

1 [Administrative Code - Film Production Fees and Notice Requirements]

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3 **Ordinance amending the Administrative Code to add “web series” to the schedule of**
4 **film production use fees and to establish notice requirements to affected residents and**
5 **businesses for film productions that will result in parking or traffic obstructions lasting**
6 **four consecutive hours or more.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

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12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. The Administrative Code is hereby amended by revising Sections 57.5 and
14 57.6 to read as follows:

15 **SEC. 57.5. AUTHORIZATION TO ENTER INTO USE CONTRACTS AND**
16 **COORDINATE CITY DEPARTMENTS REGARDING FILM COMPANIES; CONSENT OF**
17 **RELEVANT DEPARTMENTS; COST RECOVERY; SIDEWALK CLOSURE AND POSTING.**

18 (a) Use Contracts; Deposit of Funds. The Executive Director may enter into use
19 contracts with organizations seeking to engage in film production. The Executive Director shall
20 be the sole City representative authorized to negotiate use contracts. Such contracts shall, at
21 a minimum, provide for the full recovery of costs incurred by the various City departments in
22 providing the use of City employees, equipment and rental facilities or rental properties. Funds
23 to reimburse City departments for costs incurred by those departments for the deployment of
24 personnel or equipment or use of rental facilities or rental properties shall be paid directly to
25 those departments for deposit subject to the budget and fiscal provisions of the Charter.

1 (b) Consent of Departments or Mayor. Where film production is to take place on
2 property under the jurisdiction of City departments, the Executive Director's permission to use
3 such property is subject to the consent of the department head or his or her designee or the
4 Mayor or Mayor's designee.

5 (c) Schedule of Costs. In addition to the reimbursement of City departments for the
6 costs incurred by those departments in deploying personnel or equipment, the Film
7 Commission may, consistent with Charter Section 2.109, charge daily use fees to film
8 companies seeking to engage in film production. The use fees are as follows:

9 (1) Still photography: \$100 a day.

10 (2) A commercial, corporate media, industrial media, video, short subject, or web
11 video: \$200 a day.

12 (3) A television series, web series, movie, pilot, or documentary:

13 (A) For a production with a budget of less than \$100,000: \$50 a day.

14 (B) For a production with a budget of \$100,000 to less than \$500,000: \$100 a
15 day.

16 (C) For a production with a budget of \$500,000 or greater: \$300 a day.

17 Public service announcements, qualifying student productions, and productions created
18 by entities that are tax-exempt under section 501(c)(3) of the Internal Revenue Code are
19 exempt from the above-listed use fees. The revenue generated by such use fees shall be
20 deposited in the San Francisco Film Production Fund.

21 (d) Sidewalk Closures and Sign-Posting. The Film Commission may require that film
22 companies use City personnel or City-approved vendors to post notice of the closure of City
23 streets and sidewalks for film production, and may establish minimum sign-posting
24 requirements. Notwithstanding anything to the contrary in Section 724 of the Public Works
25 Code, the Executive Director may authorize the temporary occupancy of public sidewalks for

1 film production, with the consent of the Department of Public Works, subject to all
2 requirements and conditions of the Department of Public Works and Department of Parking
3 and Traffic. Street closures for film production shall be governed by applicable provisions of
4 the Traffic Code.

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6 **SEC. 57.6. REQUIREMENTS FOR FILM COMPANIES.**

7 (a) Use Contracts. All film companies seeking to engage in film productions shall
8 enter into use contracts with the Executive Director.

9 (b) Insurance and Indemnification. As a condition of engaging in film productions,
10 concurrently with entering into a use contract with the City for the utilization of City property or
11 employees, film companies shall file with the Executive Director documentation of insurance
12 and indemnification holding the City and County harmless from any liability. The amounts of
13 such insurance and indemnification, and the suitability of the insuring entity, shall be
14 determined by the City's Risk Manager in coordination with the Executive Director and other
15 City departments.

16 *(c) Notification of Filming Activities. If a film company filming under a use contract with the*
17 *City for the use of City property or employees anticipates that its film production activities will cause a*
18 *parking or traffic obstruction lasting for four consecutive hours or more, the film company shall, when*
19 *feasible when feasible, at least 2472 hours prior to the start of those production activities*
20 *anticipated to cause a parking or traffic obstruction, provide notice as specified herein to affected*
21 *residents and businesses of the anticipated parking or traffic obstruction. The 72 hour notice*
22 *requirement under this subsection (c) shall not apply where prior notice is infeasible due to*
23 *circumstances beyond the film production company's control or due to other unpredictable*
24 *circumstances that interfere with the scheduled film production activities as specified in the*
25 *Film Commission's Notification Guidelines referenced in subsection (d).*

1 (1) The notice shall include the name of the film company; the date(s) and times of
2 filming; a general description of the production activities and the anticipated parking or traffic
3 obstruction they will cause; a local contact number for the film company; and contact information for
4 the Film Commission and the Police Department.

5 (2) The film company may provide the notice through signs, leaflets, telephone calls,
6 door-to-door canvassing, U.S. mail, and/or through the internet or other digital media, provided that
7 any such notice shall be reasonably calculated to inform the affected residents and businesses of the
8 anticipated parking or traffic obstruction.

9 (3) “Affected residents and businesses” to which the film company shall provide notice
10 are those residents and businesses within 150 feet of the location of the anticipated parking or traffic
11 obstruction.

12 (4) A “parking or traffic obstruction” triggering the notice requirement is a street
13 closure; a significant delay in the flow of traffic; or any truck or other vehicle, including a trailer, or
14 combination of trucks or other vehicles, occupying more than 3 parking spaces.

15 The film company may coordinate its notification efforts with those of the Executive Director or
16 the Director’s designee, if any. The notice required under this subsection (c) shall be in addition to
17 any notice and signage requirements for film productions provided under City law, including Section
18 3.4 of the Transportation Code.

19 (d) Film Commission Notification Guidelines; Report. The Film Commission shall
20 establish film production notification guidelines (“Notification Guidelines”) within 30 days of the
21 effective date of this ordinance or as soon thereafter as possible at a regular meeting of the
22 Commission, and may amend such Notification Guidelines from time to time. The Notification
23 Guidelines shall specify the types of unpredictable circumstances encountered at times by film
24 production companies that would reasonably interfere with scheduled film production activities
25 and render the notice under subsection (c) infeasible. The Executive Director of the Film

1 Commission shall submit a copy of the Notification Guidelines to the Board of Supervisors on
2 or before November 28, 2014.

3 Section 2. Effective Date. This ordinance shall become effective 30 days after
4 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
5 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
6 of Supervisors overrides the Mayor’s veto of the ordinance.

7 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
9 numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the
10 Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board
11 amendment additions, and Board amendment deletions in accordance with the “Note” that
12 appears under the official title of the ordinance.

13 Section 4. Undertaking for the General Welfare. In enacting and implementing this
14 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
15 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
16 is liable in money damages to any person who claims that such breach proximately caused
17 injury.

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19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: _____
22 ADINE VARAH
23 Deputy City Attorney

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