

## **Chapter 12.28      FILM AND MEDIA PRODUCTION**

- 12.28.005    Definitions.**
- 12.28.015    Permit Required.**
- 12.28.025    Application for Permit.**
- 12.28.035    Duration; Extension.**
- 12.28.045    Permit Fees.**
- 12.28.055    Damage Deposit.**
- 12.28.065    Liability and Insurance.**
- 12.28.075    Rules and Regulations.**
- 12.28.085    Violations; Revocation.**

### **12.28.005    Definitions.**

In reading and interpreting this Chapter, the following terms shall be defined as follows, unless context dictates otherwise:

- (1)    “Photography” and “film” mean any method of recording or capturing a still or moving visual image, including but not limited to still photography, videography and cinematography.
- (2)    “Planned Film Production” means all activity attendant to staging or shooting any image for use in a motion picture, television show, web-based program, commercial, or advertisement, regardless of the recording format.
- (3)    “News Production” means all activity attendant to reporting on any unplanned events and circumstances of potential public concern for immediate publication or dissemination and includes shooting any still or moving image to document or illustrate such events and circumstances or providing context thereto.
- (4)    “County property” means real property belonging to Hood River County.
- (5)    “Person” means an individual, partnership, limited liability company, corporation or other legal entity.

### **12.28.015    Permit Required.**

- (1)    No person shall engage in a planned film production on County property without a valid permit.
- (2)    It shall not be unlawful to engage in a news production on County property.

- (3) No permit shall be issued for any activity that violates federal, state or local laws.

**12.28.025 Application for Permit.**

- (1) The following information shall be included in any application for a permit pursuant to this chapter:
- (a) The name, address, email address, and telephone number of the person(s) responsible for overseeing the permitted activity;
  - (b) The property address at which the activity is to be conducted as well as the name of the representative of the property, their address, email address and telephone number;
  - (c) The specific location on the property that will be used by the applicant;
  - (d) The specific date(s) and hours of the proposed activity;
  - (e) The number of personnel to be present at the proposed location at any time during production.
  - (f) A description of the character or nature of the proposed activity, including any circumstances that pose a risk to public safety and enjoyment, including but not limited to pyrotechnics, the handling of animals, or low flying aircraft;
  - (g) The requested number of County personnel (i.e., police fire) needed for public safety during the activity together with an acknowledgment that the applicant shall reimburse the County for its expenses in providing personnel to assist the production.
  - (h) The amount and type of vehicles and equipment to be used during the activity;
  - (i) A parking plan to accommodate all vehicles and equipment anticipated at the proposed location; and
  - (j) A commitment that the applicant shall hold the County harmless and otherwise indemnify the County against any liability caused by the proposed activity.
- (2) Permit applications under this chapter shall be accompanied by payment of an application fee in an amount established under section 0.00.000.

### **12.28.035 Duration; Extension.**

- (1) A permit issued under this chapter shall be valid for a period of sixty (60) days from the date of issuance.
- (2) An extension of the sixty (60) day permit may be requested in writing and received by the County no less than two (2) business days prior to the expiration of the existing permit. The extension request must include the following:
  - (a) Duration of the requested extension.
  - (b) A summary of the reasons for the requested extension.
  - (c) A revised Certificate of Insurance covering the extension dates; and
  - (d) Payment of any applicable fees.

### **12.28.045 Permit Fees.**

- (1) The County shall charge a fee for each permit issued pursuant to this chapter.
- (2) The County shall establish a fee schedule in accordance with section 0.00.000 which based on:
  - (a) anticipated costs to the County resulting from proposed activity including the any increased demands upon County personnel likely to result from the proposed activity.
  - (b) the loss of, or interference with, public use and access of County property likely to result from proposed activity;

### **12.28.055 Damage Deposit.**

Prior to the issuance of any permit under this chapter, applicants shall submit a refundable damage deposit in an amount determined by the County, to ensure cleanup and restoration of County property.

- (1) Upon completion of permitted activity and inspection of the site by the County, if no verifiable damage has occurred, the security deposit should be returned to the applicant.
- (2) If damage has occurred the County may, without further notice to permit-holder, repair the damage at its discretion and reimburse its costs from the damage deposit.

- (3) Any portion of the deposit remaining after conducting repairs under sub-section (2), shall then be returned to the permit-holder together with an accounting of the County's costs for performing or hiring others to perform the required repairs.

#### **12.28.065 Liability and Insurance.**

- (1) Prior to the issuance of a permit under this chapter the applicant shall provide the County with a certificate of insurance in the amount not less than \$1,000,000 naming the County, its officers and employees, as a co-insured 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 sixty (60) days' written notice to the County. A copy of the certificate shall remain on file with the County.
- (2) Applicants shall conform to all applicable Federal and State requirements for Worker's Compensation Insurance for all persons operating under a permit.

#### **12.28.075 Rules and Regulations.**

- (1) The County is hereby authorized and directed to promulgate rules and regulations, subject to approval by resolution of the Board of County Commissioners, governing the form, time and location of any activity occurring within the County.
- (2) All fees and civil penalties issued pursuant to this chapter shall be approved by a resolution by the Board of County Commissioners.

#### **12.28.085 Violations; Revocation.**

- (1) Engaging in a planned photographic production without a valid permit is a Category I County violation.
- (2) Violations under this chapter shall be prosecuted in accordance with HRCC Chapter 1.08.
- (3) The County may adopt specific civil penalties for certain violations of this title in accordance with HRCC 1.08.175.
- (4) Violation of the terms and conditions of a permit issued pursuant to this chapter may result in revocation of the permit.