

ORDINANCE NO. 678-10

AN ORDINANCE OF MIAMI SHORES VILLAGE, FLORIDA,
AMENDING THE VILLAGE CODE OF ORDINANCES, CHAPTER 14,
ARTICLE IV. COMMERCIAL PHOTOGRAPHY AND FILMING,
SECTIONS 14-71, 14-72 AND 14-73, RELATING TO FILM LICENSING,
PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the fees charged by the Village for still picture and motion picture photography licenses have not been increased since the original ordinance was adopted in 1985; and

WHEREAS, the current fees are out of date and do not reflect the cost to the Village for processing such licenses; and

WHEREAS, amendments are required to the text of the ordinance to revise the process of issuing the license; and

WHEREAS, it is in the best interests of the Village to amend the Code as set forth hereinafter.

NOW, THEREFORE, BE IT ORDAINED, by the Miami Shores Village Council that:

Section 1. Article IV, Commercial Photography and Filming, Sections 14.71, 14.72 and 14.73 of the Miami Shores Village Code of Ordinances are hereby amended to read as follows:

Sec. 14-71. License required; fee.

- (a) Every person engaged in the business of commercial picture origination of television, films, videos, music videos or advertising, including both motion and still pictures within the Village shall obtain a Village license.
- (b) The fees for such licenses are as follows:
 - Still Photography
\$100 per day of production.
 - All Others
\$200 per day of production.
- (c) Any violation of this Section may be subjected to code enforcement actions being brought forward. Permit fees shall be doubled for all filming which is done without first obtaining a permit.

Sec. 14-72 Issuance of license.

All licenses issued pursuant to this article shall be subject to the following:

- (1) Each license shall be for a period not to exceed three (3) consecutive days.
- (2) No licenses shall be issued for activities on Saturday, Sunday or legal holidays as defined by Florida Statutes.
- (3) No licensed activity, including the erection or dismantling of equipment, shall be conducted during the period commencing one hour after sunset and ending at 7:00 AM.
- (4) No license shall be issued for commercial picture origination at a single location whether motion or still photography, more than four times during a 12 month period except as follows. Eight additional still picture photo sessions, involving no more than 10 people and no more than three four-wheeled vehicles may be licensed in each 12 month period. This will allow a maximum of 12 filming licenses at a single location in a 12 month period. There shall be a minimum period of 30 days of inactivity following the expiration of each license. All licenses shall be exhibited upon request of Village personnel.

Sec. 14-73. Application

All applications for licenses under this article shall be accompanied by the following:

- (1) An insurance policy binder issued by an insurance company licensed to do business in the State of Florida with minimum limits for public liability in the amount of \$1,000,000 and naming Miami Shores Village as an additional insured party.
- (2) Written permission from the property owner authorizing filming to take place on their property.

Section 2. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with this Ordinance.

Section 3. This Ordinance shall become effective immediately upon adoption.

PASSED ON FIRST READING, this 20th day of April, 2010.

PASSED AND ADOPTED ON SECOND READING, this 4th day of May, 2010.

ATTEST:

Barbara A. Estep, MMC
Village Clerk

Al Davis, Mayor

APPROVED AS TO FORM:

Richard Sarafan,
Village Attorney