

On motion of Mr. Lagasse, seconded by Mr. Roberts, the following ordinance was offered:

**SUMMARY NO. 24204 ORDINANCE NO. 24903**

An ordinance amending the Jefferson Parish Code of Ordinances, Chapter 26, *Special Events*, to enact Chapter 26, Article IV entitled *Film and Movie Production*, in order to codify the process for permitting filming activities within unincorporated Jefferson Parish and to provide for related matters. (Parishwide)

**WHEREAS**, the filming and producing of movies has steadily increased within Jefferson Parish; and

**WHEREAS**, it is the intention of this ordinance to codify the process for permitting filming activities in unincorporated Jefferson Parish; and

**WHEREAS**, it is necessary to create Article IV of Chapter 26 to make the ordinances regarding the film permitting process more user friendly and accessible to the public;

**THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:**

**SECTION 1.** That Chapter 26 is hereby amended to create Article IV to read as follows:

**Chapter 26 – SPECIAL EVENTS**

**Article IV. – Film and Movie Production**

**Sec. 26-65 Purpose.**

The purpose of this chapter is to provide rules governing the issuance of permits for film and video production within unincorporated Jefferson Parish. The intent of this chapter is to ensure that photographers and motion picture, television, video, commercial and nontheatrical filming companies will be encouraged to use locations for filming activities within the Parish so long as those activities are consistent with the public safety and the protection of property

**Sec. 26-66 Definitions.**

For the purpose of this chapter, the following definitions shall apply:

“Applicant” shall mean and include all persons, organizations, corporations, associations or other entities applying for a permit to film in unincorporated Jefferson Parish.

“Charitable films” shall mean commercials, motion pictures, television, videotapes 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.

“Commercial films” shall mean and include all activity attendant to filming any entertainment or advertising program programs for any media now known or hereafter created.

“Family video” shall mean the filming or videotaping of motion pictures or taking still photographs solely for private use.

“Film” shall mean and include, but is not limited to, feature motion pictures, digital video and videotape recordings, television motion pictures, commercials, and stills.

“Filming” shall mean and include all activity attendant to staging or shooting motion pictures, television shows or programs, commercial still photography, video tapes, computer-based programs, or other visual reproduction technology now known or hereafter created. The period of filming includes the setup, strike and time of photography.

"Issuing authority" shall mean the Office of Film Jefferson within the Department of Citizens Affairs.

"Motion picture, television, still photography" shall mean and include all activity attendant to staging or shooting commercial motion pictures, television shows or programs, and commercials in any medium including film, tape or digital format.

"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 cameramen.

"Parish film permit" shall mean a permit issued by the Parish of Jefferson to allow activities associated with the production, filming or videotaping of motion picture and television shows, programs, and commercials as described in the permit.

"Permittee" shall mean and include the person, organization, corporation, association or other entity issued a film permit under this policy.

"Private property, easement or right-of-way" shall mean any movable or immovable property owned by a private person or by a public entity in their capacity as a private person.

"Production" shall mean the activity of making a film for commercial or noncommercial purposes on property owned by the Parish, or on private property within the jurisdiction of the Parish.

"Public property" shall mean any property owned by a public entity in its capacity and for the benefit and use by the public.

"Studio" shall mean a fixed place of business where filming activities or motion picture photography are regularly conducted upon the premises.

"Student filming" means all productions made by a student of a public or private educational institution to satisfy a course or curriculum requirement and from which no profit is made including posting on social media Internet outlets.

#### **Sec. 26-67 Applicability.**

This Ordinance shall apply to all lands within unincorporated Jefferson Parish whether public or private.

#### **Sec. 26-68 Permit Required.**

In accordance with, including section 26-76 below, and notwithstanding the other provisions of this Section, it shall be unlawful for any filming to be conducted within unincorporated Jefferson Parish without first obtaining a permit.

A permit is issued by the issuing authority for the purpose of filming in unincorporated Jefferson Parish. This permit does not constitute or grant permission to use or occupy property not owned, leased or controlled by Jefferson Parish. This permit must be in the possession of the permittee, or his or her representative, at all times while on location in Jefferson Parish.

#### **Sec. 26-69 Permit Exemptions.**

(a) News Media.

(b) Family Video.

(c) Studio Filming. Filming activities, still or motion photography conducted at a studio.

- (d) Charitable Films. Projects that qualify under Section 501(c)(3) are exempt from permit-related fees, but require a permit.
- (e) Student Filming.
- (f) Promotional Filming. No fee or permit is required for non-commercial filming activities designed solely to promote Jefferson Parish.
- (g) Court Filming. No fee or permit is required for filming activities conducted for use in a criminal investigation or civil/criminal court proceeding.
- (h) Government Filming. No fee or permit is required for filming by government agencies.
- (i) Local Business Filming. Filming activities solely for the promotional and commercial advertisement of a business and in which the filming is contained solely to the commercial property without impact to the surrounding properties.
- (j) Any other activity deemed to be in the public interest by the issuing authority.

#### **Sec. 26-70 Rules and Regulations.**

The issuing authority is hereby authorized and directed to establish, promulgate and enforce rules and regulations, governing the form, time and location of any film activity set forth within the Parish in addition to those established in this Article. The issuing authority shall also provide for the issuance, exemptions, application, review, suspension, revocation, appeal, fees, transfer and liability of film permits and requirements associated therewith. The rules and regulations shall be based upon the following criteria:

- (1) The health and safety of all persons;
- (2) Mitigation of disruption to all persons within the affected area;
- (3) The safety of property within the Parish; and
- (4) Traffic congestion at particular locations within the Parish.

#### **Sec. 26-71 Suspension.**

Any film permit issued pursuant to the terms of this Article shall be subject to immediate suspension if it is found necessary for the protection of the public health, safety or general welfare. In the event of a suspension, the issuing authority shall, within one working day, cause to be served upon the permittee a written statement containing the grounds for suspension. The permittee may appeal the suspension per Sec. 26-73 of this Article.

#### **Sec. 26-72 Appeals.**

- (a) The applicant or permittee may appeal a permit denial, revocation, suspension, permit condition, insurance/fees requirement or the issuing authority's decision not to waive a deadline set forth in this policy. Such appeal shall be filed with the issuing authority no later than 2 business days after the date written notice of the decision is made. Failure to file a timely appeal shall result in a waiver of the right to appeal.
- (b) The issuing authority shall review the appeal no later than 2 business days after the filing of the appeal, and shall render their decision at the end of the review period. The appeal decision by the issuing authority may be further appealed to the Parish

Council at its next available meeting. The decision of the Parish Council shall be final.

- (c) While a film permit request undergoes the appeals process a hold shall be placed on the requested dates for filming and those dates shall shift accordingly during the process to reflect the full 30 days requested in the original film permit.
- (d) No film permit undergoing the appeals process shall ever take precedence over a previously approved film permit.

**Sec. 26-73 Use of Parish Property.**

The applicant shall apply for the use of Parish owned property with the relevant Parish department. Such an application must be made at least five business days prior to the start of filming. That department shall be responsible for maintaining a fee schedule for the use of said property and shall be responsible for the collections of said fees.

**Sec. 26-74 Violation and Enforcement of Section.**

- (a) If an applicant or permittee violates any provisions of this chapter or permit issued pursuant thereto, the Parish may revoke the permit. The Parish further reserves the right to initiate criminal, civil and/or administrative penalties pursuant to Sec. 1-10 of the Jefferson Parish Code of Ordinances.
- (b) If an applicant or permittee violates any other provision of this Code of Ordinances for Jefferson Parish, the department or agency tasked with enforcing the ordinance violated shall perform its enforcement duties in accordance with said provision. Additionally, the Parish may revoke a parish filming permit in its discretion when an applicant or permittee fails to abide by any other provision of the Code of Ordinances, state or federal law and/or regulation.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

**YEAS: 7 NAYS: None ABSENT: None**

The ordinance was declared to be adopted on this the 11<sup>th</sup> day of February, 2015 and shall become effective as follows; if signed forthwith by the Parish President, ten (10) days after adoption, thereafter upon signature by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED  
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ  
PARISH CLERK  
JEFFERSON PARISH COUNCIL