

Regular Council

STAFF MEMO



Meeting: Regular Council - Dec 11 2025

Staff Contact: Keith Davis, Village Attorney

Department: Legal

TITLE

ORDINANCE NO. 14-25, FIRST READING, AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING CHAPTER 78. ZONING, ARTICLE IX.- SUPPLEMENTAL REGULATIONS. BY CREATING AN ENTIRELY NEW DIVISION TO BE ENTITLED "DIVISION 8.5. – FILMING OPERATIONS" TO ADOPT REASONABLE REGULATIONS COMMON IN MANY NEIGHBORING JURISDICTIONS FOR COMMERCIAL FILMMAKING, VIDEOTAPING AND PHOTOGRAPHY; PROVIDING DEFINITIONS, PROVIDING EXCEPTIONS, PROVIDING A PERMITTING PROCESS, AND PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

SUMMARY:

Following the September 29, 2025, Village Council Workshop, staff is providing this updated memorandum regarding the proposed ordinance regulating commercial filmmaking, videotaping, and photography on public property within the Village.

The proposed ordinance is intended to ensure public safety, minimize disruptions to residents and businesses, and protect Village interests while allowing reasonable commercial production activities. It establishes clear definitions, permit requirements, application procedures, prerequisites, conditions, penalties, and recommended fees and timelines.

At the workshop, the Council expressed general support for the framework presented in the original Staff Memo (attached for reference). No major structural changes were recommended. Discussion focused primarily on improving clarity, narrowing the scope, and adding protections to ensure the ordinance is enforceable, fair, and resident-friendly without unnecessarily restricting non-commercial activities.

Key Points of Consensus and Refinements

- Scope of the Ordinance** The ordinance applies only to commercial/professional productions that require temporary closure, exclusive use, or significant interference with public spaces (streets, sidewalks, rights-of-way, parks, etc.). It explicitly does **not** apply to:
 - Personal or family events (e.g., wedding photos, family portraits)
 - News gathering and reporting (e.g., local TV news stories)
 - Student filmmaking or photography projects (high school or college)
 - Drone operations (preempted by state law; the Village lacks authority to regulate)
- Definitions:** "Commercial filming/photography" includes feature films, television programs, commercials, print advertisements, promotional videos, and still photography shoots

conducted by production companies or professional photographers for profit. The focus remains on activities that impact public access or safety.

3. Permit and Application Fee

- A permit will be required for all covered activities.
- Application fee: \$40 per shooting day (for multi-day shoots, the fee applies daily).
- Applicants remain responsible for any additional reimbursable costs incurred by the Village (e.g., police, fire, or public works staffing).

4. Application Review Process Applications will be reviewed by relevant departments (Police, Fire, Public Works, etc.) in a manner similar to the special event permit process.

5. Prerequisites for Permit Issuance

- Applicants must identify exact filming locations.
- Village staff will notify affected residents/property owners when filming may impact private views (e.g., backyards visible in shots), particularly when minors are involved or appear in sensitive situations (e.g., swimwear).
- Permit conditions will require compliance with all applicable privacy and child-protection laws.

6. General Conditions and Protections Emphasis was placed on clear, objective standards that protect residents and minors while remaining practical to administer.

The Council supported moving forward with the draft ordinance, incorporating the refinements discussed above rather than pursuing major overhauls. Staff has prepared a revised ordinance reflecting these updates for consideration.

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BUDGET INFORMATION:

BUDGET AMOUNT na

AMOUNT AVAILABLE na

EXPENDITURE AMOUNT: na

FUNDING SOURCES: n/a

IS THIS A PIGGYBACK:

☐ Yes ☒ N/A

DID YOU OBTAIN 3 QUOTES?

☐ Yes ☒ N/A

COMMENTS/EXPLANATION ON SELECTIONn/a

ATTACHMENTS:

[Ord 14-25](#)

[Motion Picture](#)

[BUSINESS IMPACT ESTIMATE Tequesta Ordinance 14-25 Filming Activities v1](#)

ORDINANCE NO. 14-25

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING CHAPTER 78. ZONING, ARTICLE IX.- SUPPLEMENTAL REGULATIONS. BY CREATING AN ENTIRELY NEW DIVISION TO BE ENTITLED “DIVISION 8.5. – FILMING OPERATIONS” TO ADOPT REASONABLE REGULATIONS COMMON IN MANY NEIGHBORING JURISDICTIONS FOR COMMERCIAL FILMMAKING, VIDEOTAPING AND PHOTOGRAPHY; PROVIDING DEFINITIONS, PROVIDING EXCEPTIONS, PROVIDING A PERMITTING PROCESS, AND PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, from time to time the Village of Tequesta is approached by commercial filmmaking or photography operations for permission to utilize public places in the Village to conduct such activities; and

WHEREAS, the Village of Tequesta currently has no regulations to apply to such activities, and instead has utilized its special event permitting process to regulate such activities when necessary; and

WHEREAS, the Village of Tequesta desires to adopt “best practice” regulations common in neighboring jurisdictions to regulate such activities on a going forward basis, including definitions, exceptions, a permitting process, and the provision of penalties for violations; and

WHEREAS, the Village Council of the Village of Tequesta finds the adoption of this ordinance to establish procedures for permitting commercial filmmaking, videotaping and photography on public property in the Village to be in the best interests of the Village and finds that this ordinance will generally promote the public health, safety and welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, THAT:

Section 1: Chapter 78 – Zoning, Article IX.- Supplemental Regulations, of the Code of Ordinances of the Village of Tequesta is hereby amended to create an entirely new Division 8.5. – Filming Operations. Division 8.5. – Filming Operations shall hereafter be created to read as follows:

CHAPTER 78. - ZONING

ARTICLE IX. - SUPPLEMENTAL REGULATIONS

DIVISION 8.5. - FILMING OPERATIONS

Sec. 78-565. - Purpose.

The purpose of this article is to regulate the activities of commercial filmmaking, videotaping, and photography that will take place on or that are anticipated to affect public places in the Village of Tequesta including but not limited to roads, sidewalks, parks, beaches, and public buildings, or that are anticipated to have an impact on the provision of Village provided services.

This article does not regulate the activities of commercial filmmaking, videotaping, and photography when such activity will take place wholly on private property with no expected impact to public places in the Village or to the provision of Village provided services.

Sec. 78-566. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means an individual, firm, partnership, corporation, company, or other legal entity that has submitted an application for a Filming Permit under this article. An Applicant becomes a Permittee upon the Village's issuance of a Filming Permit.

Camera means any device used to produce theatrical motion pictures, television entertainment motion pictures, industrial motion pictures, television commercials, still photography, or any other photography, regardless of medium. Camera shall include (but not be limited to) aerial filming or photography devices.

Filming Operations means activities necessary to create still, live, or motion pictures, whether made with a camera on or by film, electronic tape, aerial filming or photography device, or any other electronic device used to produce theatrical motion pictures,

television entertainment motion pictures, industrial motion pictures, television commercials, still photography, or any other photography, regardless of medium, for use in any print or electronic media. Filming Operations shall include (but not be limited to) the erection, dismantling, and transportation of cameras and other equipment intended to be utilized for said activities. Filming operations shall also include (but not be limited to) set construction, actual filming, rehearsals, and set teardown.

Filming Permit means the permit required by this article for an Applicant wishing to conduct Filming Operations (as defined above):

- (1) On Village Property, or
- (2) Affecting Village Property or the use thereof, or
- (3) Impacting the provision of Village Provided Services.

Permittee means any Applicant to whom a Filming Permit is issued by the Village under this article.

Village Property means any real or tangible property owned or controlled by the Village including, but not limited to any public roads, sidewalks, parks, beaches, or public buildings.

Village Provided Services means law enforcement, fire rescue, parks and recreation, general municipal, and water, sewer, drainage and other utility services.

Sec. 78-567. - Penalty for violations.

Persons or other entities found to be in violation of any provision of this article may be subject to penalties provided by law for the violation of municipal ordinances or, alternatively, may be subject to the jurisdiction of the Village's code enforcement special magistrate or citation process. Nothing in this section shall prevent the Village from seeking civil injunctive relief. Any person, organization, corporation, agency, or entity that conducts Filming Operations without having first obtained a valid Filming Permit shall be assessed a penalty, in accordance with the fee schedule adopted by the Village Council as may be amended from time to time.

Sec. 78-568. - Waiver of provisions.

The Village Council may in its discretion, and upon good cause shown, waive any requirements of this article.

Secs. 78-569 — 78-570. - Reserved.

DIVISION 2. - FILMING PERMITS

Sec. 78-571. - Required.

Persons or other entities wishing to conduct Filming Operations on Village Property, or wishing to conduct Filming Operations that are anticipated to affect Village Property or the use thereof, or impact the provision of Village Provided Services must apply in advance to the Village and obtain a Filming Permit for that activity from the Village Council. IT is the responsibility of the Permittee to assure that the Filming Permit is present at all times at the site of the Filming Operations. Filming Permits are non-transferrable.

Sec. 78-572. – Certain activities exempt.

The following activities are specifically exempted from the provisions of this article; however, such exempt activities must also be in full compliance with all other applicable ordinances, laws, rules, regulations, and court orders, including, but not limited to, such laws, rules, etc. regulating motor vehicles and traffic, rights-of-way, parking, noise, common law and statutory nuisance offenses, mobile food vendors, environmental protection in general and stormwater management, sensitive land management, mangrove protection and water control and protection in particular:

- (1) *Personal/family use*: Persons conducting Filming Operations exclusively for their own individual or family use when such Filming Operations last for no longer than two hours (including any setup and breakdown), involve the participation of no more than 10 individuals, and such individuals:
 - a. Are using only hand-held cameras, hand-held props, and/or hand-held equipment, and
 - b. Are not asserting exclusive use of Village owned or controlled property; are not using prop vehicles, weapons, pyrotechnics, or animals (personally owned domesticated household pets as defined in Chapter 10 of the Village's Code of Ordinances are permitted); are not using actors costumed as first responders or law enforcement personnel; are not using language or behavior likely to incite violence or panic; and are not violating or simulating violations of any laws, rules, etc.
- (2) *Educational use*: Bona fide students and/or faculty conducting Filming Operations exclusively for educational purposes, when such Filming Operations are at all times supervised and managed by one or more faculty members from the educational institution, and the students and faculty members:
 - a. Are using only hand-held cameras, hand-held props, and/or hand-held equipment, and
 - b. Are not asserting exclusive use of Village owned or controlled property; are not using prop vehicles, weapons, pyrotechnics, or animals (personally owned domesticated household pets as defined in Chapter 10

of the Village's Code of Ordinances are permitted); are not using actors costumed as first responders or law enforcement personnel; are not using language or behavior likely to incite violence or panic; and are not violating or simulating violations of any laws, rules, etc.

- (3) *News media use*: Employees of print or electronic news media when conducting Filming Operations of ongoing news events, although this exemption shall not apply to simulations or reenactments orchestrated by print or electronic news media, or to any scripted content.
- (4) *Law enforcement and regulatory use*: Agents or other authorized representatives of Village, state, or federal law enforcement or regulatory agencies conducting Filming Operations for official and authorized law enforcement or regulatory purposes. Filming Operations conducted pursuant to this exemption shall be coordinated through the Village's Police Department and Village Manager.

Sec. 78-573. - Application.

- (1) *Required*. A completed Filming Permit application must be submitted by the Applicant to the Village no less than 10 business days prior to the Village Council meeting at which the Filming Permit application is to be considered.
- (2) *Filing and changes to approved permit*. In order to be considered complete, a Filming Permit application must be filled out in full, and must include all required certificates of insurance, fees, indemnification and hold harmless agreements, and all other information reasonably requested by the Village relating to the proposed Filming Operations. Only Filming Activities approved in the Filming Permit may be conducted. If any modification to the approved Filming Activities is required by the Permittee, such modifications must be applied for in writing, and must be approved by the Village Manager prior to any modified Filming Activity taking place. If the requested modifications substantially change the nature of the approved Filming Permit, the Village Manager may, in his sole discretion, require the requested modifications to be approved by the Village Council prior to any modified Filming Activity taking place.
- (3) *Certificates of insurance*. The Applicant shall provide at its own cost and expense comprehensive general liability insurance coverage endorsing the Village as an additional insured with limits of liability not less than \$5,000,000.00 per occurrence. All required insurance policies shall provide a waiver of subrogation and rights of
- (4) recovery against the Village, including its agents, officers, past and present employees, elected officials, and representatives. The insurance policy in effect shall protect both parties and be primary and non-contributory for any and all losses covered by the above-described insurance. Insurers have no recourse

against the Village for payment or assessments in any form on any insurance policy. When an aircraft is to be involved in any filming, the applicant will be required to obtain aviation coverage with limits of liability not less than \$10,000,000.00 per occurrence. If any watercraft is to be involved in filming, marine coverage is required with limits of liability not less than \$10,000,000.00 per occurrence. The Village council may increase the limits of liability and request additional coverages as necessary upon the recommendation of the Village Manager or Chief of Police.

- (5) *Fees.* The Applicant shall pay to the Village an administrative processing fee and daily filming operations fee, in accordance with the fee schedule adopted by the Village council by resolution as may be amended from time to time.

Sec. 78-574. – Conditions precedent to permit issuance; standard permit conditions.

- (1) Prior to a Filming Permit being granted, the following shall be satisfied:
- a. *Hold harmless agreement:* The Applicant/Permittee shall execute a hold harmless agreement in favor of the Village. Such hold harmless agreement shall release and forever discharge the Village and agree to indemnify, defend, and hold free and harmless the Village and its agents, employees, elected officials, and representatives from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys' or other professional fees, or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims for bodily injury, including death in connection with or arising directly or indirectly out of the Filming Operations of the Applicant/Permittee or its agents, representatives or employees within the Village. The hold harmless agreement shall be executed by the individual(s) or entity(ies) capable financially and otherwise of honoring the terms thereof, and the agreement shall be in a manner and form acceptable of the Village and deemed to provide the protection necessary to the Village as intended by this section.
 - b. *Indemnification:* To the fullest extent allowed by law, the Applicant/Permittee shall protect, defend, reimburse, indemnify, and hold free and harmless the Village and the Village's agents, employees, elected officials, and representatives from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys' or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, and cause or causes of action of every kind and character in connection with, arising directly or indirectly out of,

or related to the Applicant/Permittee and the Filming Operations performed under the Filming Permit application. Without limiting the generality of the foregoing, the Applicant/Permittee's indemnity shall include all claims, damages, losses, or expenses arising out of or relating to personal injury, death, property damage, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or any other tangible or intangible personal or property right or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule, or regulation, or any order of any court. The Applicant/Permittee shall agree to investigate, respond, adjust, and provide a defense for all and any such claims, demands, and actions at the applicant's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false, or fraudulent. Notwithstanding the foregoing, the Applicant/Permittee's indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Village, or by the Village's officers, agents, or employees. The Applicant/Permittee shall acknowledge and agree that the Village would not under any circumstances issue a Filming Permit without this indemnification of the Village by the applicant and that the Village's issuance of a Filming Permit shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Filming Permit application. Nothing in this agreement shall be construed to affect in any way the Village's rights, privileges, and immunities as set forth in Sec. 768.28, *Florida Statutes* as that law may be amended from time to time.

- c. *Deposit for extraordinary services:* The Applicant/Permittee shall deposit with the Village an amount determined by the Village Manager and approved by the Village Council, to compensate the Village for any extraordinary services required to be provided by the Village for purposes of carrying on the Filming Operations to be conducted pursuant to the terms of the Filming Permit or any modification made to the Filming Permit.
- (2) The following are required conditions to be included in all Filming Permits:
- a. *Time limitations:* In no event shall any Filming Operations authorized pursuant to the terms of any Filming Permit be conducted prior to 9:00 a.m. on any given day, or between the hours of 3:00 p.m. and 5:00 p.m. on any given day. Dates upon which Filming Operations are allowed

pursuant to any particular Filming Permit shall be subject to the approval of the Village Council, as may be later modified by the Village Manager.

- b. *Maintenance of traffic plan*: In the event that any particular Filming Permit authorizes Filming Operations that are anticipated to interfere with the normal flow of pedestrian, bicycle, or vehicular traffic on or in any Village right-of-way, the Applicant/Permittee shall provide a maintenance of traffic plan which must be approved prior to the start of Filming Operations by the Village Manager, Fire Chief and Police Chief.
 - c. *Compliance with laws*: the Applicant/Permittee shall agree that all Filming Operations will comply with all Filming Permit requirements and conditions, and also be in full compliance with all other applicable ordinances, laws, rules, regulations, and court orders, including, but not limited to, such laws, rules, etc. regulating motor vehicles and traffic, rights-of-way, parking, noise, common law and statutory nuisance offenses, mobile food vendors, environmental protection in general and stormwater management, sensitive land management, mangrove protection and water control and protection in particular.
- (3) In addition to any other Filming Permit conditions, the Village may place additional conditions on Filming Operations if deemed necessary by the Village Council or the Village Manager to protect the public health or safety or the general welfare of the community, its citizenry, and/or the environment of the Village, or to prevent a public nuisance. Such conditions may include, but are not limited to, requiring the use of police, fire, and/or other Village personnel, at the sole cost and expense of the Applicant/Permittee, during Filming Operations; and/or limiting the total number of days or any consecutive number of days that Filming Operations may take place.

Sec. 78-575. – Review and village council action; revocation; appeal.

- (1) Every application for a Filming Permit shall be set for a public hearing before the Village Council for action.
- (2) The Village Council shall review the complete application for a Filming Permit. Upon completion of its review, the Village Council shall either approve the application for a Filming Permit as presented, approve the application for a Filming Permit with conditions intended to mitigate any anticipated adverse impacts caused by the proposed Filming Operations, or deny the application for a Filming Permit.
- (3) At the public hearing, the Village Council may deny an application for a Filming Permit for any of the following reasons:

- a. The proposed Filming Operations will pose an unreasonably negative impact on the health, safety, or welfare of the Village or its residents or visitors.
 - b. The proposed Filming Operations will impose an unreasonable burden on Village staff, the staff of other governmental agencies, or upon Village Property or Village Provided Services.
 - c. The proposed Filming Operations will unreasonably deprive Village residents or visitors of the use of Village Property or Village Provided Services for an extended period of time.
 - d. The proposed Filming Operations would violate any ordinance of the Village, or any other government agency's law, rule, or regulation.
 - e. The Applicant has made a material misrepresentation in the Filming Permit application.
 - f. The proposed Filming Operations will create a public nuisance.
 - g. The Applicant has violated any conditions of a previously issued Filming Permit, or has, in any circumstance, previously violated any ordinance, rule, regulation, law, or court order in the Village.
 - h. The Applicant has previously conducted Filming Operations in the Village without receiving a Filming Permit when a Filming Permit was required.
- (4) The Village Manager or the Police Chief may revoke a Filming Permit and thereby cause all Filming Operations to immediately cease upon violation of any Filming Permit requirement, or the terms of this article.
- (5) If a Filming Permit is revoked by the Village Manager or Police Chief, the Permittee may appeal the revocation to the Village Council. The appeal must be filed within 10 business days of the revocation and must include payment of the associated appeal fee in accordance with the fee schedule adopted by the Village council by resolution as may be amended from time to time. The appeal will be heard by the Village Council at the next available Village Council meeting.

Section 2: Each and every other section and subsection of Chapter 78. Zoning. shall remain in full force and effect as previously adopted.

Section 3: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon adoption.

Workshop

STAFF MEMO



Meeting: Workshop - Sep 29 2025

Staff Contact: Jeremy Allen, Village Manager

Department: Manager

TITLE

Discussion On Establishing a Permit Process for Commercial Motion Picture Use Permit

SUMMARY:

This item is being brought to Council by staff for discussion and consideration. From time to time, staff receive a request from a company to film within the Village of Tequesta. We currently don't have an official process for approval of these permits.

This staff report provides potential draft language for an ordinance regulating commercial motion picture making within the Village of Tequesta. The proposed language is adapted from similar municipal codes and aims to establish clear definitions, permit requirements, and conditions to ensure public safety, minimize disruptions, and protect Village interests. This draft is presented for workshop discussion and potential refinement.

Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial motion picture making means video production of any nature.

Penalty for Violations.

Any person found guilty of violating the terms of this article shall be subject to the general penalty provisions of the Village code. A citation for a violation of this chapter shall not preclude the Village from seeking other relief such as injunctive or declaratory relief to enforce the provisions of this chapter.

Required: Permit/Application Fee.

Any person desiring to use the public streets or sidewalks, the public rights-of-way, or other public places within the Village for the purposes of commercial motion picture making shall be required to first obtain a permit for that activity from the Village. This permit is not intended to preclude legitimate video production of news events.

The application for a permit shall be accompanied by a (\$XX) nonrefundable permit fee payable to the Village for the administrative processing of the permit application. In addition to the application fee, there will be an operating fee of \$XX dollar (\$XX) per day for each day that any commercial motion picture making activities occur.

If necessary, the applicant would be required to pay all additional cost for personnel required and determined by the Village Manager.

Application.

All applications for permits referenced in the required permit section shall be filed with the Village Building Department. To guarantee approval the application should be filed at least thirty (21) days before a company wishes to conduct commercial motion picture making activities.

The application shall contain the following information:

The name and address of the person applying for the permit.

The number of personnel required by the applicant to conduct the commercial motion picture-making activities for which the permit is sought.

The dates, times, and locations during and at which the proposed commercial motion picture-making activities are to be conducted, and a description of the specific activities being proposed. This information shall describe the specific public places sought to be utilized, the specific times of day during which the places are requested to be utilized, and the specific activity that is to be conducted at each place.

The name, address and telephone number of the specific person who is to be responsible for all of the commercial motion picture making activities proposed to be conducted in the Village.

Prerequisites to Issuance.

Prior to a permit being granted under this chapter, the following shall be provided to the Village by the applicant:

Hold harmless agreement. The applicant shall execute a hold harmless agreement in favor of the Village, saving, defending, and holding harmless the Village, its agents, employees and representatives, from any claim arising as a result of the commercial motion picture making activities of the applicant, its agents, representatives or employees, within the Village. This agreement shall be executed by an individual and/or entity capable financially and otherwise of honoring the terms thereof, and the agreement shall be in a manner and form acceptable to the Village and deemed to provide the protection necessary to the Village as intended by this section.

Certificate of insurance. The applicant shall provide a certificate of insurance naming the Village as a named insured under the insurance policy for an amount not less than one million dollars (\$1,000,000.00). When any watercraft is to be involved in any commercial motion picture making activities, the insurance policy shall be for an amount not less than ten million dollars (\$10,000,000.00).

General Conditions.

All permits shall be subject to the following restrictions:

Time schedule. All commercial motion picture-making activities shall be conducted between the hours of 8:00 a.m. and 6:00 p.m. Specific dates and times during which commercial motion picture-making activities shall be allowed are subject to the approval of the Village Manager.

Deference to normal traffic flow patterns. At no time shall the public streets, sidewalks or rights-of-way of the Village be blocked or impeded to restrict or inhibit the normal flow of pedestrian or vehicular traffic without consent by the Village.

Analysis and Recommendations

The proposed language establishes a permitting process to regulate commercial filming activities, ensuring they do not disrupt public access or safety. Key features include a nonrefundable application fee, daily operating fees, insurance requirements, and operational restrictions. Staff recommends discussing adjustments to fee amounts, timelines, or additional conditions based on Village-specific needs, such as environmental considerations or coordination with local law enforcement. If approved in concept, this could be formalized into a numbered ordinance for adoption. Please provide feedback during the workshop for revisions.

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BUDGET INFORMATION:

BUDGET AMOUNT NA **AMOUNT AVAILABLE** NA **EXPENDITURE AMOUNT:** NA

FUNDING SOURCES: NA

IS THIS A PIGGYBACK:

☐ Yes ☐ N/A

DID YOU OBTAIN 3 QUOTES?

☐ Yes ☐ N/A

COMMENTS/EXPLANATION ON SELECTIONNA

BUSINESS IMPACT ESTIMATE

As required by Sec. 166.041(4), *Florida Statutes* (2024), this “Business Impact Estimate” is provided for Ordinance No. 06-25:

ORDINANCE NO. 14-25

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING CHAPTER 78. ZONING, ARTICLE IX.- SUPPLEMENTAL REGULATIONS. BY CREATING AN ENTIRELY NEW DIVISION TO BE ENTITLED “DIVISION 8.5. – FILMING OPERATIONS” TO ADOPT REASONABLE REGULATIONS COMMON IN MANY NEIGHBORING JURISDICTIONS FOR COMMERCIAL FILMMAKING, VIDEOTAPING AND PHOTOGRAPHY; PROVIDING DEFINITIONS, PROVIDING EXCEPTIONS, PROVIDING A PERMITTING PROCESS, AND PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Part I. Summary of the proposed ordinance and statement of public purpose: Ordinance 14-25 creates a new section of code governing filmmaking or commercial photography operations within the Village. The ordinance requires anyone desiring to conduct filming operation son Village property to apply and obtain a filming permit. The ordinance anticipates a permitting fee, administrative fee and daily filming operations fee to be adopted by Village Council via resolution. The ordinance also requires applicants to provide CGL insurance no less than 5,000,000 per occurrence or \$10,000,000 if aircraft or marine vehicles are to be involved in the filming.

Part II. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Village of Tequesta:

- a. Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:** Commercial filmmakers desiring to utilize VOT property for filmmaking purposes would be responsible for payment of the new fees and acquiring the required insurance in order to film.
- b. Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:** The ordinance provides for new permitting, administrative, and daily fees for filmmaking activities.
- c. An estimate of the Village of Tequesta’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.** The Village will have increased administrative costs associated with enforcing the ordinance to be covered by permitting fees. The amount is unknown and is dependent on the number of filmmaking requests.

Part III. Good faith estimate of the number of businesses likely to be impacted by the ordinance: Unknown. The ordinance applies to filmmakers desiring to utilize VOT property for filmmaking activities.

Part IV. Additional Information (if any): None.