

FINAL DRAFT (Rev. 1)



AN ORDINANCE FOR CONDUCTING FILMING, VIDEOTAPING AND STILL PHOTOGRAPHY ACTIVITIES IN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE

INTRODUCTION

Los Ranchos de Albuquerque is an incorporated village surrounded by the city of Albuquerque. It is a semi-rural area composed primarily of residential neighborhoods, agricultural properties and a thriving commercial district. Many country-like roads are frequently used by horse and riders, joggers, and bicyclists alike. While we acknowledge the economic importance of the film industry and support the idea of using the Village for location filming, it is important that the film industry understands and appreciates the unique nature of our neighborhoods and addresses concerns related to filming activity in Los Ranchos.

In order to insure the greatest protection of health and safety, the least disruption to traffic and the rights of village residents, all persons filming within the Village are required to obtain a film permit. The Village Administrator reserves the right to impose additional regulations in the interest of public safety, as deemed necessary.

I. PROCEDURES AND CONDITIONS

A. Obtaining a Film Permit

An approved film permit from the Village of Los Ranchos is required to film, videotape or conduct photography on public and private property for the purpose of producing any motion picture, television production, commercial production, music video, educational production, video production or still photography production.

Permits shall not be required for the following production activities:

1. The filming, videotaping or other production of current news which includes reporters, photographers and camera persons employed by a newspaper, news service, cable or broadcasting station or similar entity engaged in news events.
2. The filming, videotaping or other productions solely for one's private, family use such as weddings, receptions, etc.

B. Jurisdiction & Authority

Although location scouts may photograph homes and businesses in the Village as potential film sites, there is no approval granted until an application to film and application fees have been received and approved by the Village.

The Village of Los Ranchos Village Administrator shall have responsibility for approving film work in any part of the Village. The Bernalillo County Film Liaison will represent the Village when such film work has been approved.

These rules cover requests for filming in all zoned areas of the Village of Los Ranchos which is comprised of residential, commercial, agricultural and special use zones. These zones include A-1, A-2, A-3, R-2, R-3, C-1, SU-1, VC and AC zonings. This Ordinance also covers the use of Village-owned property, streets, right-of-ways, open space and public buildings.

Because of the great diversity found in the various areas of the Village, filming times, filming restrictions, application fees and daily use fees, have been based on zoning and are divided into three groups (a copy of these zoned areas are available from the Village Administrator):

Village Area 1

Larger residential properties, some with agricultural land (includes: A-1, A-2, A-3 and SU-1)

Village Area 2

Smaller residential properties, many bordering commercial land (includes: R-2 and R-3)

Village Area 3

Commercial properties, some with agricultural land (includes: C-1, VC and AC)

C. Application Fee Schedule

Application fees are based upon the location and total crew size of the production's activity within the Village. Fees for the application and staffing commitment are **NON-REFUNDABLE**.

APPLICATION FEE	SMALL PRODUCTIONS (6 to 20 Cast & Crew)	MEDIUM PRODUCTIONS (21 to 80 Cast & Crew)	LARGE PRODUCTIONS (81 to 200 Cast & Crew)
Village Area 1	\$100	\$175	\$250
Village Area 2	\$100	\$175	\$250
Village Area 3	\$100	\$175	\$250
Village Property	\$100	\$175	\$250
Daily Impact Fee	\$100	\$175	\$500
(Includes prep and strike days)			

D. Exemption from application Fee Requirements

Application fees shall be waived for the following:

1. The filming, videotaping or other productions for a charitable purpose or from which no profit is derived either directly or indirectly; or
2. The filming, videotaping or other productions for a current educational assignment. Student must provide written documentation by school or professor, as well as a current student identification to qualify for exemption; or
3. The filming, videotaping or other productions involving six (6) or fewer cast and crew members.

E. Liability Provisions

A certificate of insurance is required in the amount of one million dollars (\$1,000,000) naming the Village of Los Ranchos, its trustees and employees as co-insured for protection against claims of third persons for personal injuries, wrongful deaths and property damage unless greater or lesser coverage is requested and approved by the Village Administrator. The certificate shall not be subject to cancellation until after thirty (30) days written notice to the Village of Los Ranchos.

An applicant must execute an Indemnity/Hold Harmless Agreement. The Hold Harmless Agreement must be signed by the same individual that signs as the company representative on the permit application.

Once a filming permit has been issued, an applicant may be required to submit a refundable security deposit (amount to be determined) to ensure cleanup and restoration of the filming site and base camp. Upon completion of filming and inspection of the site(s) by a representative of the Village, the security deposit will be returned to the applicant.

F. Compliance with Village ordinances and other laws

Notwithstanding the issuance of a film permit, the provisions of this Ordinance are held to be minimum requirements. Whenever any provisions of this Ordinance conflict with other Village laws, rules, regulations, covenants, or ordinances; the more restrictive shall govern. This Ordinance shall be construed broadly to promote the purposes for which it is adopted.

II. FILM PERMIT REQUIREMENTS

A. Size of Production

While the total size of a production can consist of up to 200 individuals, the maximum number allowed to gather at any one time varies by location.

Village Area 1 and 2 (Residential & Agricultural)

- No more than 80 members of the production (cast and crew).

Village Area 3 (Commercial & Agricultural)

- No more than 200 members of the production (cast and crew).

For example: if a production of 200 people is filming at a private residence (Village Area 1), only 80 may be physically present at the residence. The other 120 must be at a base camp set up in Village Area 3. Members of the production may shuttle to and from the residence and base camp, but the aggregate total of 80 must not be exceeded at the residence.

B. Advance Notice

An applicant is required to submit a completed film permit application at least five (5) business days prior to the date on which the production company or applicant desires to conduct an activity for which a permit is required. Two to three weeks notice is strongly recommended and may be required. For Large Productions (as defined above in the Application Fee Schedule) or productions that involve set construction, base camps, and/or traffic controls, an application must be received at least ten (10) business days prior to the date an applicant desires to conduct an activity.

Please note, the Village Administrator will not approve any film permit application until the completed application package and fees have been submitted to the Village by the required deadline.

C. Hours of Production

Hours of production shall include arrival of personnel and vehicles, prep, filming, strike, departure and any other activity related to the production.

Village Area 1 and 2 (residential & Agricultural)

Hours of production are limited to the hours of 8:00 a.m. to 8:00 p.m., Monday through Saturday and prohibited on Sunday.

Village Area 3 (Commercial & Agricultural)

Hours of production are limited to the hours of 7:00 a.m. to 9:00 p.m., Monday through Saturday and prohibited on Sunday.

The Village may consider exemptions on the hours of filming activity on an individual production basis and if signatures of affected residents/businesses are provided.

D. Frequency of Filming

The number of filming days at any property in the Village shall be limited to:

- **Village Area 1 and 2 (Residential & Agricultural)**
 - Five (5) continuous filming days (including prep, strike & wrap)
 - Ten (10) total filming days in a 12 month period at the same residence (including prep, strike & wrap)

- **Village Area 3 (Commercial & Agricultural)**
 - Six (6) continuous filming days (including prep, strike & wrap)
 - Eighteen (18) total filming days in a 12 month period at the same location (including prep, strike & wrap)

E. Neighborhood Notification

There is a 300 feet notification requirement (linear distance in each direction from the corners of the location property. The Village Administrator also has the right to require notification of additionally impacted neighbors).

The production company shall provide evidence satisfactory to the Village that each affected property owner has been individually notified by the applicant regarding the proposed filming or photography, including specific dates and times when such filming or photography is expected to occur. The production company shall also provide a list of any objecting residents stating the reasons for such objection.

F. Special Effects

Special effects, including gunfire, explosions, pyrotechnics, high speed car chases are not permitted.

G. Noise Pollution

No gunfire or blank fire, bullhorns, siren, music playback, or public address systems shall be used in violation of the Village noise ordinance. Blimped generators shall be used when auxiliary power is needed on location.

H. Light Pollution

For any nighttime filming, the production company is responsible for assuring that film lights are blocked from flooding adjacent properties.

I. Directional Signs

The posting of directional signs in the public right-of-way is not permitted for Village Areas 1 and 2. Any sign posted within the public right-of-way will be removed at the expense of the production company and accompanied by a fine of \$50 per sign.

J. NO PARKING” Signs

The posting of “No-Parking” signs require advance warning of at least 48 hours. “No Parking” signs shall clearly state the times and dates of parking restrictions and shall be spaced every fifty (50) feet in front of every property impacted. The signs shall be posted on “Type II Barricades” or “orange delineators”.

K. Parking at Location

Essential production work trucks shall be parked within the location property or on the same side of the street within the location property boundaries. All non-essential trucks and crew vehicles must be parked on other private property or outside the neighborhood with prior approval.

L. Base Camp

The applicant shall provide a report listing the number of cars, size and number of trucks and types of equipment to be used during the filming, including their proposed hours of use and their proposed parking locations.

The Village can provide a list of contacts for area parking of crew vehicles, motorhomes, honeywagons, additional production vehicles and crew automobiles.

M. Activity in the Public Right-of-Way

Any activity proposed to occur in the public right-of-way (i.e. vehicles, camera stand, “no parking” signs, equipment, stringing cable or generators on the street/sidewalk OR driving shots) will be reviewed on a case-by-case basis. If approved, the applicant will be responsible for supplying, placing, and removing the necessary Sheriff services, traffic safety equipment, etc.

Filming in the right-of-way and on major arterials (Rio Grande Blvd., 4th St., Chavez Rd., Ranchitos Rd., El Pueblo) is generally permitted only during non-peak traffic hours of 9:30 am – 3:00 pm. The Village of Los Ranchos does not allow full road closures for any film, video or still photography activity. However, the Village will consider limited traffic control measures (intermittent traffic control) during non-peak traffic hours. If such filming is granted for major arterials, electronic message boards must be placed at the production company’s expense at least 48 hours in advance of such closure in both directions of the affected roadway.

N. Road/Street Closures

Advance notice of road or street closures must be posted in public view, at the Village Hall and on the Village’s website seven (7) days in advance of the closure.

No road or street closures will be allowed without the presence of a Bernalillo County Sheriff’s officer. If a street closure is needed, the production company will be responsible for placing a Sheriff’s officer at each end of the road closure and costs associated therein.

Under no circumstances will production company staff, such as P.A.’s or hired security staff be allowed to stop traffic.

In the event of a road or street closure, the production company will not block the right of way for more than three (3) minutes during a ten (10) minute period.

III. CONDITIONS AND RESTRICTIONS

The applicant shall comply will all conditions and restrictions of the film permit. Violation of the Village of Los Ranchos film constitutes a misdemeanor and all filming activity will be halted. Such violations will void the permit for future use. No changes to the permit will be allowed after initial permit issuance without the written approval of the Village.

These procedures and guidelines are intended to serve as the minimum regulations under typical filming circumstances. However, the Village reserves the right to increase or decrease the requirements on an application-by-application basis. If a film permit is denied, an applicant may appeal to the Village Administrator in writing within five (5) working days.

FINALLY, PLEASE NOTE, THE VILLAGE OF LOS RANCHOS SHALL RESERVE THE RIGHT TO WITHDRAW A PERMIT OR STOP PRODUCTION IN THE EVENT THAT THE APPLICANT DOES NOT ADHERE TO THESE RULES AND REGULATIONS!