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ORDINANCE NO. _____

**AN ORDINANCE ADDING CHAPTER 58 OF TITLE 5 OF THE
EL DORADO COUNTY ORDINANCE CODE ENTITLED "FILMING PERMITS"**

WHEREAS, in enacting the Motion Picture, Television, and Commercial Industries Act of 1984, the Legislature encouraged local government to develop uniform procedures for issuing permits and to charge fees for the use of public property or employee services, which do not exceed the reasonable costs of providing the property or services for which the fees are charged; and

WHEREAS, the County wishes to update the process for the orderly issuance and enforcement of permits for filming activity; and

WHEREAS, the County also wishes to create a mechanism for cost recovery and use charges to the extent authorized by law, while not unduly burdening filming activities; and

WHEREAS, the California Film Commission has published a Model Filming Ordinance providing general guidance to local government entities adopting a film permitting ordinance, which has been considered by the County in the creation of these regulations.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
DOES ORDAIN AS FOLLOWS:**

Section 1. Chapter 58 of Title 5 of the El Dorado County Ordinance Code entitled "Filming Permits" is hereby enacted to read as follows:

Sec. 5.58.010 - Definitions.

As used in this Chapter:

Charitable films means commercials, motion pictures, television, digital media or still photography produced by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, tapes, or photos.

Motion picture, television, still photography means and includes all activity attendant to staging or shooting commercial motion pictures, television shows or programs, commercials, digital media, still photography 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.

News media mean the photographing, filming or videotaping for the purpose of spontaneous, unplanned television news broadcasts ("breaking news") or reporting for print media by reporters, photographers or camerapersons.

Studio means a fixed place of business certified as such by a local fire authority having jurisdiction where filming activities (motion or still photography) are regularly conducted upon the premises.

Sec. 5.58.020 – Permits and Exemptions.

A. Permit required: No person shall use any public or private property, facility or residence for the purpose of taking motion pictures, television, digital media or commercial still photography without first applying for and receiving a permit from the County designee.

B. Exemptions:

1. News Media: The provisions of this Chapter shall not apply to or affect reporters, photographers or camerapersons in the employ of a newspaper, news service, or similar entity engaged in on-the-spot print media, publishing or broadcasting, of news events concerning those persons, scenes or occurrences which are in the news and of general public interest.

2. Personal/Family Video: The recording of visual images (motion or still photography) solely for private personal use, and not for commercial use.

3. Studio Filming: Filming activities (motion or still photography) conducted at a certified studio.

4. Portrait Photography: Still photography of individuals, students, or families not requiring road or facility closure, reimbursement for personnel, or use of drones.

Sec. 5.58.030 – Rules and Regulations.

The Director of Building and Planning is hereby authorized and directed to promulgate rules and regulations, including forms and applications, subject to the review and approval of the appropriate designated representatives of the County Administrative Office, Department of Transportation, Sheriff, County Counsel, and Risk Management, governing the form, time and location of any film activity set forth within the county. The rules and regulations shall name the County designee for purposes of this Ordinance.

Sec. 5.58.040 - Applicants and Issuance.

- A. Issuing Authority: The issuing authority shall be the County designee.
- B. Applications: The following information shall be included in the application:
 - 1. The representative of the property and his/her email address and cell phone number, as well as the address, email address and telephone number of the place at which the activity is to be conducted.
 - 2. The specific location at such address or place.
 - 3. The inclusive hours and dates such activity will occur.
 - 4. A general statement describing the character or nature of the proposed filming activities.
 - 5. The name, address, email address, and cell phone number of the person or persons in charge of such filming activity.
 - 6. The exact number of personnel to be involved.
 - 7. Activity which may cause public alarm, such as the use of any animals, gunfire or pyrotechnics, low flying helicopters and/or unmanned aircraft systems (drones).
 - 8. The exact amount/type of vehicles/equipment to be employed along with a parking plan.
 - 9. All applicable documentation (remote pilot certificate, UAS registration certificate, waivers, description of flight operations, etc.) if a UAS (drone) is being used.
 - 10. Other information as deemed necessary by the County.
- C. Fee Schedule: Film Permit application fees for Filming Activity pursuant to this Chapter shall be established by separate resolution of the Board.

- D. Reimbursement for Personnel: The production company shall reimburse the County for any personnel provided to the company (e.g., Sheriff, Department of Transportation) for the purpose of assisting the production.
- E. Change of Date: Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued, provided established limitations are complied with in respect to time and location.

Sec. 5.58.050 – Liability Provisions.

- A. Liability Insurance: Minimum liability insurance requirements shall be detailed in the rules and regulations promulgated under Section 5.58.030, subject to final approval by Risk Management and County Counsel. County officers and employees shall be named as additional insured. An applicant must provide evidence of insurance coverage that will not expire until the completion of all planned production activities, including the strike and restoration of all locations. A copy of the certificate will remain on file.
- B. Worker’s Compensation Insurance: An applicant shall conform to all applicable Federal and State requirements for Worker’s Compensation Insurance for all persons operating under a permit.
- C. Hold Harmless Agreement: An applicant shall execute a hold harmless agreement as provided by the County prior to the issuance of a permit under this ordinance which may be included in the terms and conditions of the permit.
- D. Security Deposit: To ensure cleanup and restoration of location sites, an applicant may be required to submit a refundable deposit (amount to be determined by the County). Upon completion of filming and inspection of the site, if no verifiable damage has occurred, the security deposit shall be returned to the applicant.

Sec. 5.58.060 – Violation.

If an applicant violates any provisions of this Ordinance or a permit issued pursuant thereto, the County may provide the applicant with verbal or written notice of such violation. If the applicant fails to correct the violation, the County may revoke the permit and all activity must cease. This section does not limit the option to take any action authorized under County Code.

Section 2. Repeal of Resolution No. 86-90.

Upon the effective date of this Ordinance, Resolution No. 86-90 shall be repealed.

Section 3. California Environmental Quality Act (CEQA).

The adoption and implementation of this Ordinance are exempt from the provisions of the California Environmental Quality Act under §15061(b)(3) in that the Board of Supervisors finds there is no possibility that the implementation of this Article may have significant effects on the environment.

Section 4: Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5. Effective Date.

This Ordinance shall become effective 30 days following adoption thereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____ 2025, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk Chairman, Board of Supervisors

APPROVED AS TO FORM
DAVID LIVINGSTON

COUNTY COUNSEL

By: _____
Jefferson Billingsley
Title: Deputy County Counsel