

State of Florida
Broward County
Town of Hillsboro Beach

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 7 ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS" BY SPECIFICALLY CREATING ARTICLE XII TO BE ENTITLED "FILM PRODUCTION ON PUBLICLY-OWNED OR PRIVATELY CONTROLLED PROPERTY" CREATING REGULATIONS FOR THE COORDINATION OF FILM PRODUCTIONS ON PUBLICLY-OWNED OR PRIVATELY CONTROLLED PROPERTY IN THE TOWN OF HILLSBORO BEACH, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hillsboro Beach has proven to be a desirable location in which to film motion pictures and other commercial productions; and

WHEREAS, in order to provide for the coordination of such productions on publicly-owned or privately controlled property and to ensure that it does not affect public safety or impede with the government business or public access, the Town Commission finds that the passage of this Ordinance is in the best interests of the citizens of the Town of Hillsboro Beach;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

Section 2. Chapter 7 entitled "Offenses and Miscellaneous Provisions" is hereby amended by specifically creating Article XII to be entitled "Film production on publicly-owned or privately controlled property" which shall read as follows:

Article XII Film production on publicly-owned or privately controlled property

Section 7-147. Film production on publicly-owned or privately controlled property

(A). Purpose.

The purpose of this article shall be to provide for the coordination of film production on publicly owned or privately controlled property to serve the public interest.

(B). Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Film means still, live or motion picture production whether made on or by film, electronic tape, or any other electronic device used to produce theatrical motion pictures, television entertainment motion pictures, industrial motion pictures, television commercials, or print media.

(C). Permits—Required; exception.

1 (1) Required. No person shall film within a publicly owned site, facility or right-of-way
2 within the Town without first obtaining a permit. Permits may be authorized at the sole discretion of
3 the Town Manager or his/her designee.

4 (2) Exceptions. Nothing in this section shall require any permit from:

5 (a) Individuals filming or videotaping only for their own personal or family use.

6 (b) Employees of print or electronic news media when filming ongoing news
7 events. This exception shall not apply to simulations or re-enactments orchestrated by print
8 or electronic news media.

9
10 **(D). Application.**

11 The permit application shall:

12 (1) Identify the applicant;

13 (2) Submit public liability insurance to be provided by the applicant in the amount
14 established by the Town identifying the Town as additional insured;

15 (3) Identify the number and type of locations to be utilized for filming and the agencies
16 to provide assistance.

17
18 **(E). Criteria.**

19 The permit maybe granted unless the Town Manager or his or her designee finds that the
20 proposed film production:

21 (1) Unduly impedes governmental business or public access;

22 (2) Conflicts with previously scheduled activities; or

23 (3) Interferes with public safety within the Town.

24
25 **(F). Procedure for collection of fees.**

26 Procedures for the collection of required fees and reimbursements, if any, shall be established
27 through an administrative policy.

28
29 **(G). Appeals.**

30 Any person aggrieved by the terms of a permit issued by the Town, by the decision not to
31 issue a permit or by a revocation of a permit issued by the Town may, within ten (10) calendar days
32 of the decision, appeal to the Town Manager, whose decision will be final.

33
34 **(H). Authority of Town Manager.**

35 The Town Manager may designate an individual who shall be authorized to facilitate and
36 coordinate the use of publicly owned sites within the limits of the Town for the filming and
37 production of film projects. In this regard the Town Manager's designee shall be responsible for:

38 (1) Establishing the criteria for film permits issued with regard to sites owned or
39 controlled by the Town.

40 (2) Issuing, denying or revoking permits pursuant to this section.

41 (3) Coordinating proposed film production schedules to minimize conflicts and to
42 monitor compliance with applicable rules and regulations of the Town and coordinating with the
43 police and fire departments to determine those services reasonably necessary to protect the life,
44 safety and welfare of the public, as well as property.

45 (4) Facilitating execution of appropriate permits for the provision of special police details
46 or other public services as may be required. In connection with these arrangements, the Town may
47 collect all necessary fees and deposits on behalf of the Town.
48

1 (5) Supporting public programs and private initiatives that enhance the Town as a
2 location for film production and post-production facilities.

3
4 **Section 4.** If any section, subsection, sentence, clause or provision of this Ordinance is
5 held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

6
7 **Section 5.** That all ordinances or parts of ordinances and all resolutions or parts of
8 resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

9
10 **Section 6.** It is the intention of the Town Commission of the Town of Hillsboro Beach,
11 that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of
12 Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered
13 and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in
14 order to accomplish such intention.

15
16 **Section 7.** This Ordinance shall be effective on after its passage and adoption by the
17 Town Commission of the Town of Hillsboro Beach.

18
19 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH,
20 FLORIDA, ON FIRST READING, THIS 13th DAY OF SEPTEMBER, 2022.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA,
ON SECOND AND FINAL READING, THIS 4TH DAY OF OCTOBER, 2022.

21
22 By: Deborah L. Tarrant
23 Deborah L. Tarrant, Mayor



24 ATTEST:

25
26 By: Sherry D. Henderson
27 Sherry D. Henderson, CMC, Town Clerk
28 10/14/2022

29
30 APPROVED AS TO FORM:

31
32 Donald J. Doody
33 Donald J. Doody, Town Attorney

34 **ORDINANCE NO. 2022-10**

RECORD OF TOWN COMMISSION VOTE:

	<u>YES</u>	<u>NO</u>
MAYOR DEBORAH L. TARRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR IRENE KIRDAHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER VICKY FEAMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/> - Second
COMMISSIONER BARBARA BALDASARRE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER JANE REISER	<input checked="" type="checkbox"/>	<input type="checkbox"/> - Motion

