

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 commercial, 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 person.
- 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 picture 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, new service or similar entity engaged in on the spot print media, publishing or broadcasting of news event concerning those person, 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 proceeding's 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 quality 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 (newspaper, magazine, 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.

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: \$71/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 service: charges vary depending upon services requested.)**
- C) Aviation Department: airport locations , air traffic (average charge for services: Film - \$125/hour plus \$90/hour escort services with a 2-hours minimum; still \$50/hour plus \$70/hr escort services with a 2-hour minimum)**
- D) Traffic and Engineering Division; 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 of 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 permitted shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the clean up of trash and debris. The area used should be cleaned of trash and debris upon completion of shooting at the scene and restored to the original condition before leaving the site. If permitted fails to restore the scene to the original condition, the City reserves the right to clean and restore the scene and then charge the permitted 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 the 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 72 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 the City facilities.

All filming at the 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, and stadium and swim center 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 manger.

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.**

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 death, and property damage. The city and employees shall be named as additional insured (3200 E. Tahquitz Canyon Way Palm Springs, CA 92262) 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 cleanup 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.



Palm Springs Desert Resorts PHOTOGRAPHY/FILMING PERMIT APPLICATION

Date: _____ Company: _____ Address: _____ _____ Co. Phone: _____ Co. FAX: _____ Production Dates (<small>To be covered by this permit.</small>): _____	City/Cnty Considering Permit: _____ Project Title: _____ Location Manager: _____ Phone: _____ Production Manager: _____ Phone: _____ Other Contact: _____
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1. Production Type:
 Still Photography/Complete permit items 1-5 only.
 TV Commercial
 TV Movie
 TV Episodic
 Feature Film
 Music Video
 Corporate Video
 Other: _____

2. Total Personnel: _____ **Total Vehicles/Equipment:** _____

3. Equipment Detail (Supply exact number of each item to be used at filming location(s).):
Generators: _____ Cars: _____ Trucks: _____ Rvs: _____ Other: _____

4. Insurance: Before a film permit is issued, a certificate of insurance must be submitted. Insurance certificate must be issued by insurance underwriters "admitted" by the California Insurance Commission and rated 'A' or 'B+' by Best's Key Rating Guide. Requirements are:

- Proof of Workman's Compensation.
- \$10,000,000 Aircraft Liability When Applicable.
- Minimum \$1,000,000 General Liability Limit.
- Appropriate City and/or County Named as Additional Insured.
- Appropriate City/County Employees Named as Additional Insured.

Insurance Certificate Attached.
 Insurance Certificate will be submitted by time _____ and date _____.
 Insurance Certificate On File.
 Insurance Certificate Not Available.

Insurance Company: _____ Expiration Date: _____

5. Location Shoot Specifics: Please give specifics about your shoot below, attach sheets if more space is needed. You must include the name(s) of property owner(s), address(es), nearest cross streets and telephone number(s) of the filming location(s). Also describe all scene(s) to be filmed (including animals, pyrotechnics and stunts).

Date	Time	Location and Activity	P/F/S*

* Prep/Film/Strike

Boxed section to be completed by City/County Permit Staff for Still Photography Permits only.

6. Property Owner Permission Required:
 Yes
 No
8. Police Required:
 Yes
 No
7. Road Encroachment Permit Required:
 Yes
 No
9. Fire Required:
 Yes
 No

10. Traffic: If filming is planned on City/County street(s) and or City/County property, please submit a site plan showing location(s) of cast, crew, vehicle(s) and the route to be traveled in order to film a scene.

Site Plan Attached. **Site plan will be submitted by time** _____ **and date** _____. **Site Plan Not Available.**

Describe your plan for controlling traffic, (i.e. personnel and devices to direct traffic): _____

If filming is to take place on City/County streets, please describe planned arrangements for temporary restrooms and removal of refuse generated by your production: _____

11. Stunts/Special Effects: If your project will involve stunts or special effects, please provide detailed information about the specifics planned: _____

Pyrotechnics Specifics: _____

Pyrotechnician: _____ License #: _____

Hazardous Materials to be used: _____

Wild Animals to be used: _____

12. Aerial Stunts/Elements: Please detail any aerial stunts, helicopter landings, hot-air balloons, etc. to be utilized in your shoot.: _____

Boxed section below to be completed by issuing agency.

Permit # Granted: _____	City/Agency Issuing Permit: _____
Approved by: _____	Title: _____
Application Fee: \$ _____	Location Fee (_____ days x \$ _____ /day): \$ _____
TOTAL DUE: \$ _____	
Conditions of Approval: _____	
Special Approvals/Permits Required:	
<input type="checkbox"/> No Special Approvals/Permits Required	<input type="checkbox"/> Road Encroachment Permit
<input type="checkbox"/> Police Department Approval	<input type="checkbox"/> Fire Department Approval
<input type="checkbox"/> FAA Approval	<input type="checkbox"/> Property Owner
<input type="checkbox"/> PM-10 Permit	<input type="checkbox"/> Homeowner Association
Attachments: _____	
Other provisions: _____	
This permit will be effective _____ through _____	
(Date & Time)	(Date & Time)

Permittee agrees to all the terms and conditions of this permit including provisions listed at the bottom of this form and any attachments.

Applicant's Name: _____ **Representative of:** _____
(Company Name)

Permittee waives all claims against City/County, its officers, agents and employees, for loss or damage caused by, arising out of or in any way connected with the exercise of this permit and permittee agrees to hold harmless, indemnify and defend City/County, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City/County, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby permitted, except those arising out of the sole negligence of City/County. • City/County shall have the privilege of inspecting the premises covered by the permit at any or all times. • This permit shall not be assigned. • City/County may terminate this permit at any time if permittee fails to perform any covenant herein contained at the time and in the manner herein provided. City/County agrees it will not unreasonably exercise this right of termination. • The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City/County. • No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto. • Permittee agrees to comply with the terms and conditions contained in the attached Exhibit(s), which terms and conditions are by this reference made a part thereof. • The permittee hereby agrees to comply with all the rules and regulations of the facility or institution subject to this permit. • Permit must be kept on site at all times. • City/County make no representation or warranty as to condition of any property or facilities used by permittee, and it is the responsibility of permittee to fully inspect all such property and facilities to determine their condition prior to their use, and in going forward, assumes all risks associated with the condition of property or facilities.