



COMMERCIAL FILMING PERMIT APPLICATION INFORMATION

Parks & Community Services Department
370 East L Street
Benicia, CA 94510
(707) 746-4282

Welcome to the City of Benicia! In order to expedite your request to film/photograph in Benicia, please read the following information carefully. Once a completed application has been received, the applicant can expect a response within five (5) business days. If you have any questions or need further information, please feel free to contact the Parks and Community Services Department at the address or phone number listed above.

PERMITS AND EXEMPTIONS

As per Benicia Municipal Code: "No person shall use any public or private property, facility or residence for the purpose of taking commercial motion pictures or television pictures or commercial still photography without first applying for and receiving a permit."

The following are exempt and a permit will not be required providing the activity will not require the closure of a public street, substantially impede vehicular traffic or impact public safety: news media, private family use, non-commercial still photography, and filming conducted at a studio.

PERMIT APPLICATION

The attached "Request for Filming Permit" application must be filed with the Benicia Parks and Community Services Department along with the full application fee.

"REQUEST FOR FILMING PERMIT" APPLICATIONS MUST BE COMPLETELY FILLED OUT AND CONTAIN ALL INFORMATION REQUESTED. Details regarding special effects, gags, street closures, vehicle street parking and summary of scenes to be filmed MUST be included.

Failure to complete the application or include accurate information will result in a delayed response or denial of the application.

FEES

A schedule for City services, use of City property and reimbursement for City personnel are included on the attached "Fee Schedule for Filming".

INSURANCE

An original certificate of insurance for at least \$1 million general liability naming the City of Benicia, City officers and employees as additional insured may be required before a permit can be issued.

The applicant must conform to all applicable Federal and State requirements for Workers' Compensation Insurance for all persons operating under the permit. Commercial vehicle, aircraft and watercraft liability insurance may also be required.

To ensure clean up and restoration of the filming site, the applicant may be required to post a refundable faithful performance' bond. Upon completion of filming and inspection of the site by the City, the bond may be returned to the applicant.

FILMING REGULATIONS

1. **City Services:** The City of Benicia will determine what services and personnel will be required for the duration of the filming.

2. **Filming on Private Property:** This permit does not imply approval to use property not owned or controlled by the City of Benicia. An applicant is required to obtain the property owners written permission for use of private property not owned or controlled by the City and submit such permission with this application.

3. **Clean Up:** The permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the clean up of trash and debris. Each filming site must be restored to the original condition before leaving the site.

4. **Public Work Department (Roads and Streets):** If the applicant must park equipment, trucks and/or cars in zones that are not normally permitted, temporary "No Parking" signs must be posted by the City. The applicant must also obtain permission to string cable across sidewalks, or from generator to service point.

Traffic Control: For filming that would impair traffic flow, an applicant must use local law enforcement personnel and comply with all traffic control requirements deemed necessary.

An applicant shall furnish and install advance warning signs and any other traffic control devices in conformance with the Manual of Traffic Control, State of California, Department of Transportation. All appropriate safety precautions must be taken.

Traffic may be restricted to one 12-foot lane of traffic and/or stopped intermittently. The period of time that traffic may be restricted will be determined by the City, based on location.

Traffic shall not be detoured across a double line without prior approval of the appropriate department representative.

Unless authorized by the City, the camera cars must be driven in the direction of traffic and must observe all traffic laws.

Any emergency roadwork or construction by City or County crews and/or private contractors, under permit or contract to the appropriate department, shall have priority over filming activities.

5. **Flood Control:** When filming in a floodway or flood control channel, an applicant must vacate channel because of water releases. When filming in or on flood control properties, the agency must be named as additional insured.

6. **Campfires:** When a scene requires a fire or campfire on the beach, a gas jet must be used. No fires other than gas jets will be allowed unless the beach is equipped with fire rings.

REVOCAION OR SUSPENSION

A film permit may be revoked if the permittee fails to comply with the requirements set forth in the film permit or if a designated City officer determines the film permit application was false in any material aspect.

A film permit may be suspended when the filming activity poses an immediate hazard to persons or property and the location manager will not, or cannot, prevent the hazard after being instructed to do so by a City agent.

APPEAL PROCESS

The applicant or permittee may appeal a permit denial, revocation, suspension, permit condition, insurance or fees requirement. An appeal shall be filed with the City Manager's office no later than five (5) business days after the date written notice of the decision is made. The City Manager or designee shall hold an informal hearing no later than five (5) business days after the filing of the appeal. A decision will be rendered no later than two (2) business days after the appeal hearing. The decision of the City Manager may be appealed to the City Council at its next available meeting. The decision of the City Council is final.



FEE SCHEDULE FOR FILMING

The following are fees and charges for permits, City services and use of City facilities:

PERMIT APPLICATION FEE: \$100

One time non-refundable rate for processing application.

FILM PERMIT: \$50 per day for still photography

\$100 per day for video production

\$100 per day for television and film production

FIRE PERMIT: \$25 (if deemed necessary by the Benicia Fire Department)

FIREFIGHTER SERVICES: The fee for these services (inspection and stand-by) is computed at the actual hourly overtime rate (time and one-half plus fringe benefits) pursuant to job classification with a minimum four (4) hour shift.

POLICE SERVICES: The fee for these services is computed at the actual hourly overtime rate (time and one-half plus fringe benefits) pursuant to job classification with a minimum four (4) hour shift.

OTHER CITY EMPLOYEE SERVICES: The fee for these services is computed at the actual hourly overtime rate (time and one-half, plus fringe benefits) pursuant to job classification with a minimum four (4) hour shift.

RENTAL OF CITY FACILITIES AND PARKS: The rental fee for facilities and parks is \$250 per day for motion picture/television/video and \$25 per hour for still photography.

USE PERMIT: A Use Permit is only needed in rare circumstance, but if such is required the fee is \$600 and issued in accordance with the Benicia Temporary Use Permit Ordinance.

BUSINESS LICENSE: Minimum business license fee is \$30 and maximum business license fee is \$150 and issued in accordance with the Benicia Business License Ordinance.

CLEAN-UP DEPOSIT: The City reserves the right to collect \$500 minimum deposit and to impose other deposit requirements.

FAITHFUL PERFORMANCE BOND: An applicant may be required to post a refundable bond in an amount to be determined by the City Attorney.

TERMS AND CONDITIONS FOR FILM PERMIT

The City of Benicia Film Permit grants permission to film only on real property or streets owned, leased and/or controlled by the City of Benicia. The Film Permit is not transferable and shall be in the possession of the permittee while on location.

Written permission and lease arrangements shall be provided by the owner(s) of private property to film on property not owned, leased and/or controlled by the City of Benicia.

The Film Permit is granted subject to the terms and conditions stated herein. Failure to comply with these terms and conditions constitutes grounds for revocation of the Film Permit.

1. **PERMITS:** The Film Coordinator, (Parks & Community Services Department), authorizes the issuance of all permits required for filming in the City of Benicia.

FILM PERMIT: The Film Coordinator issues the Film Permit in granting permission to the permittee to film in the City of Benicia.

FIRE PERMIT: The Film Coordinator facilitates the procurement of the Fire Permit from the City of Benicia Fire Safety Division. This permit is required to film special effects and stunts using pyrotechnics and/or materials deemed hazardous (including fireworks, explosives and open flames).

A Fire Department representative shall be present while pyrotechnics are on location.

2. **ALTERATIONS/CHANGES TO CITY PROPERTY:** The Film Coordinator facilitates written authorization by appropriate City officials to alter, modify, and otherwise change City property.

Permittee shall, prior to expiration of the Film Permit at permittee's expense, remove alterations and modifications made to return City property to at least its original condition (with reasonable wear and tear considered).

3. **ACKNOWLEDGMENTS:** The City of Benicia shall be acknowledged in the film credits for providing City services.

The Film Coordinator facilitates written authorization by appropriate City officials for use of City of Benicia insignia.

The City of Benicia shall be cited as a real location.

4. **EMPLOYMENT:** Permittee shall make good faith attempts to employ Benicia residents and use Benicia-based services and accommodations whenever possible during film production in the City of Benicia.

5. **COMPLIANCE WITH ALL PERTINENT LAWS:** Permittee shall comply with all City ordinances and state and federal laws.

Interior Filming? YES NO
If YES, where? _____

PLEASE PROVIDE A **DETAILED DESCRIPTION** INCLUDING A SUMMARY OF SCENES TO BE FILMED, ANY SPECIAL EFFECTS/GAGS, STREET CLOSURES, SPECIAL NEEDS, ETC.
(Attach additional sheets if necessary.)

Hold Harmless/Indemnification:

Applicant/ Indemnitor agrees to indemnify, hold harmless, release and defend the City of Benicia and its Council, Boards and Commissions, officers, employees and agents from and against any and all loss, damages, liability, claims, suits, costs and expenses whatsoever, including reasonable attorney's fees, regardless of the merit of outcome of any such claim or suit arising from or in any manner connected to the event, services, or work conducted or performed pursuant to this Agreement and Permit. Indemnitor shall defend, indemnify and hold harmless the City of Benicia, its City Council, Boards and Commissions, officers and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses whatsoever, including reasonable attorney's fees, accruing or resulting to any and all persons, firms or corporations, furnishing or supplying work, services, materials, equipment or supplies arising from or in any manner connected to the services or work conducted or performed pursuant to this Agreement and Permit. By the signature below, Indemnitor agrees that it has read this Indemnity and Hold Harmless Agreement and accepts and agrees to each and every term and condition herein. The signatory below warrants that he/she is authorized by the Indemnitor to execute on its behalf this Indemnity and Hold Harmless Agreement.

Indemnitor's obligations under this Section shall survive the expiration or termination of any permit granted pursuant to this application.

I HAVE READ AND AGREE TO THE ABOVE.

Applicant and Indemnitor:

_____,
(Company Name)

a _____
(Type of Business Entity)

By: _____
(Authorized Representative Signature)

Its: _____
(Authorized Representative Title)

Check payable to the City of Benicia # _____

Charge Payments Only:

Mastercard Card # _____ Exp. Date: _____

Visa

Name on card : _____

Address: _____

City/State/Zip: _____

Authorized Signature: _____ Date: _____