

**CITY OF LAS VEGAS
CITY COUNCIL
ORDINANCE NO. 10-08**

**AN ORDINANCE AMENDING ARTICLE V, SECTION 12-5-12
TEMPORARY USES C. 8. MAJOR MOVIE, VIDEO AND SIMILAR
RECORDING PRODUCTIONS OF THE ZONING ORDINANCE**

WHEREAS, Las Vegas has been a movie location since 1913; and since then approximately 40 feature films and 35 silent movies have been filmed in Las Vegas; and

WHEREAS, the movie industry continues to see Las Vegas as a prime film location because of its cultural/historic resources and variety of landscape; and

WHEREAS, the filming of any production within the City of Las Vegas brings positive benefits and the City of Las Vegas openly welcomes the film industry to the community; and

WHEREAS, Las Vegas citizenry has requested that the Mayor and City Council establish ordinances, policies, and procedures that will provide guidance and improve the film production process in the community, thereby, enhancing the benefits to local businesses and residents; and

WHEREAS, film productions have in general benefitted the local economy; and

WHEREAS, the City of Las Vegas Zoning Ordinance Section 12-5-12 Temporary Uses Item 8, requires that all Major Movie Video and Similar Recording Productions apply for a temporary use permit on forms provided by the City, and that they shall follow all procedures, pay all assessed fees and provide the requested information contained in the application form.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Las Vegas, New Mexico, that ARTICLE V, C. 8. Major Movie, Video and Similar Recording Productions Section 12-5-12 TEMPORARY USES of the Zoning Ordinance be hereby amended as follows:

- A. Permitted in any district with approval by the Community Development Department.
- B. Film productions must submit for a temporary use permit, hereinafter "Film Permit," for preliminary approval at least forty five (45) days prior to the intended dates of filming on forms provided by the City. At a minimum, dates and exact locations must be provided on the preliminary application. Film productions are encouraged to advise the City prior to the 45 day requirement.
 1. An exception to the 45 day requirement may be made by the City Manager in situations wherein circumstances prevent the production from meeting this requirement. Request for the exception must be written and include proper justification.

- C. Maximum length of use shall be determined by application, per B. above.
- D. A film permit application in excess of twenty (20) days per quarter of a calendar year shall require a public hearing before the City of Las Vegas Council, prior to approval of a Film Permit.
- E. A Film Permit application with nineteen (19) days or less per quarter of a calendar year may be approved administratively, and an extension of not more than three (3) days may be granted one (1) time by the City.
- F. Upon receipt of a complete preliminary approval application by the City and within ten (10) days, the City will advise the official contact person with the film production to proceed.
- G. The application must obtain at least sixty-one percent (61%) support in the form of signatures from active and open businesses, home owners or tenants (occupied) that are being impacted by filming. Impacted means disruption of regular access to property by owner or patrons. Preliminary approval by the City will define the area from which signatures must be obtained in the form of a map or description. Vacant, unoccupied properties and non-responses to the survey are not included in the total count. Reasonable attempts to contact businesses, home owners or tenants must be proven by the applicant.
- H. Failure by the film production to obtain the required percentage in a specific location will result in denial of the permit application for that location.
- I. The official contact person (location manager and staff as determined by the production) must participate in the administrative review (per 12-11-12 *Development Impact Review Requirements*) of the application at a time and place determined by the City. At a minimum, City department representatives shall include Community Development, Police, Fire and Public Works. The film production shall invite business organization representatives or neighborhood group representatives being impacted by the film. These representatives may participate in the review discussion, final authority on decisions rests with the City.
- J. At least two (2) weeks before filming is to begin, the film production must provide an acceptable public awareness plan of the upcoming production using media including but not be limited to newspaper, radio, flyers, Internet, and door hangers or notices in areas being impacted. The film production must provide evidence of such to City for approval.
- K. Arrangement for City services such as police, barricading, sanitation and utilities or any other specific request for services will be made at the time of application; fees for these services shall be based on actual costs.

- L. There is no fee for documentaries, educational films, still photo shoots, or any production with a crew of 10 people or less.
- M. Permitting fees shall be imposed at the rate of two hundred and fifty dollars (\$250.00) for all commercial feature or television projects with a crew size of 11 people or more and or a budget of \$50,000 or more.
- N. On street/city right of way parking spaces in areas requested by the film production for purposes such as background shots to park picture cars are assessed at seven dollars (\$7.00) per day per space.
- O. The film production may request to use City-owned property for the film production camp. A fee will be assessed for the use of City-owned property on a case by case basis. This section does not prevent the film production from using other locations not owned by the City as a base camp.
- P. A deposit fee of two hundred dollars (\$200.00) is required per each specific film location and City-owned parking lot being utilized by the film production. Each site occupied by the film production shall be cleaned of debris, litter, within one (1) day; and any other evidence of filming activity upon completion or removal of the activity no later than five (5) days after completion of filming activity. Upon inspection of the site(s) and approval by the City, deposit(s) shall be refunded.
- Q. Modifications to the permit must be submitted to the City in writing, approval will be given at the discretion of the City.
- R. Must be inspected and approved by the Fire Department;
- S. All applications for major Movie, Video, and similar recording productions shall be made on forms published and provided by the City and shall be filed with the Community Development Department. Each applicant shall follow all procedures specified in the application, shall complete all questions, and pay all assessed fees, and provide requested material contained within the application form.
- T. The City may revoke the Film Permit at any time for serious violations of the terms of the permit. The film production will be given a written warning and the opportunity to address infractions. A permit revocation may be appealed to the Board of Adjustment (Planning & Zoning Commission) pursuant to Article VI Section 12-6-3 (a) of the Zoning Ordinance. Upon receipt of the appeal, special meeting will be scheduled to consider the matter. The decision of the Board of Adjustment may be appealed to the City Council in accordance with 12-6-4 Appeals from Board Action of the Zoning Ordinance.

(New language underlined)

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2010.

Mayor Alfonso E. Ortiz, Jr.

ATTEST:

Casandra Fresquez, City Clerk