Date: January 4, 2018

To: All RER Staff; All Department Directors

From: Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic Resources

Subject: Film Permit Requirements

The Film and Entertainment industry contributes to Miami-Dade County’s economic prosperity and promotes the County’s positive community image globally. And while we welcome film production companies to our County, it is important to remember that we have a Miami-Dade County Ordinance that requires a permit to be issued. Section 2-11.14 of the Miami-Dade County Code specifically states that “No person shall film within a publically-owned site, facility or right-of-way within the participating incorporated or unincorporated area of Miami-Dade County without first obtaining a permit.” The only exceptions for filming on Miami-Dade County property are the following:

1. Individuals filming or videotaping for their own personal or family use.

2. Employees of print or electronic news media when filming on-going news events.
   “Breaking News” This exception shall not apply to simulations or re-enactments orchestrated by print or electronic news media.

Anyone looking to apply for a film permit may do so at www.filmiami.org. The application process is online. If you have any questions, please direct them to Sandy Lighterman at sandyl@miamidade.gov or 305-375-3288.

Thank you in advance for your attention and adherence to this ordinance.

c: Abigail Price-Williams, County Attorney
Geri Bonzon-Keenan, First Assistant County Attorney
Office of the Mayor Senior Staff
Cathy Jackson, Interim Commission Auditor
Leland Salomon, Deputy Director, Regulatory and Economic Resources
Sandy Lighterman, Chief, Film and Entertainment, Regulatory and Economic Resources
followed for film permits through interlocal agreement with Miami-Dade County. Permits shall be authorized by the governmental body having jurisdiction over the public site.

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

(i) Individuals filming or video taping only for their own personal or family use.

(ii) Employees of print or electronic news media when filming on-going news events. This exception shall not apply to simulations or re-enactments orchestrated by print or electronic news media.

(iii) Students and faculty filming exclusively for educational purposes.

(3) Permit application. The permit application shall (i) identify the applicant; (ii) demonstrate the public liability insurance provided by the applicant in the amount established by the governmental body having jurisdiction; (iii) identify the number and type of locations to be utilized for filming and the agencies to provide assistance. Each participating municipality may establish additional permit requirements.

(4) Procedures. Procedures for the collection of required fees and reimbursements, if any, shall be established through administrative orders in connection with County locations and through interlocal agreements in connection with participating municipal locations.

(5) Permit criteria. The permit shall be granted unless the County Manager's designee finds that the proposed film production:

(i) Unduly impedes governmental business or public access; or

(ii) Conflicts with previously scheduled activities; or

(iii) Imperils public safety; or

(iv) Violates the provisions of applicable interlocal agreement.

(6) Appeals. Any person aggrieved by the terms of a permit issued by the County, by the decision not to issue a permit or by a revocation of a permit issued by the County may, within ten (10) days of the decision, appeal to the County Manager, whose decision will be final.

(c) Authority of County Manager. The County Manager shall designate an individual who shall be authorized to facilitate and coordinate the use of publicly-owned sites within the incorporated and unincorporated areas of Miami-Dade County for the filming and production of film projects. In this regard the Manager's designee shall be responsible for:

(1) Negotiating interlocal agreements with municipalities to provide that the County may issue municipal film permits on behalf of the participating municipality, which shall conform to the requirements of all applicable municipal ordinances and written regulations, and shall set out the procedures by which the County shall facilitate film production within the municipality.

(2) Establishing by administrative order the criteria for film permits issued with regard to sites owned or controlled by the County.

(3) Issuing, denying or revoking permits pursuant to this section, administrative order or interlocal agreements.

(4) Coordinating proposed film production schedules to minimize conflicts and to monitor compliance with applicable rules and regulations of the County and of the participating municipalities, and coordinating with the police and fire departments having jurisdiction to determine those services reasonably necessary to protect the life, safety and welfare of the public, as well as property.

(5) Facilitating execution of appropriate permits for the provision of special police, fire or other public services as may be required. In connection with these arrangements, the County may collect all neces-
sary fees and deposits on behalf of the County and participating municipalities and shall remit municipal fees collected in accordance with the interlocal agreement with the participating municipality. Municipal fees shall be determined by each participating municipality.

(6) Supporting public programs and private initiatives that enhance Miami-Dade County as a location for film production and post-production facilities.

(7) Developing and disseminating a comprehensive listing of all related available resources including but not limited to companies dealing with film production to assist in the expansion and enhancement of the film production industry and related industries in Miami-Dade County.

(Ord. No. 76-112, § 6, 12-21-76; Ord. No. 91-50, §§ 1, 2, 5-7-91)

Annotation—AO '4-34.
Implementing Order

Implementing Order No.: 4-34
Title: Permitting of Film and Video Tape Productions
Ordered: 09/20/2007  Effective: 10/01/2007

AUTHORITY:
Section 2-11.14 of the Miami-Dade County Code.

SUPERSEDES:
This Implementing Order supersedes previous Implementing Order 4-34, ordered July 23, 2002, and effective August 2, 2002.

POLICY:
The responsibility for issuing permits and establishing and collecting fees for use of County property, equipment and personnel by film or videotape producers, formerly administered by the Office of the Mayor, is hereby centralized in the Department of Film and Entertainment to provide applicants a one point contact and expedite permit procedure requirements.

PROCEDURE:
Application for Permission to Film:

Any person, firm, corporation or association desiring to take still or moving pictures that involve use of special settings, structures or apparatus, or the performance of a cast of persons on property owned by or under the control of Miami-Dade County, Florida or any of its agencies, or within municipalities participating in Miami-Dade County’s One Stop Film Permitting process, shall apply to the Department of Film and Entertainment for permission by-submitting an Application for Permission to Film.

INSURANCE:

All applications must be accompanied by a certificate of insurance naming Miami-Dade County, and/or any participating municipality where filming will take place, as a co-insured party. Minimum coverage for general liability including auto liability shall be $1,000,000 with additional coverage required in unusual circumstances.

The applicant shall agree to assume all risks and be solely responsible for damages or injury to property or persons and hold harmless the County, its officers and employees, from any and all claims, suits, losses, damages, or injury.

BOND:

The County may require the Permittee to provide a bond, cash or surety, to insure performance of any agreements or conditions of a Permit. The amount of said bond will be determined by the County Manager or his designee.
FEES:

A non-refundable $100 Film Permit application processing fee will be charged at the time of application for a Film Permit, which will be valid for a period of 28 days beginning on the first day of filming as set forth in the permit application. Productions that exceed the stated 28 day period will require renewal(s) of the Permit at $100 per additional 28 day period. Students and faculty filming exclusively for educational purposes are exempt from the application fee. Additional fees will be charged to defray any special costs, exclusive of administrative costs, in providing personnel, equipment, or property for use by film or videotape producers. Fees will be assessed based on detailed information provided by the applicant regarding anticipated use of personnel, equipment, or property. Such fees will be collected at the time the permit is issued. If modification of anticipated permitted activities is necessary, modification of the Permit and the fees will be required.

COMPLIANCE WITH PERMITTED ACTIVITIES:

Department directors or their designated representatives may be present at the site of any film or videotape production using County personnel, equipment, or property. Such representatives may order production to cease, upon determination that such activities: unduly impede government business or public access; conflict with previously scheduled activities; imperil public safety; violate provisions of the permit. The County Manager shall determine whether or not such activities shall be permitted to resume.

The Implementing Order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

County Manager
Sec. 2-11.14. Film production on publicly-owned or controlled property.

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

(a) Definitions. The following terms shall have the meanings ascribed to them below for the purposes of this section:

Film. 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.

Participating municipalities. Those municipalities located within Dade County which have executed interlocal agreements with Dade County with regard to the coordination of film permitting.

(b) Film permits.

(1) Required. No person shall film within a publicly-owned site, facility or right-of-way within the participating incorporated or unincorporated area of Dade County without first obtaining a permit. Within the unincorporated area of Dade County, the County Manager shall establish the criteria and procedures to be followed for film permits. Within the participating incorporated areas, the municipality having jurisdiction shall establish the criteria and procedures to be