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## Sec. 34-2. Film permits.

- (a) *Purpose.* The purpose of this ordinance is to provide guidelines for the issuance, approval, and fees associated with the granting of permits for filming by television companies, movie companies, or other media in the Town. The Town invites and encourages film production so long as the Town's primary responsibility to provide service and protection to the public is not impaired and provided that the Town is compensated for the time, labor, and other costs associated with allowing the use of Town-owned property and facilities.
- (b) *Permit required – Town-owned property.* A film permit shall be obtained by any person working on behalf of television companies, movie companies, or other media, company or agency filming on Town-owned property. For purposes of this ordinance, "Town-owned property" includes, but is not limited to, Town right-of-way. There shall be a consistent and uniform process for the issuance of film permits in the Town. Any person planning a filming shoot which could impact public safety and/or disrupt Town business is required to obtain a film permit. Failure to obtain a film permit shall be a violation of this section. Each day a film permit is not obtained shall be a separate violation.

(c) Permit required – private property. A permit shall also be required for film activity on private property if such activity is reasonably anticipated to impact public space. Failure to obtain a film permit shall be a violation of this section. Each day a film permit is not obtained shall be a separate violation. For purposes of this section, impact to public space means any of the following:

(1) Traffic Generation:

The film activity is expected to generate more than 10 vehicle trips per hour beyond the normal use of the property, or more than 50 total vehicle trips in a day, including cast, crew, equipment delivery, and support vehicles.

(2) Use of Right of Way:

The film activity requires or requests any of the following:

- a. Parking of production vehicles, personal vehicles, or equipment within the public right-of-way;
- b. Temporary closure of a public street, sidewalk, trail, or the cart-path network; or
- c. Intermittent traffic control or traffic holds on a public street.

(3) Noise Impact:

The film activity will involve amplified sound, special effects, machinery, generators, or other noise-producing activity exceeding the limits set forth in the Town's noise ordinance for the applicable zoning district.

(4) Lighting Impact:

The use of production lighting, strobe lighting, cranes, or other illumination that is directed toward or spills onto a public street, sidewalk, park, or trail, or that otherwise creates glare affecting public visibility or safety.

(5) Public Safety Resources:

The activity requires or requests the presence of police, fire, or EMS for traffic control, safety, or coordination related to a public area.

(7) Equipment Placement:

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Placement of props, staging equipment, or temporary structures within five (5) feet of a public right-of-way, or in any manner that encroaches into public space.

(8d) ~~Exemptions~~Exemptions.:

A film permit shall not be required for:

a. News media; or

b. Personal/family video recordings not for commercial use.;

Studio filming conducted at properly licensed facilities;

a. ~~Small business commercials wholly contained within the business premises~~

(ee) Definitions.

(1) Active locations: Town-owned properties on which permitted filming would produce disruption to routine Town business/operations or to the general public.

(2) Film activity: Creating motion pictures, including all staging, filming, or related activity.

(34) Passive locations: Town-owned properties on which permitted filming would not produce disruption to routine Town business/operations or to the general public.

(546) Public space: Any Town-owned property accessible to the public, including parks, streets, sidewalks, and facilities.

(d) Procedure for issuance of permits.

(1) Application.

a. Any person desiring to obtain a film permit shall make application to the Town clerk on a form prescribed by said official and shall meet the conditions set out in this ordinance.

b. Applications must be submitted at least ten (10) business days prior to expected film date(s). Applications that require road closures must be submitted at least fourteen (14) days prior to expected film date(s). A rush fee will be applied if these timelines are not met.

~~b.c.~~ An application for a film permit shall be accompanied by a copy of a certificate of liability insurance for the person, company or agency filming, with at least \$1,000,000 of coverage. The certificate of liability shall list the "Town of Tyrone" as an additional insured.

~~ed.~~ In the event that special provisions are made to secure locations, including parking areas, for traffic enforcement, or other items/issues of an exclusive nature, supporting documentation shall be attached to the film permit application.

~~de.~~ Upon request by the Town manager, a copy of the portion of the script of the scene that will be filmed on Town-owned property shall be included with the film permit application.

f. ~~Applicant~~Where film activity will occur on Town-owned property, applicant must sign an indemnification and hold harmless agreement in favor of the Town.

(2) Application review.

a. The Town clerk or his/her designee will coordinate with all necessary department heads in a joint effort to determine if a film permit should be approved or denied.

b. The Town reserves the right to deny a film permit based on the expected disruption to the Town's business/operations and in cases deemed to be detrimental to the Town's best interests. The Town further reserves the right to deny a film permit based on the script of the scene to be filmed on Town-owned property.

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- c. Written notice must be provided to affected residents/businesses within 1000 feet of the location of the film activity at least 3 days before filming.
  - d. Every effort will be made by the Town to expedite the processing of a film permit application. However, if the timeframe for which the film permit is needed is not deemed reasonable by the Town for processing, the Town reserves the right to reject an application for a film permit immediately upon receipt.
  - ~~de.~~ The Town manager shall determine whether a film permit should be approved or denied.
  - ~~ef.~~ The Town clerk or his/her designee will contact the requesting party or their agent to communicate the decision of the Town manager.
- (3) Fees. A fee shall be charged for filming ~~on town-owned property in the following amounts~~ within the Town as follows:
- a. An application fee of fifty dollars (\$50.00) is required.
  - b. ~~One hundred dollars~~ Five hundred dollars (\$500.00) per day for filming on Town-owned property at passive locations ~~that do not produce disruption to routine town~~ Town business/operations or to the general public.
  - ~~bc.~~ Five hundred dollars ~~One thousand dollars (\$1000.00)~~ per day for filming on Town-owned property at active locations ~~that may produce disruption to routine town~~ Town business/operations or to the general public.
  - ~~ed.~~ A refundable one thousand dollar (\$1,000.00) deposit is required when filming on Town-owned property.
  - ~~b-c.~~ The Town manager or his/her designee shall have discretion to determine whether a particular application requires filming at a passive or active location, as those terms are used in paragraphs ~~ab.~~ and ~~bc.~~ above.

(4e) Regulations.

- a. Filming hours:
  - 1. 8 a.m. – 9 p.m. Monday - Friday
  - 2. 8 a.m. – 11 p.m. Saturday and Sunday
- b. Law enforcement presence.

The applicant must coordinate with the Chief of Police or his/her designee to hire off-duty officers when road closures, crowd control, or other security is required. The Chief of Police will set the officer's going hourly rate for off-duty work. The applicant will pay the officer(s) directly.

  - 1. The applicant will pay the Town \$15.00 per hour for the officer's patrol car.
- c. Town property.

The applicant shall not make any alterations to Town property without the express written permission of the Town prior to filming. All Town property approved for use in filming shall be left in the condition in which it was found. A cleaning/repair fee will be charged to the applicant as necessary.
- d. Special effects.

The use of explosives, pyrotechnics, firearms, smoke, etc. require additional approval and may also require the presence of fire/EMS personnel.

(f) Penalties.

Permits may be revoked by the Town Manager or his/her designee for the violation of any provision of this ordinance. A fine of up to \$1,000 per violation may also be imposed.

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(g) *Records retention.* At the conclusion of the application process and granting of a film permit, two copies of the film permit shall be signed by the [Town](#) manager and by the authorized representative of the company or agency applying for the permit. One copy of the approved permit, along with any supporting documentation, shall be kept on file in the [Town](#)'s office of administration for one year. The second copy shall be kept on the site of the filming and is the property of the person listed on the permit application. Electronic copies of these documents may also be kept in the same manner as described.