

ORDINANCE #2007 - 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING REGULATIONS FOR THE COORDINATION OF FILM PRODUCTIONS ON PUBLICLY-OWNED OR CONTROLLED PROPERTY IN THE CITY OF DORAL, FLORIDA; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR RENUMBERING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Miami-Dade County and the City of Doral in particular 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 controlled property and to ensure that it does not affect public safety or impede with the government business or public access, the City Council finds that the passage of this ordinance is in the interests of the citizens of Doral; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. That a new Section of the Code of Ordinances of the City of Doral, entitled, "Film production on publicly-owned or controlled property," shall be created to read as follows:

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:

(b) 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.

(c) Film permits.

(1) Required. No person shall film within a publicly-owned site, facility or right-of-way within the City of Doral without first obtaining a permit. Permits shall be authorized by the City Manager, or his/her designee.

(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 City; (iii) identify the number and type of locations to be utilized for filming and the agencies to provide assistance.

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

(5) Permit criteria. The permit shall be granted unless the City Manager or his/her 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

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

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

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

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

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

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

(5) Supporting public programs and private initiatives that enhance the City of Doral as a location for film production and post-production facilities.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Inclusion in Code. It is the intention of the City Council of the City of Doral, Florida, that the provisions of this Ordinance shall become

and be made a part of the City of Doral Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Effective Date. This Ordinance shall become effective upon adoption by the City Council.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Peter Cabrera	Yes
Councilman Michael DiPietro	Absent
Councilwoman Sandra Ruiz	Yes
Councilman Robert Van Name	Yes

PASSED AND ADOPTED on first reading this 14th day of November, 2007.
PASSED AND ADOPTED on second reading this 12th day of December, 2007.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JOHN J. HEARN, CITY ATTORNEY