

**TOWN OF SAN ANSELMO
ORDINANCE NO. 1013**

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO
ADOPTING REGULATIONS FOR THE ISSUANCE OF
COMMERCIAL FILMING AND STILL PHOTOGRAPHY PERMITS**

The Town Council of the Town of San Anselmo does hereby ordain as follows:

Section 1. DECLARATION OF PURPOSE

The Town Council of San Anselmo hereby finds:

1. Current provisions of the Home Occupation regulations within the Zoning Ordinance of the San Anselmo Municipal Code are prohibitive with regard to commercial filming activities throughout the Town, and without these regulations, there are no other standards or conditions by which to regulate commercial filming;
2. Issuance of a business license for commercial filming would be inconsistent with the Home Occupation regulations;
3. To protect the public safety, peace, health and welfare, and to allow continuation of ongoing legitimate business activities it is necessary regulations be adopted;
4. The regulations herein adopted shall not be subject to the Home Occupation regulations or any other zoning regulation of the Town of San Anselmo.

Section 2 DEFINITIONS

1. "Minor Still Photography" includes photography for the purposes of commercial advertising with a crew consisting of no more than five (5) members and two vehicles.
2. "Motion Picture and Commercial filming" includes filming, video taping, photographing or other similar process conducted for the making of motion pictures, television programs, video commercials, and non-theatrical productions and similar activity.
3. "Still Photography" includes photography for the purposes of commercial advertising with a crew of six (6) or more and vehicular traffic of three (3) or more vehicles.
4. "Vehicle, essential" includes large production vehicles such as motor homes, equipment trucks, trailers, generators and other vehicles that are required to be parked at the shoot location.
5. "Vehicle, non-essential" includes crew cars, craft service, shuttle vans and other vehicles that are not essential to the filming activity and can be parked at an offsite location.

Section 3. APPLICATION FOR PERMIT

1. **Motion Picture and Commercial Filming.** The following regulations shall be enforced on all motion picture and commercial filming permit requests made to the Film Coordinator, to be designated by the Town Administrator, of the Town of San Anselmo.
 - a. Hours of Filming Activity including setup and dismantling of equipment: 7:00 a.m. – 7:00 p.m., Monday through Friday. Any request for extended hours must be made at the time of application submittal and must include a signature survey per section 3-1(g) of the neighborhood acknowledging the extended hour request.

Saturday filming may be permitted with a signature survey per section 3-1(g).

Sunday and Holiday filming may be permitted with a signature survey of property owners within non-residential areas, and on school property.
 - b. Filming activity at a single residential site shall not exceed a maximum of three (3) consecutive workdays or a maximum of six (6) days in six (6) months. Additional consecutive days may be permitted with a signature survey per section 3-1(g) of the neighborhood acknowledging the additional days of filming.
 - c. Filming and all related activity shall not exceed noise levels permitted by Chapter 7 of Title 4 of the San Anselmo Municipal Code.
 - d. Filming and all related activity within residential neighborhoods shall not generate additional vehicular parking of more than eight (8) essential vehicles and six (6) non-essential vehicles. Additional vehicles shall park at a satellite location from the filming site.
 - e. A parking plan shall be required for all motion picture and filming permits at the time of permit application for approval by the Police Department and the Film Coordinator. The parking plan shall indicate the parking locations of all essential vehicles and indicate the offsite parking location(s) of non-essential vehicles.
 - f. Notification letter to all occupants and business owners within 300 feet of the film location must be hand delivered at least seventy-two (72) hours prior to commencement of filming activity. The Town-approved notification letter must be typed on film company letterhead with the local telephone number of the company noted, as well as a contact telephone number for the Town of San Anselmo. The Code of Professional Responsibility and Good Neighbor Code of Conduct shall be attached to the notification letter.

- g. When a signature survey is necessary for a permit approval, the survey shall clearly state the purpose of such survey including that section of the ordinance for which an exception is requested. The signature survey shall contain a minimum of seventy (70) percent of the neighbors' signatures of no less than five consecutive properties on both sides and across the street of the subject property.

2 **Still Photography Permits.** The following regulations shall be enforced on all still photography permit requests made to the Film Coordinator, to be designated by the Town Administrator, of the Town of San Anselmo.

- a. Hours of Still Photography activity including setup and dismantling of equipment: 7:00 a.m. – 7:00 p.m., Monday through Friday.

Saturday Still Photography may be permitted with signature survey approval of three properties on both sides and across the street of the subject property.

Still Photography may be permitted on Sundays and Holidays with a signature survey at non-residential locations and on school property.

- b. Still Photography activity at a single residential site shall not exceed a maximum of three (3) consecutive days or a maximum of twelve (12) days in six (6) months. Any increase above the maximum twelve days (12) may require a signature survey.

A property owner may file an Annual Signature Survey with the Town and be granted up to a maximum of eighteen (18) days per six-month period. The Annual Signature Survey shall only allow an increase to the number days allowed per six-month period and shall not be accepted in lieu of any other signature survey requirements.

- c. Still Photography and all related activity shall not exceed noise levels permitted by Chapter 7 of Title 4 of the San Anselmo Municipal Code.
- d. Still Photography and all related activity within residential neighborhoods shall not generate additional vehicular parking of more than five vehicles, of which two (2) may be equipment truck/trailers and/or motor homes. Any increase in vehicle activity, including additional passenger cars shall require submittal of a parking plan at the time of permit application for approval by the Film Coordinator. A signature survey for any increase in parking may also be required.

Section 4. PERMIT APPROVAL/DENIAL

The Film Permit shall be approved by the Film Coordinator unless (s)he determines, from consideration of the application or other pertinent information, that any of the following conditions exist:

1. The filming activity will substantially disrupt the use of a street at a time when it is usually subject to traffic congestion, or interfere with operation of emergency vehicles in the proposed permit area.
2. The location of the filming activity will substantially interfere with street maintenance work, or any previously authorized permitted work.
3. The proposed permit location is on town-owned property and the filming activity will substantially interfere with municipal functions, or other previously authorized activities on town property.
4. The filming activity creates a substantial risk of injury to persons or property.
5. The applicant failed to complete the application after being requested to do so, or the information contained in the application is found to be false in material detail.
6. The particular filming activity would violate federal, state or local law including license/permit requirements.
7. The filming activity will be unreasonably disruptive to the normal activity of the street or neighborhood.

When the grounds for permit denial can be corrected by imposing reasonable permit conditions, the Film Coordinator shall impose such conditions rather than denying the permit.

SECTION 5. PERMIT REVOCATION AND SUSPENSION

The Film Coordinator may revoke the film permit if the permittee, or any agents, employees, volunteers, or contractors of the permittee fail to comply with the conditions and requirements of the permit or this chapter, or if it is determined after issuance that the permit application is materially false. The Film Coordinator shall provide the permittee with the grounds for revocation in writing within a reasonable time of revocation.

Any permit issued pursuant to the terms of this ordinance shall be subject to immediate suspension by the Town if it is found necessary for the protection of the public health, safety, or general welfare.

SECTION 6. APPEALS

The permit applicant may appeal a permit denial, permit condition, or permit revocation or refusal to waive a deadline under this chapter by filing an appeal within ten days with the Town Clerk as outlined in Section 1-4.02 of the San Anselmo Municipal Code.

SECTION 7 EXEMPTION

The following shall require a business license but shall be exempt from the provisions of this ordinance:

- 1. Minor Still photography or staging thereof, when conducted to the exclusion of any other filming activity and when the still photography will not generate the parking of more than two vehicles of which one may be a truck or motor home within the neighborhood.


The following shall be exempt from all Town of San Anselmo regulations:

- 2. Filming Activities conducted for news purposes as defined in Section 6-6.02(g) of the San Anselmo Municipal Code.
- 3. Filming Activities conducted for use in a criminal investigation or civil or criminal court proceeding.
- 4. Non-commercial Filming Activities conducted solely for private or family use.
- 5. Filming Activities conducted by or for the Town or for any public access or governmental programming channel.

Section 5. EFFECTIVE DATE


The foregoing Ordinance was read and introduced at a regular meeting of the Town Council of the Town of San Anselmo, County of Marin, State of California, held on the 28th day of March, 2000 and thereafter adopted at the regular meeting of the Town Council of the Town of San Anselmo, County of Marin, State of California held on the 11th day of April, 2000 by the following vote:

AYES: Breen, Chignell, Hodgens, Kroot, Kilkus
 NOES: (None)
 ABSTAIN: (None)
 ABSENT: (None)



 Peter Breen, Mayor

ATTEST:



 Debra Stutsman, Town Clerk