

## **City of Duarte Filming Rules and Guidelines**

### **General Information**

**Timing.** The City will make its best effort to issue Film Permits within two business days from permit application.

**Business License.** Film Permit shall be combined with a local business license for the permit holder only. The permittee shall be responsible for completing the Filming Permit application and paying the related fee. Associated businesses, such as caterers and property cleanup companies, shall be required to obtain business licenses.

**City Liaison.** All permittees will be assigned a liaison to assist them through the City process. The main point of contact with the City regarding filming permits is the Community Development Department. Assistance is also available with general questions by contacting the Community Development Department at 626-357-7931.

**Property Owner Approval.** Property owner approval shall be submitted to the City at time of permit application.

**Liability Insurance.** Before a permit is issued, a certificate of insurance evidencing general commercial liability and business auto coverages will be required in an amount not less than one million dollars naming the city as an additionally insured party for protection against claims of third persons for personal injuries, wrongful deaths, and property damage.

- The certificate shall not be subject to cancellation or modification until after thirty days actual written notice to the city.
- All insurance shall be written by insurers that are admitted and licensed to do business in the State of California and with A.M. Bests rating of B++ or better and a minimum financial size VII.
- All insurance: (i) shall contain no special limitations on the scope of protection afforded to the additional insureds; (ii) shall be primary insurance and any insurance or self-insurance maintained by the additional insureds or any of them shall be in excess of the permittee's insurance and shall not contribute with it; (iii) shall be "occurrence" rather than "claims made" insurance; (iv) shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability; (v) shall prohibit waiving the right of subrogation prior to a loss except for professional liability; and (vi) shall not contain any provision or definition that would serve to eliminate so-called "third party action over" claims, including any exclusion for bodily injury to an employee of the insured.

- Permittee agrees to provide immediate notice to City of any claim or loss related to the permit. City assumes no obligation or liability by such notice, but has the right to monitor the handling of any such claim or claims if they are likely to involve City.
- A copy of the certificate shall be provided the City.

**Workers' Compensation Insurance.** Permit applicant shall conform to all applicable federal and state requirements for workers' compensation insurance for all persons operating under a permit.

**Hold Harmless Agreement.** Permit applicant shall execute a hold harmless agreement as provided by the city prior to the issuance of a permit.

**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 an application is submitted. Upon completion of filming and upon cleanup and restoration of the site to the satisfaction of the city, the bond shall be returned to the applicant.

**Conditions of Approval.** The City may add additional conditions of approval in addition to these rules and guidelines when deemed necessary and will provide such conditions to the permittee in writing.

### **General Guidelines**

**Hours:** All filming shall occur between the hours of 7:00 a.m. – 10:00 p.m. Night time filming outside of these standard hours may be approved on case by case basis by the City but may require adherence to additional requirements and restrictions above and beyond these rules and guidelines.

**Notification:** All residents and merchants within a 200 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.

**Surveys:** A survey of affected residents and/or businesses within a 200 ft. radius shall be required when the filming includes extraordinary activities such as a street closure, involves pyrotechnics, excessive noise, low flying helicopters, requests to film beyond the standard hours, and requests to film for extended periods of time.

**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.

**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 city.

**Use of Public Rights of Way:** If the applicant must park equipment, trucks, and/or cars in zones that will not permit it, temporary "No Parking" signs must be posted with approval of the Public Works Manager. The applicant must also obtain permission to lay and safely mat cable across sidewalks, or from generator to service point. Approval shall be received prior to filming.

**Traffic Control:** For filming that could impair traffic flow, an applicant must use, at applicant's cost, California Highway Patrol (CHP), County Sheriff or local law enforcement personnel and comply with all traffic control requirements deemed necessary by City. Approval of traffic control plan shall be received prior to filming. The following guidelines also apply:

- a. An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the Manual of Traffic Controls, State of California Department of Transportation. All appropriate safety precautions must be taken.
- b. For any lane closure or intermittent traffic control (ITC), the period of time that traffic may be restricted will be determined by the city/county, based on traffic volumes for location and time of day.
- c. Traffic shall not be detoured across a double line without prior approval of the City liaison.
- d. Unless authorized by the city/county, the camera cars must be driven in the direction of traffic and must observe all traffic laws.
- e. Any emergency roadwork or construction by city or county crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.

**Municipal Parking Lots:** When parking in a municipal parking lot, an applicant may be billed according to the current rate schedule established by the city.