

ORDINANCE NO. 2017-30

AN ORDINANCE AMENDING CHAPTER 46 – OFFENSES AND MISCELLANEOUS PROVISIONS – BY THE ADDITION OF A NEW ARTICLE IV, FILMING ON PUBLIC PROPERTY AND PUBLIC RIGHT-OF-WAYS

WHEREAS, I.C. 36-1-3-2 confers upon all local units the powers they need for the operation of government as to local affairs; and

WHEREAS, the Town of Griffith, through its Town Council, has determined that in order to protect the health, safety, and general well-being of its citizens, that filming on public property and public right-of-ways should be prohibited except by permit.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Griffith, Lake County, Indiana, that Chapter 46 – Offenses and Miscellaneous Provisions – shall be hereinafter amended by the addition of a new Article IV, as follows:

**ARTICLE IV. – FILMING CODE.**

**Sec. 46-61. - Adoption and purpose.**

The purpose of this Article is to provide uniform regulations for use of any public property or public right-of-way for the purpose of taking motion pictures or television pictures of any kind or nature using any type of camera.

**Sec. 46-62. - Scope.**

- (a) This Article shall be applicable to the entire Town.
- (b) This Article shall apply to all public lands and right-of-ways.

**Sec. 46-63. – Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

*Family videos* shall mean the filming or videotaping of motion pictures solely for private family use.

*Motion picture and television* shall mean and include all activity attendant to staging or shooting motion pictures or television.

*News media* shall mean the photographing, filming, or videotaping for the purpose of spontaneous, unplanned television news broadcast or reporting for print by reporters, photographers, or cameramen.

*Student films* shall mean motion picture, television, or photography produced to satisfy a course or curriculum at an educational institution. The student filmmaker must supply proof that he/she is currently enrolled as a student.

**Sec. 46.64. – Permits and exemptions.**

- (a) No person shall use any public property or right-of-way for the purpose of taking motion pictures or television pictures without first applying for and receiving a film production permit.

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- (b) The provision of this section shall not apply to news media or family videos.
- (c) The Town Council shall establish a film production permit fee of \$50.00 per day.

### **Sec. 46-65. – Rules.**

The Chief of Police or his designee is hereby authorized and directed to establish or modify filming guidelines, consistent with this Article, governing the form, time, and location of any film activity. He/She shall also set forth the procedures for the issuance of film production permits. The guidelines may be modified from time to time by the Town Council based upon the following criteria:

- (1) The health and safety of all persons;
- (2) Avoidance of undue disruption of all persons within the affected area;
- (3) The safety of property within the Town;
- (4) Traffic congestion at particular location within the Town.

### **Sec. 46-66. – Applicants and issuance.**

- (a) Any person desiring a film production permit under the provisions of this Town Ordinance shall make application on the appropriate form provided by the Town. The form must be signed and accompanied by the required fee.
- (b) The Chief of Police shall issue, conditionally issue, or not issue a film production permit as provided for in this Ordinance after consideration of the application and from such other information as may be otherwise obtained. The decision of issuance will be final unless appealed in writing within five (5) working days of the decision to the Town Council.
- (c) Upon the request of the applicant, the Town Council shall have the power, upon a showing of good cause, to overrule the decision of the Chief of Police.
- (d) The following shall be included in the application:
  - 1. The specific location of the proposed filming;
  - 2. The inclusive hours and dates such activity will occur;
  - 3. A description of the proposed filming activities;
  - 4. The name, address, and 24-hour telephone number of the location manager, producer, or other person(s) in charge of such filming activity;
  - 5. The estimated number of personnel to be involved.

### **Sec. 46-67. – Filming regulations.**

An applicant will be required to submit a film permit application in person no less than ten (10) calendar days in advance of a proposed shooting date.

### **Sec. 46.68. – Violations.**

If an applicant violates any provision of this Article, or a film production permit issued pursuant thereto, or any Town Ordinance, the Town retains the right to revoke any film production permit and suspend production until such violations are corrected. A fine of \$2,500.00 per day shall be assessed for each violation that constitutes an offense under this section.


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NOW, THEREFORE, BE IT FURTHER ORDAINED that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect after its passage and posting in accordance with IC 36-5-2-10.

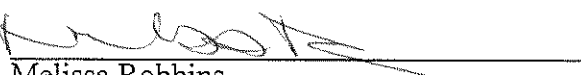
PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 2nd day of MAY, 2017.


COUNCIL MEMBERS OF THE TOWN  
OF  
GRIFFITH, LAKE COUNTY, INDIANA

  
Rick Ryfa, President

  
James Marker

  
Larry Ballah

  
Melissa Robbins

  
Tony Hobson

Attest:

  
John C. Volkmann  
Clerk-Treasurer