

ADMINISTRATIVE POLICY I-40: FILM PERMITS

Number: I-40

Issued: December 4, 2017

Revised: March 7, 2022

Jurisdiction: Staff

PURPOSE & RESPONSIBILITY

The purpose of this policy is to establish procedures for granting film permits pursuant to Capitola Film Permit Ordinance, Capitola Municipal Code §9.62.010 et. seq, and business licenses for commercial filming activity pursuant to Resolution 3532. The City Manager Department will have overall responsibility for overseeing this policy.

APPLICABILITY

“Filming activity” means the filming, videotaping, photographing, or other similar process conducted for commercial purposes or where any member of the film, photography, or recording crew is paid. All filming activities conducted within City limits require a film permit EXCEPT for the following:

- A. Film activities conducted for news purposes
- B. Filming activities conducted in a studio
- C. Filming activities conducted by a person solely for his or her own private personal use, and not for commercial purposes
- D. Filming activities taking place on private property and completed in a single day between the hours of 9a.m. and 10p.m. (may still require a Filming Business License)

This section shall not be construed to relieve any person or entity from any obligations imposed by applicable law, including, but not limited to, Capitola Municipal Code § 5.04.

APPLICATION PROCESS

- A. Submission: A complete film permit application must be submitted to City Manager Department staff no later than 21 business days prior to the start of the filming activity. Staff will make a reasonable attempt to process late applications. However, the City cannot guarantee its timely approval.
- B. Film Permit Processing Fees: Payment of all applicable fees and deposits are due in full prior to the issuance of the permit. Film permit fees are indicated in the City’s Fee Schedule.
- C. Other License & Permits:
 - 1. *Filming Business License*: It is prohibited for any person or persons to carry on a business in the city without having paid, by the time due, any business license tax applicable to the term during which the business was carried on. “Conducting a business,” means carrying on any business, profession or commercial event of any type. Thus, prior to issuance of a Film Permit, applicants must obtain a Capitola Filming Business License. Capitola Filming Business Licenses are only valid for the duration of the specific filming activity outlined in their application, except as noted below.
 - i. To determine the amount for a specific filming request, the following guidelines will be used to calculate the business license fee. However, the amount may be altered based on specific filming requests that create unusual impacts.

Type of Filming	Fee
<i>Commercial Filming</i>	
Individual shooting still photos or videos where only one person is paid for the filming activity	\$25.00/day
Crew of 3 people or less, shooting still photos or video	\$50.00/day
Crew of 4 to 10 people, shooting still photos or video	\$100.00/day
Crew of 10 or more people, shooting still photos or video	\$500.00/day
Music video, TV commercial, TV series/movie or feature film, or other types of filming that results in significant community impacts	\$1,000-\$3,000 per day, depending on public impacts
<i>Nonprofit Filming</i>	
Filming by a nonprofit or public agency	No business license required
<i>A Rush Fee may be applied for permits requested less than 21 days in advance of film date</i>	\$50.00

2. *Encroachment Permit*: Any person, firm or corporation encroaching into the public right-of-way, or water course to do work, store materials, erect or place any structure is required to obtain an Encroachment Permit per Capitola Municipal Code Section 12.56. If a permittee is required to obtain an encroachment permit, the application will be routed to the Public Works Department for review and approval of the encroachment permit.
 3. *Special Event Permit*: Depending on the filming activity, desired road closures, or use of public spaces, a special event permit may be required. If a permittee is required to obtain a special event permit, the application will be routed to the Police Department for review and approval.
- D. Approval: Upon receipt of a complete application, permittee will be notified in writing within 10 business days if the application is granted.
- E. Revocation: A permittee's failure to comply with the conditions of the film permit may result in an immediate revocation of the permit by the City Manager.

This policy is approved and authorized by:

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Jamie Goldstein, City Manager