighborhood, or if the applicant violated conditions or restrictions of a film permit previously, or if the applicant failed to obtain a film permit previously. The City Manager reserves the right to revoke any film permit without cause or advance notice.

PRE-PRODUCTION INCENTIVES

Any production, to be filmed in the City, that invests in North Miami businesses within the North Miami Community Redevelopment Agency Boundary may be entitled to 30% reimbursement of total expenditures over \$10,000 and up to \$50,000.** Incentives are subject to funding availability through the North Miami Community Redevelopment Agency and/or the City.

Any production, to be filmed in the City, that invests more than \$20,000 (with proper documentation showing paid receipts) in North Miami businesses, may be given free and/or reserved parking during production.

Any production, to be filmed, that invests more than \$50,000 (with proper documentation showing paid receipts) in North Miami business, may be given free and/or reserved space to use as a "Base Camp" during production.

PRODUCTION INCENTIVES

For productions with more than twelve (12) crew members and budget of more than \$30,000, fees for use of City facilities such as City parks, community centers and other public locations may be waived.

For productions with a budget of over \$100,000, administrative fees for hiring off-duty Police officers may be waived.

** To obtain reimbursement, production companies must submit an invoice(s) with a description of expenses including itemized receipts and/or paid invoices.

This A.R. rescinds: A.R. 1-51 dated 11-6-96
A.R. 00-51 dated 3-12-12