

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

2

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.

11

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.

5
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, at least 24 hours prior to the start of those production activities anticipated to cause a parking
20 or traffic obstruction, provide notice as specified herein to affected residents and businesses of the
21 anticipated parking or traffic obstruction.

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

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

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

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

11 The film company may coordinate its notification efforts with those of the Executive Director or
12 the Director’s designee, if any. The notice required under this subsection (c) shall be in addition to
13 any notice and signage requirements for film productions provided under City law, including Section
14 3.4 of the Transportation Code.

15
16 Section 2. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor’s veto of the ordinance.

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

22 By: _____
23 ADINE VARAH
24 Deputy City Attorney

25 n:\legana\as2014\1400477\00944100.doc