

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA: TO ESTABLISH REGULATIONS FOR FILMING WITHIN THE CITY LIMITS: TO PROVIDE DEFINITIONS: TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. The Peachtree City Code of Ordinances shall be amended to include Chapter 53 Special Events to be codified as follows:

Article I. Media Production and Permits

Sec. 53-1-1. Purpose

The purpose of this policy 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 Peachtree City. The City of Peachtree City invites and encourages film production so long as the City's primary responsibility to provide service and protection to the public is not impaired and provided that the City is compensated for the time, labor, and other costs associated with allowing the utilization of City owned property and facilities.

Sec. 53-1-2. Applicability

- (a) *Permit required.* The City of Peachtree City requires a film permit on both public and private property unless filming activity is contained entirely to private property. Should filming on private property, or any associated activity, impact public space such as sound, light spillage, parking, or increased traffic resulting from the activity, a permit shall be required.
- (b) *Exemptions.*
 - (1) *News media.* The provisions of this article shall not apply to film activities for the purpose of news media.
 - (2) *Personal/family video.* The recording of visual images (motion or still photography) solely for private use and not for commercial use.
 - (3) *Studio filming.* Film activities (motion or still photography) conducted at or within a properly licensed studio.
 - (4) *Small business.* The owner of any small business, as defined by the size standards of the small business administration (SBA), may film a commercial for said business at their properly licensed business location without a permit, so long as the filming takes place wholly inside the private premises of the property.

Sec. 53-1-3. Definitions:

- (a) *Exigent circumstances* shall mean conditions of property, weather, lighting, scheduling, or filming equipment that are necessary for the scheduled filming activity which, if forced to wait at least five business days, would make them unavailable for use by the production through no fault of any agent of the production responsible for same, and which was not known or could have reasonably been ascertained at least five business days prior to the scheduled filming activity.
- (b) *Facility* shall mean any structure or building, regardless of the presence of active utilities, located on public or private property.

- (c) *Film, filming or film activity* shall mean creating motion picture or still photographic images, and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, commercials and student films produced to satisfy a post-secondary school course requirement at an educational institution in any medium including film, tape or digital format, including, but not limited to, motion pictures, television or commercial still photography.
- (d) *Impact*, with regards to public property, shall mean
- (1) use of intellectual property belonging to the city;
 - (2) closure of a city or state street, lane and/or sidewalk;
 - (3) use of pyrotechnics or other explosives;
 - (4) smoke effects, water effects or flame effects;
 - (5) display of real or artificial firearms, grenades or other weapons that would cause the public to fear violence;
 - (6) vehicle chases and/or vehicle crashes;
 - (7) use of large or any other equipment that has a reasonable likelihood of causing damage to public property;
 - (8) use of wild animals controlled under federal or state law or county and/or municipal ordinances;
 - (9) use of city or state streets and/or lanes for the parking of trailers or vehicles associated with the filming activity that are likely to restrict the flow of traffic;
 - (10) if another permit and/or license or any type of inspection is required by the ordinances of the city for the filming activity; or
 - (11) any combination of the above.
- (e) *Public space* shall mean any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks, roads, paths, greenways, and nature areas.
- (f) *News media* shall mean the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print media by reporters, photographers or camerapersons.
- (g) *Producer* shall mean an individual, organization, corporation or other entity that is ultimately responsible for the filming activity that is the subject of the application and permit.
- (h) *Studio* shall mean a fixed place of business where filming activities (motion or still photography) are regularly conducted upon the premises.

Sec. 53-1-4. Applications and review process

- (a) Issuance of permits and other decisions rendered pursuant to the terms of this chapter shall be based upon the following:
- (1) The health and safety of all persons, including citizenry and customers of any businesses located within the city; and
 - (2) Mitigation of disruption to all persons and businesses within the affected area; and
 - (3) The safety of all public and private property within the city; and
 - (4) Traffic congestion at particular locations within the city; and
 - (5) Ability of the applicant to organize the filming activity and comply with all applicable laws, ordinances and regulations, and/or the city to coordinate the necessary services within the period of time between submittal of application and scheduled date of filming activity; and
 - (6) Whether any other legal and/or permitted activity is taking place at the location of the scheduled film activity at the same time.
- (b) All requests for filming on City property will be directed to the Recreation Department. All contacts and arrangements will be made through that department only.
- (c) The designated City representative for the Recreation Department will send the applicant a permit application for completion. A non-refundable application fee will be assessed to cover the

administrative costs of staff. Applications must be received at least ten (10) business days in advance of production. Road closure requests may require 14 days or more. A rush fee shall be assessed if an applicant fails to submit the application at least ten (10) business days prior to the first scheduled event or day of filming.

- (d) The City representative will review the request upon receipt of the completed application and fee and communicate with the affected departments to establish the logistics and personnel requirements for the production. The involved departments may request a meeting to discuss filming plans during the review process.
- (e) The City representative will communicate approval or denial to the applicant in writing. If the permit request is approved, the City representative will invoice them for any additional fees according to the fee schedule. All fees must be paid, and insurance submitted to the representative before the permit can be issued.
- (f) The completed application package shall include, but is not limited to: Film permit application, associated fees, liability insurance, extra duty police and fire department request forms, sign permit, written permissions from property owner or any outside governing agency such as the Georgia Department of Transportation or FAA.
- (g) After receiving a permit, a producer may request a modification of the permit at any time by submitting a change request in writing and submitting the requisite change fee. The City film representative shall process the change request in the same manner established for processing initial applications.

Sec. 53-1-5. Filming regulations

- (a) No filming shall take place in or upon City owned property unless a film permit has been issued in accordance with these guidelines. A permit may be required for filming or associated activity on private property if such filming will have an impact on public space. The City reserves the right at its discretion to ask productions that do not have the appropriate permit or are violating guidelines to leave public areas and charge them a fee that is double the cost of the original permit fee.
- (b) No filming shall take place in or upon private property unless a film permit has been issued unless a film permit has been issued if such filming will have an impact on City-owned property.
- (c) The production company is responsible for obtaining permission of local businesses and residential property owners for filming or parking on private property not owned or controlled by The City of Peachtree City. Proof of permission must be submitted to the designated city film representative.
- (d) Impacted residents and businesses shall be notified in writing at least (3) days in advance of filming. Earlier notification may be required in cases where planned activities may have a significant impact on normal activities of the area. 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 and residents in the linear block in which the activity is to occur.
- (e) Special considerations for areas impacting Residential Neighborhoods:
 - (1) All equipment and support vehicles not in immediate use shall be parked so as not to cause any interference to pedestrians or vehicular traffic.
 - (2) Production vehicles must be parked in such a way as to not impede safe lines of vision at intersections
 - (3) Lighting for filming, both during the day and night, should be oriented away from neighboring residents wherever possible, and should not interfere with the safe movement of traffic.
 - (4) 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.
 - (5) A production location manager or key assistant manager should be present at any location being filmed as the primary contact for the City unless prior arrangements have been made.

- (f) Film activities must occur between the following hours unless specifically approved by permit: 7:00 am-9:00 pm Monday-Thursday 7:00 am-10:00 pm Friday 8:00 am-10:00 pm Saturday, Sunday and national holidays.
- (g) If any street, sidewalk, or golf cart path is to be temporarily blocked or if motor vehicle or pedestrian traffic is to be disrupted in any manner, the applicant must arrange through the City's Police Department, and at the applicant's sole expense, for the presence of one or more City Police officers at the filming site. The number of such officers and the amount of time such officers will be present at the filming site shall be determined at the discretion of the City Police Chief. Street closures are generally discouraged, and requests for street closures or diverting of traffic should be made 20 days in advance to allow for planning of alternate routes and proper notification.
- (h) 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 of Peachtree City. The film representative will provide the Production Company with the appropriate contact at the GDOT.
- (i) Removal, cutting, trimming, or alteration of trees, plants, and other vegetation in the City right-of-way is prohibited unless specifically approved by permit.
- (j) Filming that involves the use of explosives, pyrotechnics, fire, smoke-making machines, firearms, vehicle crashes, or other special effects must be approved in writing by the City Manager, Chief of Police, and Fire Chief.
- (k) Tents or temporary structures having an area greater than 100 square feet require a permit and inspection by the Fire Marshal.
- (l) Access to the filming site for EMS and City Fire Marshal must be maintained at all times. EMS personnel may be required on-site for productions with stunts or other special effects being performed. The amount of EMS personnel and rate of pay is at the sole discretion of the Fire Chief.
- (m) The applicant must provide a certificate of insurance upon receipt of the filming permit naming the City of Peachtree City as an additional insured, providing for general liability coverage in the amount of \$1,000,000 each occurrence, and aggregate. In addition, the holder of the filming permit shall indemnify and hold harmless the City of Peachtree City, its elected officials, employees, agents, successors, and assigns from any and all claims, costs, losses, and expenses, including, without limitation, reasonable and incurred attorney's and expert's fees, arising from the negligence, gross negligence, or willful misconduct of permit holder's owners, officers, officials, employees, agents, tenants, guests, invitees, or contractors.
- (n) The filming permit must be available to be inspected at the site of filming during any and all activity covered by the permit.
- (o) Upon completion of filming, all city property and right-of-way shall be returned to its original condition in accordance with the City's approval. If the city must conduct clean-up as a result of the filming, the applicant shall be assessed a fee not less than the amount of the City's actual costs of clean up.
- (p) In the City of Peachtree City parks, no motorized vehicles are permitted on sidewalks, fields, or natural areas without prior approval. Additionally, no stakes may be used, nor may any amenities, including but not limited to, playgrounds, pavilions, concession stands, fountains, benches, be moved, altered, or damaged.
- (q) If production requires the usage or any signage, a sign permit must be applied for and approved. All signage must be removed by the film production crew, and a contact name, number and e-mail must be provided for the crew member responsible for removal.
- (r) Any food preparation, food service, or portable restroom facilities provided at the location shall require a permit from the county health department, or evidence of exemption must be provided.

Sec. 53-1-6. Application fee, reimbursement for cost, waiver.

- (a) An on-site city film coordinator may be required if deemed necessary by the City Film Representative. This determination is at the sole discretion of the City Film Representative, and the rate of pay is

established in the approved filming fees.

- (b) The City withholds the right to waive any permit fees for productions including, but not limited to, filming for non-profit or educational purposes from which no profit is derived directly or indirectly and student filming. This excludes political groups. Hardship must be detailed in writing and approved by the City Manager.
- (c) Per day or per period is further defined as not to exceed a 12-hour time period in any calendar day.
- (d) High impact fee includes productions that fit one or more of the following conditions:
 - Require closure of or restrict access by the public in any way to public facilities including but not limited to buildings, parks, sidewalks, streets, parking lots, right-of way, etc.
 - Filming crew is larger than 50 people
 - Filming makes use of amplified sound or any special effects including but not limited to weapons, live animals, pyrotechnics, explosives, stunts, vehicle chases or crashes, etc.
 - Filming alters, replaces, or uses vegetation, signage, decorations, or amenities at public facilities.
 - Requires assistance from City of Peachtree City Staff for closures, security, access, research, contacts.
 - Require the setup of tents, temporary structures, or any additional equipment in facilities.
- (e) Permit Change Fee applies to any changes made to the original permit within 72 hours of filming start including but not limited to venue change, date change, crew size change, and time change.
- (f) High Impact parks, and lots include Drake Field, Picnic Park, Line Creek Nature Area, Battery Way; or any entire complex including, but not limited to the PAC, McIntosh Trail Recreation Complex. High impact facilities include any buildings including but not limited to the Kedron Fieldhouse & Aquatic Center, City Hall, Library, Glenloch, Box Office Building, Gathering Place, and McIntosh Place.
- (g) All other facilities fall into low-impact category.

Sec. 11-14-8. Violations; revocation.

- (a) Any producer that performs filming activity requiring a permit under this article without such a permit shall be in violation of this article and subject to a \$1,000.00 fine for each day of non-permitted filming activity.
- (b) In addition to revocation of a filming permit, a permittee violating any provisions of this article shall be subject to a \$1,000.00 fine for each violation.
- (c) Violations enforceable by Peachtree City Police Department, Peachtree City Code Enforcement, and Peachtree City Fire Marshal.

Sec. 11-14-9. Appeals.

Appeals of any decisions of the Mayor and City Council under this article shall be as authorized under Title 5 of the Official Code of Georgia Annotated.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. All ordinances or resolutions, or parts thereof, which conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

DONE, RATIFIED and PASSED, by the City Council of the City of Peachtree City, Georgia on the 18th day of May, 2023, in regular session assembled.



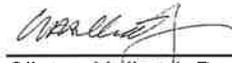
Kim Learnard, Mayor



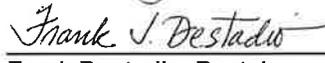
Phillip E. Prebor, Mayor Pro Tem



Mike King, Post 2

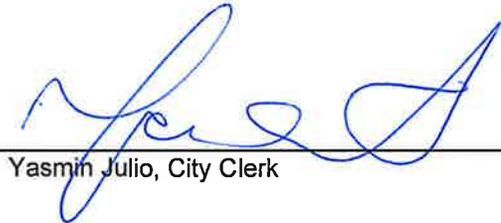


Clinton Holland, Post 3



Frank Destadio, Post 4

ATTEST:



Yasmin Julio, City Clerk