

E 020093 B 0053 P 0438
Date 30-AUG-2000 11:44am
Fee: No Fee Check
RANAE WILDE, Recorder
Recorded By CL
For DAGGETT COUNTY
DAGGETT COUNTY

DAGGETT COUNTY ORDINANCE NO. 00-19
SPECIAL EVENT PERMIT AND VARIANCES
PROCEDURES FOR HANDLING REQUESTS
TO CONDUCT FILMING, PHOTOGRAPHIC, OR SIMILAR WORK

AN ORDINANCE SETTING FORTH THE PROCEDURES FOR THE HANDLING OF REQUESTS TO CONDUCT COMMERCIAL FILMING OR PHOTOGRAPHIC OR SIMILAR WORK WITHIN THE BOUNDARIES OF DAGGETT COUNTY.

WHEREAS, various commercial enterprises from time to time desire to conduct filming or photographic or similar work within the boundaries of Daggett County; and,

WHEREAS, these activities affect and impact the provision of public services within the County and are subject to regulation by the County; and,

WHEREAS, for the benefit of the residents of Daggett County and those requesting to conduct commercial filming activities within the County, it is deemed necessary to establish an ordinance setting forth the procedures and required fees.

THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF DAGGETT ORDAINS AS FOLLOWS:

A. Permit - No individual, company, or enterprise may engage in commercial photography or filming within Daggett County without a permit and if appropriate a variance, except as follows:

- (1) News media coverage of a current news worthy event or occurrence.
- (2) Filming or photography conducted inside a studio or business utilizing equipment typical to that establishment.
- (3) Photography or film making conducted as part of a class or fund raising activity inside any school building or on school grounds as part of or in the regular course of the curriculum activities of Daggett County School District.

- (4) Amateur snap-shot photography by county residents or tourists provided that said activity is not intended for commercial use, does not violate any law or any County ordinance and does not interfere with normal traffic and does not impact any governmental or public safety functions in Daggett County.

B. Special Event Permit for filming or photographic work - Any individual, company, or enterprise desiring to engage in commercial photography or film making activity within Daggett County shall prior to commencing said activity obtain a Special Event Permit for filming or photographic work from Daggett County.

- (1) The application for permit shall be submitted at least two weeks prior to the event and at least four days prior to the County Commission meeting next proceeding the event.
- (2) The application shall be on a form established by Daggett County.
- (3) The applicant shall pay an application fee in the amount of \$50.00 with the application.
- (4) The applicant shall also submit an application for a temporary special event business license for filming or photographic work. Fees for said business licenses shall be \$25.00
- (5) Upon receiving the permit, the applicant shall provide proof to Daggett County that applicant has a policy of liability insurance written on a company licensed and authorized to do business in the state of Utah in the amount of \$2,000,000.00 aggregate and \$1,000,000.00 per occurrence naming Daggett County as an insured.
- (6) No permit shall be approved which the County Commission determines will create unreasonable risk to the health, safety and welfare of any person or that will result in damage to any public property or facility.

- (7) The applicant shall be responsible to assure adequate security, public safety, traffic control and emergency services; and, if the services of the Daggett County Sheriff's Office are desired, the application shall be signed by the Sheriff indicating availability of officers. If the permit is granted, the applicant shall pay in advance the estimated cost of law enforcement or Daggett County personnel required. The rate shall be \$25.00 per day per car and \$30.00 per hour per officer.
- (8) The applicant shall be required to obtain all necessary permits or approval from any other governmental entities with jurisdiction over the area included in the activity.
- (9) The applicant shall be required to indemnify Daggett County against any claims, loss or liability associated with or arising out of the activity.
- (10) The application must be approved and the permit issued by the Daggett County Commission prior to the commencement of the filming or photography. The permit must be approved by the Daggett County Attorney. Any activity that will involve conduct which would ordinarily be prohibited by state law or county ordinance, will require a variance as set forth in this ordinance. Any event or activity that will involve nudity or sexual conduct requires a variance as set forth in this ordinance and must be conducted in a time, place and manner which avoids offense to the general public.

C. Location fee - The applicant shall at the time the permit is issued pay to Daggett County a location fee as follows:

- (1) For commercial filming, movie or video work the sum of \$1,000.00 for the first day or any part thereof and \$200.00 for each day or subsequent day or part thereof. If the County Commission determines that the impact of the activity on County facilities, the populous or infrastructure or services, or facilities of the County is greater than normal, the County may establish a higher location fee.
- (2) For commercial still photography, the permit fee shall be \$500.00 for the first day and \$100.00 for each day or subsequent day or part thereof. If the County Commission determines that the impact of the activity on County facilities, the populous or infrastructure or services, or facilities of the County is greater than normal, the County may establish a higher location fee.

D. Special event/variance - Any special event as described above which requires or will involve activities, which ordinarily would be prohibited by any county ordinance or state statute, cannot be undertaken until a variance permit has been granted by the Daggett County Commission.

- (1) The applicant for a variance permit must, in addition to the application for a special event permit described above, submit an addendum setting forth the statute or ordinance from which a variance is requested, the location of the special event, the anticipated duration, and describe in detail the proposed activity.
- (2) Application for a variance must be submitted to the Daggett County Commission not less than three weeks prior to the date of the proposed special event and not less than seven business days prior to the County Commission meeting immediately proceeding the proposed activity or event.

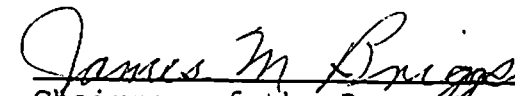
- (3) In the event that the activity will, in the opinion of the County Commission, impose a substantial burden or inconvenience upon the residents of Daggett County or the general public, the Daggett County Commission may require publication at the expense of the applicant of a notice of public hearing and receive input prior to approving the permit.
- (4) An applicant for a variance must comply with all of the provisions set forth in Sections B & C above.
- (5) Any special event variance involving nudity or sexual activity must be conducted in such a way as to avoid exposure of the activity to minors or the members of the general public not desiring to be exposed to such conduct.
- (6) A variance permit shall contain such requirements and conditions as the Daggett County Commission determines to be necessary to protect the health, safety and welfare of Daggett County and its residents and visitors.
- (7) All persons or entities requesting a variance permit must, if requested to do so by the Daggett County Attorney or Daggett County Sheriff, execute an authorization for a criminal background check of the applicant and/or any persons or entities participating in the activity requiring a variance. The cost of the background check shall be paid by the applicant in advance.
- (8) Any applicant or any participant in the activity requiring a variance permit that has prior felony convictions or conviction of a misdemeanor offense involving activities similar to or related to the subject of the variance permit may be denied a permit.

- (9) A variance application must be approved by the Daggett County Attorney and the Daggett County Sheriff.
- (10) The variance permit must be approved as to form by the Daggett County Attorney.
- (11) Due to limited staff and resources, Daggett County cannot guarantee processing of a permit application in less than six weeks. Daggett County shall not be responsible for any delays caused by failure to issue a permit.
- (12) Applicants should submit permit applications as far in advance of the proposed event as possible.
- (13) Daggett County shall investigate and process applications with reasonable dispatch. In the event that the investigation or evaluation of the permit application requires more than one hour from any employee or official of Daggett County, the applicant may be required to compensate for the extra time required as a condition to the permit and in addition to the other fees set forth herein.

E. Violation of ordinance - Violation of this ordinance is a Class B Misdemeanor. Each day of operation without a permit or in violation of the ordinance is a separate offense.

This ordinance shall become effective immediately after enactment and posting as required by law.

PASSED, ADOPTED, AND ORDERED posted this 8th day of August, 2000.



Chairman of the Daggett
County Commission



Vickie McKee
Vickie McKee, County Clerk

Votes:

James M. Briggs	<u> X </u>	Aye	<u> </u>	Nay
Chad L. Reed	<u> X </u>	Aye	<u> </u>	Nay
Sharon P. Walters	<u> X </u>	Aye	<u> </u>	Nay

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