

**City of San Juan Capistrano
Commercial Still Photography
Rules and Regulations**

Commercial photography activities within the City of San Juan Capistrano require a City issued permit (City Film Permit) except for:

- Photography solely for personal, non-commercial use.
- Photography to commemorate special events by a professional, semiprofessional or amateur photographer that will not be used for promotional or commercial purposes.
- Photography conducted at, and entirely within, a studio.
- The regular activities of the news media concerning those persons, locations or occurrences which are in the news and of general public interest.

The following is an overview of the City's commercial photography activity requirements. Detailed requirements and conditions for commercial photography activities and permitting are further described in the City-wide Requirements and Conditions for Commercial Still Photography (attached).

Photographers required to obtain a City Film Permit for commercial photography activities may obtain a one-time permit or an annual permit:

- **One-time Permit (per activity) \$150.00**
- **Annual Permit (per year) \$150.00**
- **Public Facility Use Fee (fee varies based on location) or Encroachment Permit (fee varies based on activity) may apply based on specific circumstances.**

Insurance – Proof of insurance as outlined in the City-wide Requirements and Conditions for Commercial Still Photography prior to the issuance of any permit.

Hours – Commercial photography activities are only allowed between the hours of 8:30 am to dusk, seven days a week, unless otherwise approved.

Permission to use property – Commercial photography activities require the property owner's permission or consent for any property not owned by the City. Access to City-owned property and the public right-of-way are coordinated through the City Film Permit issuance process and a Public Facility Use Fee or Encroachment Permit may be required. **No photography is permitted in the railroad right-of-way.**

Notification - Notification of residents and/or businesses as required by the City's guidelines must be provided at least two (2) working days in advance of any commercial photography activity.

Frequently Filmed Areas - Sensitive or "Frequently Filmed" areas in the City such as the Los Rios Historic District area have more restrictive guidelines.

Additional conditions may also be required upon review of any application or in the case of an annual permit, the location and any special circumstances required for a particular activity.

Failure to obtain a City issued Film Permit as required is a violation of the City's Municipal Code and may result in a citation. Additionally, the violation of the conditions on any permit could result in revocation.

City of San Juan Capistrano
City-Wide Requirements and Conditions for
Commercial Still Photography

One-time Permit – One-time permits are issued for a single commercial photography activity by photography crews of two or more (including the photographer).

- Term – One-time permits are valid for the duration of the specific photography activity for which the permit is issued.
- Advance Notice - Applicant/permittee for a single commercial photography activity is required to submit a request for a City Film Permit at least five (5) working days prior to the date the photography activity is to occur. If such activity involves use of public rights-of-way, photography in commercial districts, stunts, special effects or other special conditions, an application requires at least ten (10) working days in advance.
- A Public Facility Use Fee is required for commercial photography activities involving photography crews of two or more (including the photographer) on City-owned property or in the public right-of way; when using props or equipment other than a hand-held camera and support device or requiring special conditions.
- Encroachment Permits and related fees may be required for certain activities in the public right-of-way.

Annual Permit – Annual permits are available to individual commercial photographers only, and do not include photography activities requiring additional crew members or helpers; props or other equipment or other special conditions.

- Term – Annual permits are valid until the expiration date of the insurance provided; however, no longer than twelve months.
- Advance Notice – An applicant is required to submit a request for an annual permit at least three (3) working days prior to the first commercial photography activity to be conducted. Thereafter, the annual permit holder is required to notify the City of each location at least one (1) working day prior to the date the commercial photography activity is to occur.
- A Public Facility Use Fee is required for commercial photography activities involving photography crews of two or more (including the photographer) on City-owned property or in the public right-of way; when using props or equipment other than a hand-held camera and support device or requiring special conditions.
- Encroachment Permits and related fees may be required for certain activities in the public right-of-way.

Charitable or Student Photography - Charitable and student photography is subject to all applicable fees.

Payment-Applicant - Applicant shall pay all fees and deposits required for the permit prior to the issuance of the permit.

Insurance and Endorsement Requirements - Before a photography permit is issued, a Certificate of Insurance and endorsement evidencing coverage of at least \$1,000,000 per occurrence and naming the City of San Juan Capistrano as additional insured shall be provided. For annual permit holders, a Certificate(s) of Insurance evidencing such coverage together with copies of the required policy endorsements at least fifteen (15) business days prior to the expiration of any policy. Coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits, non-renewed, or materially changed for any reason, without thirty (30) days prior written notice thereof given by the insurer to the City by U.S. mail, or by personal delivery, except for nonpayment of premiums, in which case ten (10) days prior notice shall be provided.

Props, structures, lighting and any other equipment – Unless otherwise approved as part of the permit, props, structures and lighting are not permitted at any location. Additionally, only one hand held camera and support device may be used unless otherwise approved by the City.

Property Owner Permission – Applicants and annual permit holders are required to obtain the property owner’s permission or consent for property that is not owned or controlled by the City of San Juan Capistrano. Written permission may be required for each residence or place of business, within a 300 ft. radius.

Photography on City Owned Property - Permission to take still photographs on any City owned property can be obtained by contacting the Film Permit Coordinator who will be the liaison to coordinate with the rest of the City departments.

Photography in the Public Right-of-Way - Photographers and their equipment may not block sidewalk, street, and alleyway access. Pedestrian access must be maintained at all times. Photographers are required to introduce themselves to any property owner or tenant affected by still photography in the public right-of-way in front of their property. They are to receive verbal consent to conduct photographic activity on or near private or commercial property. If the property owner or tenants object, still photographers must relocate their activities to another location.

Photography Hours - Photography activities are only allowed between the hours of 8:30 am to dusk, seven days a week. On a case by case basis, the Department Director may allow the Applicant or Annual Permit Holder to complete a signature survey in an attempt to get approval for the modification of these hours.

Notifications – Commercial photography activities involving a crew of two (2) or more (including the photographer), requires notification of residents and/or businesses within 300 feet or other specified radius of the photography activity a minimum of two (2) working days in advance of the photography activity.

Signature Survey - Film Permit Coordinator may require a signature survey detailing the proposed photography activity. Applicant/permittee will be responsible for obtaining signatures from the affected residence and/or businesses. The Applicant/permittee must obtain approval from all properties for the permit to be considered for approval.

Noise - Bull horns, public address systems, sirens or other noise-creating devices may not be used under the City's Noise Ordinance. Request for noise creating devices shall be reviewed by the Development Services Director. If amplified sound is required, the Applicant/permittee must obtain the proper approval from the City.

Parking - Unless parked legally, a parking plan must be submitted in conjunction with the photography activity. All vehicles and equipment associated with the photography activity must park in designated areas. Parking permits may be available upon request.

Rescheduling - Dates and times, set out in a one-time permit, may be changed at the request of the permittee who shall inform the Film Permit Coordinator at least three (3) working days in advance of the time originally set to start such activity.

Traffic Control/Street Closures – Applicant/permittee must contact the City Traffic Engineer for any photography activity requiring traffic control or street closures. An encroachment permit will be required for any activity or traffic control in the public right-of-way.

Railroad Depot - **No photography is permitted in the railroad right-of way.** All photography activity is restricted on the track side of the yellow caution line on the concrete platform along the railroad tracks. Any photography on the train platform may require permission from Amtrak and Metrolink.

Special Effects - Any photography activity that requires the use of flammable materials, explosive devices, or open flames is considered a special effect and is subject to review and approval pursuant to the City's Municipal Code.

Firearms – The display/use of firearms must be identified in the permit request. This activity is subject to review by local law enforcement and approval by the City Council as required by the City's Municipal Code.

Restoration - Applicant/permittee shall restore site to the original condition upon completion of all photography activity.

Compliance with Laws - Applicant/permittee agrees to comply with all applicable Federal, State, and local rules, regulations and ordinances. Applicant/permittee agrees to obtain and keep in effect all permits and licenses require to conduct the permitted activities. Identification badges may be required to identify permitted users.

Additional conditions may be required upon review of application or in the case of an annual permit, the location and any special circumstances required. Also, the Frequently Filmed Areas in the City have more restrictive guidelines than listed above.