

MEMORANDUM

Agenda Item No. 11(A)(1)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: June 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving
amendment to Implementing
Order No. 4-34 relating to
permitting of Film and Photo
Productions

Resolution No. R-568-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: June 2, 2021

FROM: 
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County Attorney

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Please note any items checked.

- _____ "3-Day Rule" for committees applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Statement of social equity required
- _____ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- _____ No committee review
- _____ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- _____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)
6-2-21

RESOLUTION NO. _____ R-568-21

RESOLUTION APPROVING AMENDMENT TO
IMPLEMENTING ORDER NO. 4-34 RELATING TO
PERMITTING OF FILM AND PHOTO PRODUCTIONS

WHEREAS, Miami-Dade County has been a world class production hub for film, television, television commercial and digital media; and

WHEREAS, Miami-Dade County is currently home to 200 production companies, 15 soundstages, 15 recording studios, three Spanish-language production facilities and many businesses that support photography, motion pictures, and videos; and

WHEREAS, in a continuous effort to coordinate cities and make Miami-Dade County more film-friendly, the Miami-Dade County Office of Film and Entertainment offers a one-stop permitting process for all film, photo and video productions that take place on County-owned property and on property owned by municipalities that have interlocal agreements with the County; and

WHEREAS, to consistently regulate commercial activity in film and photo production and to reflect the technological advances in film and media, changes to Miami-Dade County's permitting procedures in Implementing Order No. 4-34 are necessary,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

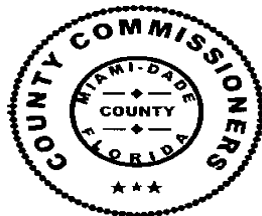
Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board approves the amendment to Implementing Order No. 4-34 relating to Permitting of Film and Photo Productions, in substantially the form attached hereto and incorporated herein.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of June, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APP

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Implementing Order No.: 4-34

Title: Permitting of Film and ~~[[Video]]>>Photo<<~~ 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]]>>photo<<~~ producers, formerly administered by the Office of the Mayor, is hereby centralized in the Office of Film and Entertainment to provide applicants a one point contact and expedite permit procedure requirements.

PROCEDURE:

Application for Permission to >>Produce a<< Film >>or Photo<<

Any person, firm, corporation or association desiring to take still>>, video, digital<< or moving pictures that involve use of >>a camera, << 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 >>Produce a<< Film >>or Photo, subject to the requirements and exceptions within section 2-11.14 of the Code of Miami-Dade County<<.

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 >>or Photo<< Permit application processing fee will be charged at the time of application for a Film >>or Photo<< Permit, which will be valid for a period of 28 days beginning on the first day of ~~[[filming]]~~ >>production<< 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.

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 content]]~~ 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]]~~ >>of Film and Entertainment personnel<< 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