



FILM PERMIT GUIDELINES

The City of Powder Springs invites and encourages film production utilizing City property provided: the City of Powder Springs's primary responsibility to provide service and protection to the general public is not impaired; City of Powder Springs is compensated for the time, labor, and other costs associated with permitting the utilization of City of Powder Springs' property and facilities; and, City of Powder Springs is indemnified from any responsibility arising from any injury, accident, destruction of property or other occurrence associated with the project. City of Powder Springs reserves the right to refuse access to City property on the grounds of prior reference examination, and portrayal of the City in the content of the project.

SUMMARY OF PROCEDURES:

1. All requests for filming on City property will be directed to the Economic Development Department. All contacts and arrangements will be made through that department. The film maker/production company is not to be directed to any other office of the City.
2. The Economic Development Department will forward a **Film Permit Application Packet** to the applicant for completion. The packet includes: the Film Permit Guidelines, a Sample Insurance Certificate, Indemnification and Hold Harmless Agreement, and Film Permit Application Form.
3. The Economic Development Department will review the request upon receipt of the completed Film Permit Application Package and required fee. If necessary, a meeting and tour will be arranged with the Production Location Scout for a suitable location for filming.
4. After the Package is reviewed and a site selected, Economic Development staff will communicate with the Public Works and Police Departments and establish the logistics and personnel requirements for the production.
5. The Economic Development Department will communicate approval or denial to the applicant. If the request is approved, the Economic Development Department will notify the applicant and bill them for applicable fees. All fees must be paid to the Economic Development Department before the actual permit is issued.
6. If the application is denied, the applicant may initiate an appeals process by writing the City Manager within five (5) days of receipt of denial. The City Manager will respond to the appeal within two (2) days of receipt of the appeal.
7. Once the filming/shoot is completed, the affected Department(s) will make an assessment of damages and refund any unused damage deposit and per diem holdover to the applicant. Allow thirty (30) days for processing.
8. If subcontractors, vendors, or caterers are used during the term of agreement, the parties are subject to City guidelines on use of City facilities and terms embodied in the Ordinance.

ADMINISTRATIVE POLICIES AND PROCEDURES

FILM PERMIT REQUIRED FOR USE OF PUBLIC RIGHT OF WAY: A Film Permit is required for any commercial film activity which involves the use of public or private property or the public right-of-way in any one location for longer than five (5) consecutive minutes, or impacts the public right of way beyond normal traffic. (Examples: on-street parking; interruption of vehicular or pedestrian traffic flow; placement of flats, cameras, lights or other equipment on public property.)

Application will be made on the **Film Permit Application Form** and presented to the Economic Development staff person for review. Early application is recommended as permits are issued on a first come first served basis, and time may be needed to work out any difficulties associated with the planned activity. Requirements may vary depending on the impact of the activity as defined below.

NOTIFICATION OF AFFECTED BUSINESSES AND RESIDENTS: The Production Company will notify all businesses and residents affected by the activity. Notification should take place following the City's review of the application, and no less than three (3) business days prior to the planned activity. Earlier notification may be required in cases where planned activities may have a significant impact on normal activities of the area (Example: activities impacting parking or traffic in the Downtown Business District, see Section VII.C). Exceptions may be made in special situations. The area to be covered by notification may vary depending on the impact of the planned activity, but will be a minimum of all businesses or residents in the linear block in which the activity is to occur.

TRAFFIC CONTROL AND STREET CLOSURES: Approval must be obtained prior to any film activity which would disrupt the normal flow of traffic. Traffic control, if needed, must be handled by off-duty police officers hired by the Production Company through the City's Police Department. The City retains the right to determine the number of officers needed. Intermittent holding of traffic shall not exceed three minute intervals except when specifically approved by permit.

Street closures are discouraged in most instances. Requests for street closures or diverting of traffic should be made well in advance to allow for planning of alternate routes and proper notification.

Interruption of traffic on state routes or closure of state routes requires prior approval from the Georgia Department of Transportation (GDOT), as well as the City. The Economic Development Department will provide the Production Company with the appropriate contact at the GDOT.

When street closures are necessary or film activity will impact the navigation of emergency vehicles, the Production Company must abide by a plan prescribed by the City Police Department for the provision of safety services in accordance with the City Code.

SPECIAL EFFECTS, EXPLOSIVES AND SIMILAR DEVICES: No film activity which involves the use of explosives, pyrotechnics, fire, smoke-making machines or other special effects may be undertaken unless specifically approved by Cobb County Fire and Emergency Services. Use of explosives or pyrotechnics requires a certificate from the Probate Court. The Production Company will be responsible for acquiring the permit. Cobb County Fire and Emergency Services will not issue a permit until they have received the certificate. The Economic Development Department can provide a contact at the Probate Court.

REMOVAL OF VEGETATION: Removal, cutting or trimming of vegetation in the public right-of-way is prohibited unless specifically approved by permit.

FILM IMPACT:

A. **LOW IMPACT FILM ACTIVITIES:** In general, low impact activities in the area defined as those which:

- Allow uninterrupted flow of pedestrian traffic;
- Hold vehicular traffic for no more than one minute intervals;
- Utilize no more than four (4) on-street parking spaces in any linear block containing businesses dependent on on-street parking;
- Have minimal impact on normal business activities;
- Take place in the Downtown Business District outside normal business hours;
- Utilize no more than fifty percent (50%) of the on-street parking spaces in any linear block containing businesses not dependent on on-street parking;
- Utilize no on-street parking where there are no marked on-street parking spaces;
- Utilize no parking in alleys without prior approval by the abutting businesses and the Fire Department;
- Provide parking for cast, crew, extras and other nonessential vehicles in off-street lots, as well as alternate parking for those displaced from these lots;
- Provide a private holding area for extras; and
- Conduct prep and wrap activities in accordance with the above.

B. **HIGH IMPACT FILM ACTIVITIES:** In general, high impact film activities are those that fall outside two or more of the criteria for a low impact activity. Additional criteria that classify a film activity as high impact include:

- High speed chases or crashes;
- Use of pyrotechnics or explosives; or
- Use of aircraft.

HISTORIC DOWNTOWN BUSINESS DISTRICT:

A. **HISTORIC DOWNTOWN BUSINESS DISTRICT DEFINED:** The Historic Downtown Business District is defined as those properties along Marietta Street from New Macland Road to Brownsville Road.

B. **PERMITTING AND NOTIFICATION PROCEDURE FOR HIGH IMPACT FILMING IN THE HISTORIC DOWNTOWN BUSINESS DISTRICT.**

1. A completed Application for Permit shall be submitted to the Economic Development Department for review as soon as possible.
2. The Production Company shall distribute copies of the completed application, at minimum, to all businesses and residents within a full block in each direction from the planned activity no less than five (5) business days prior to the planned activity. The Production Company shall have each recipient initial for receipt of the application, and shall submit the sign-off sheet to the Economic Development Department.
3. Businesses shall have one (1) business day in which to notify the City of any concerns/objections in reference to the proposed film activities.
4. The Economic Development Department shall attempt to resolve concerns or objections reported in consultation with the business and the Production Company.
5. If the permit is issued, the Production Company will notify businesses and residents of the finalized plans, no less than three (3) business days in advance of the planned activities.

C. **RESTRICTIONS**

1. We discourage filming in the Historic Downtown Business District during the period from Thanksgiving day through December 31 and during special events utilizing the Town Square, Powder Springs Park, or Wildhorse Park. If filming is necessary during these times, it should be planned for a Sunday or outside normal business hours. Even low impact filming permits may be denied near merchants whose businesses are highly dependent on sales during these times, or during special events.
2. Filming will not be allowed within two (2) blocks of a planned event if the event is an annual event or if expenses have already been incurred prior to notification of planned film activities. Exceptions

may be made for low impact filming.

3. No more than two (2) film permits shall be issued within the downtown business district for any given time/date. Exceptions may be made for low impact filming.

RESIDENTIAL AREAS

- A. In areas zoned residential, film activities will not begin prior to 7:00 a.m., and will end by 11:00 p.m. weekdays and Sundays, and by midnight on Friday and Saturday, except with special advance permission.
- B. Affected residents in an area not less than two blocks in either direction must be notified by letter or in person not *less* than three days in advance. Notification should include information concerning the location and duration of the filming activity in question, as well as specifics regarding lights, noise, or any special effects.
- C. All equipment and support vehicles not in immediate use shall be parked so as not to cause any interference to pedestrians or vehicular traffic.
- D. When filming on residential streets which experience traffic congestion as a result of schools opening and closing or the morning and evening "rush" hours, neither pedestrian nor vehicular traffic may be held during these "rush" times, which will be agreed upon in advance by the film liaison and the locations' manager.
- E. Production vehicles must not block fire hydrants, driveways, or other access ramps unless authorized by the City or property owner. Ten (10) feet of clearance should be left on either side of affected driveways, unless otherwise authorized.
- F. Production vehicles must be parked in such a way as to not impede safe lines of vision at intersections.
- G. Lighting for filming, both (during the day and night, should be oriented away from neighboring residences wherever possible, and should not interfere with the safe movement of traffic.
- H. Production companies are responsible for cleaning and restoring locations used, including public and private lands, with a minimum amount of noise and disruption.
- I. Production companies blocking off or holding traffic on streets scheduled for garbage pick-up are responsible for:
 - moving trash cans to a location accessible to sanitation vehicles, and then returning them to their proper owners; or
 - coordinating, in advance, a time when sanitation vehicles may access the area affected.
- J. Residents may not charge production companies for use of the public right-of-way in front of their homes, nor prohibit use without justifiable cause, but may reasonably expect the right-of-way to be restored to its' original condition by the Production Company.
- K. Special effects involving sirens, gunshots, speeding cars, or other loud noises are limited to the hours before 11:00 p.m., unless cleared in advance with the City Film Office and the neighbors affected. (See attached noise ordinance)
- L. Wherever possible, base camps and dressing room trailers should be parked away from neighboring residences, and/or take steps to control noise from generators, slamming doors, engines, etc., in the early morning before 7:30 a.m. and after 9:00 p.m. in the evening.

PERMIT FEES: Each applicant will pay the required fees as established by resolution of the City Council. Where set fees are established, Production Companies pay the same fee as the general public for the service or facility. Services for which a fee has not been established will be charged on the basis of time, equipment, and material. All fees are subject to change.

- A. There is a **\$55.00** fee for a film permit to reimburse the City for the staff time required to evaluate the application and establish conditions of approval. Processing fees may be waived at the discretion of the City Manager for charitable and nonprofit organizations which qualify under Section 501C (3) of the United States Internal Revenue Code, and City sanctioned organizations if substantial benefits will inure to the City of Powder Springs.
- B. There are charges associated with use of certain City services or facilities. The facilities charges and in certain circumstances, the service fees, may be waived at the discretion of the City Manager for the following, if substantial benefits will inure to the City of Powder Springs:
 - 1. Productions conducted by a cable television company operating under a franchise granted by the City which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two (2) motor vehicles;
 - 2. Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly;
 - 3. Student filming; and Productions by City sanctioned organizations

Applicable Fees for Services:

Police Officers (\$70 minimum)	\$35 per hour
Police Vehicle (as required)	\$35 per day
Fire Inspector (4 hour minimum).....	Per Cobb County Fire Marshal's requirements
Fire truck	Per Cobb County Fire Marshal's requirements
Hydrant meter hookup	\$5 per day/\$850 Deposit
Water from hydrant meter	\$5.30 per thousand gal.
Street Closure	\$120 per day minimum
<ul style="list-style-type: none"> o A&B Explosives permit o C Explosives permit o Fireworks permit o Transport A & B 	<p>Fire department permit fees are regulated by the Cobb County Fire and Emergency Services Department. In Addition, applicable federal and state permits must be obtained for the use and transportation of explosive materials. Contact the film office if you have questions regarding these permits.</p>

Permit for an enclosed tent Per Cobb County Fire Marshal's requirements

Facility Rental (varies with location/activity), Shall equal utilities for the day or \$100/day (minimum) whichever is greater.

CHARGE FOR SERVICES RENDERED ON LATE REQUEST: There will be an additional \$100 charge for City services rendered as a result of requests made with less than two (2) working days notice.

INSURANCE

The Company agrees to provide and maintain the following minimum insurance coverage until the filming is completed and to furnish certificates from its insurance carriers, showing that it carries insurance in the following minimum limits.

- a. Worker's Compensation: Statutory limits for state or states in which the work is to be performed.
- b. Commercial general liability: comprehensive liability with endorsement with a minimum of one million dollars combined single limit coverage per occurrence for bodily injury and property damage that shall name the City of Powder Springs as an additional insured.
- c. Automobile liability: Five hundred thousand dollars each person, five hundred thousand each accident and property damage, five hundred thousand each accident.

INDEMNIFICATION

The Company agrees to sign the Indemnification and Hold Harmless Agreement that is located in this packet.

FILM PERMIT INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

WHEREAS, User desires to access certain City owned property known and located at (the "Property"), trails and rights of way;

WHEREAS, the City desires to allow the User to access a portion of said space;

NOW THEREFORE, in consideration of permission to and/or the use of the said space by the User, and other good and valuable consideration, the User does hereby represent, warrant and agree as follows:

The User shall indemnify and hold harmless the City, its Mayor, City Council, Officials, employees, and agents, from and against all claims, damages, losses, liabilities, and expenses including attorney's fees arising out of or resulting from Vendor's use of the City's Property and/or anyone directly or indirectly employed by User or anyone for whose acts any of them may be liable.

Furthermore, the User shall also indemnify and hold harmless the City, its Mayor, City Council, Officials, employees, and agents, from and against all claims, damages, losses, liabilities, and expenses including attorney's fees arising out of or resulting from User's use of the City's Property, provided that any such claim, damage, loss, liability and/or expense:

(1) is attributable to bodily injury, sickness disease or death, or to injury or destruction of real or tangible property, including the loss of use resulting therefrom, and

(2) is caused in whole or in part by any negligent act or omission of the User, anyone directly or indirectly employed by them or anyone for whose acts any of them may be liable, regardless of whether or not said claim, damage, loss and/or expense is caused in part by the City and regardless of whether or not any such negligence, including that of the City, is contributory in nature.

The indemnification and hold harmless terms agreed to by User herein forth above shall not apply to those liabilities, claims, damages, injuries, losses or expenses arising out of bodily injury to persons, death, or damage to property caused by or resulting from sole negligence of the City, its officers, agents or employees.

That if any provision of this indemnification and Hold Harmless Agreement, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction in Cobb County, Georgia, the remainder of the provisions of this Agreement, or the application of such provisions to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

USER signature

Date

CITY OF POWDER SPRINGS - FILM PERMIT APPLICATION

Mailing Address:
Attn: Shaun Myers
P.O. Box 46
Powder Springs GA 30127
P.O. Box

Shipping Address:
Attn: Shaun Myers
4484 Marietta Street
Powder Springs, GA 30127

Phone: 770-943-1666 Fax: 770-943-8003

FOR OFFICE USE ONLY

LOW IMPACT FILM APPLICATION

The information below is a request for approval of a filming permit. If the film activities proposed below create undue hardship for you, please contact the Economic Development Department by the close of business on _____. (Ext.345)

HIGH IMPACT FILM APPLICATION

The information below is a request for approval of a filming permit that will require services from your department that go above and beyond those generally provided. Please review the request and determine if this request can be handled and provide the film office with associated fees and charges by _____.

Company _____ Film _____
Address _____
Contact Person _____ Office Phone _____
Mobile Phone _____ E-mail _____
Type: Feature Film ___ TV Movie ___ TV Series ___ Commercial ___ Still Photo ___ Other _____
Location _____

Film date(s) _____ Hours _____
Prep/wrap outside listed time? No _____ Yes _____ If yes, see page 2.
In case of foul weather or other emergency, film date will be _____
Describe Anticipated Filming: _____

Number in cast _____ Crew _____ Extras _____
Street Closure location(s) _____
Equipment parking location(s) _____
Base camp location(s) _____
Catering truck location(s) _____
Crew parking location(s) _____
Extras' parking location(s) _____
Other on-street parking location(s) _____

Police Officers: Amt. _____ Hours _____ to _____ Amt. _____ Hours _____ to _____

Vehicular traffic control requested at _____

Pedestrian traffic control requested at _____

Special equipment and placement at _____

Special situations/effects (stunts, animals, gunfire, noise, etc.) _____

Special requests (hydrant meter, alteration to city property, etc.) _____

Additional information (include any prep and wrap activities, times, parking)

OFFICE USE ONLY				
PERMITS	DESCRIPTION	FEE	DATE RECEIVED	RECEIPT #
APPLICATION FEE	Mandatory fee	\$55.00		
USE OF CITY PROPERTY PROPERTY	Shall equal utilities for the day or \$100/day (minimum) whichever is greater			
Police Officers	\$70 minimum; \$35 per hour			
Police Vehicle	\$35 per day as required			
Hydrant meter hookup	\$5 per day/\$850 Deposit			
Water from hydrant meter	\$5.30 per thousand gal			
Street Closure	\$120 per day			
Other				
TOTAL				

Signatures needed for approval:

Public Works Director: _____ DATE

Chief of Police: _____ DATE

Economic Development: _____ DATE