

# POLICY & PROCEDURES



## A POLICY AND PROCEDURES FOR CONDUCTING COMMERCIAL FILM, DIGITAL VIDEO, AND STILL PHOTOGRAPHY ACTIVITIES IN THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE

### INTRODUCTION

The Village of Los Ranchos de Albuquerque, hereinafter referred to as “the Village” is an incorporated village located in the Albuquerque metropolitan area. It is a semi-rural community composed primarily of residential neighborhoods, agricultural properties, and a thriving commercial district. Many country-like roads are frequently used by horseback riders, joggers, and bicyclists alike. While we acknowledge the economic value of the film industry and support the use of 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 the Village.

In order to ensure 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.

### I. PROCEDURES

#### A. Definitions

**Affected Neighborhood** – As a general rule, “affected neighborhood” means at minimum all properties within 300 feet (linear distance in each direction from the corners of the proposed film location). The Village Administrator reserves the right to require notification of additionally impacted neighbors.

**Filming/Production Activities** – This includes move-in and move-out of filming location, basecamp, or crew parking, equipment set up and removal, crew arrival, rehearsal, and filming.

**Necessary Work Vehicles** – This includes the camera truck, grip truck, craft service vehicle, electric truck, props truck, and locations truck. Dependant on available space at location and production activities, this may also include a stunt vehicle and special effects vehicle.

**Village Administrator** – The Village Administrator or their designee.

#### B. Obtaining a Film Permit

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

activities, including all preparation, filming, strike, and wrap, for up to thirty (30) continuous days per permit.

Permits are not required for the following production activities:

- 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.
- Filming, videotaping or other productions solely for one's private family or personal use such as weddings, receptions, etc., or as deemed by the Village Administrator.

Permit fees are waived for the following production activities:

- Filming, videotaping, or other production activities for a current educational assignment. Student must provide current student identification to qualify for exemption.

### **C. Jurisdiction & Authority**

Before a production begins scouting Village-owned properties they must contact the Village Administrator. Although location scouts may photograph homes and businesses in the Village as potential film sites, approval to film is not granted until film permit(s) and fees and, if applicable, other permits and fees have been received and approved by the Village. The Village Administrator is responsible for approving film work in any part of the Village and will represent the Village when such film work has been approved. These rules cover requests for commercial filming in all of the Village. Filming times and restrictions differ between residential areas and commercial areas in the Village. The Village of Los Ranchos de Albuquerque reserves the right to require that a certain number of Bernalillo County Sheriff's Office and/or Bernalillo County Fire Department personnel are present during filming.

Upon issuance of a film permit, the activities specifically approved under such permit shall be allowed at the locations, dates, and times specified within the permit, regardless whether such activities would otherwise be deemed a permissive, permitted, or prohibited use in the zone where such activities occur under the Village of Los Ranchos de Albuquerque Land Use Regulations.

Requirements for production activities in the Village differ between residential and commercial areas, and the zones within them. Special Use zones (SU-1) and permits (SUP) may be in either residential or commercial areas as determined by the Village Administrator.

#### **Residential Areas**

- Residential properties, some with agricultural land. This includes all properties zoned A-1, A-2, A-3, R-2, and R-3.

#### **Commercial Areas**

- Commercial and mixed-use properties, some with agricultural land. This includes all properties zoned C-1, VC, GD, and AC.

### **D. Pre-Application Meeting**

Before the applicant receives the film permit application, they must meet with Village staff to review the application and approval process as well as the proposed filming process, locations, and activities. This is to determine the affected neighborhood boundary, review notification letter requirements, determine if a Village barricade permit is necessary, and determine if a special use zone or special use permit is in a residential or commercial area.

**E. Fee Schedule**

The Fee Schedule does not include fees generated by law enforcement, emergency services, or other Village or non-Village permits that may be necessary dependent on the nature of the production. Rental of Village property requires a separate permit and associated fees. The following fees are per permit:

	Small Production (7 to 30 Cast & Crew)	Medium Production (31 to 99 Cast & Crew)	Large Production (100 to 200 Cast & Crew)
Film Permit Fee	\$25.00	\$100.00	\$200.00
Daily Fee	\$25.00 per day	\$50.00 per day	\$200.00 per day
Special Permit Fee	\$75.00 per day	\$200.00 per day	\$500.00 per day

The daily fee is for all days listed on the application, including preparation, filming, and wrap. The special permit fee is for any filming or production activities not allowed in the Film Policy and Procedures or Village Ordinances. This fee is charged with approval of the exceptions to the filming activities in the permit and will replace the daily fee for the days on which the exceptions are approved. Applicants exceeding the maximum cast and crew size (200 for a large production) must obtain approval by the Village Administrator and fees will be determined based on potential impact on a case-by-case basis.

**F. Insurance, Indemnification, and Liability Requirements**

The production must maintain during the term of the permit Workers' Compensation Insurance and Automobile Liability Insurance in accordance with the requirements of New Mexico law. Liability Insurance is also required. The minimum liability insurance amount required is one-million dollars (\$1,000,000). Upon request, the Applicant shall provide certificates of insurance to the Village in a form satisfactory to the Village.

For filming and/or basecamp/crew parking on Village property, the Village must be named as additional insured on a certificate of commercial general liability with limits no less than \$1,000,000 per occurrence (bodily injury, property damage, and personal and advertising injury), \$100,000 damage to rented premises (fire- legal), \$5,000 medical, and \$1,000,000 aggregate. Additional-insured coverage must extend to both ongoing and completed operations. The production must also name the Village as an additional insured on business auto coverage of at least \$1,000,000 per accident, combined single limit.

Insurance must name the Village of Los Ranchos de Albuquerque as the additional insured as follows:

Village of Los Ranchos de Albuquerque  
6718 Rio Grande NW  
Los Ranchos, NM 87107

The Village may impose specific requirements for liability and other insurance even when Village property is not involved, and may impose different and greater insurance requirements when Village property is involved based on factors including but not limited to location and nature of the filming activity, such as potentially hazardous work or stunts.

An indemnification agreement stating that the applicant agrees to assume all liability for and will indemnify, defend, and hold harmless the Village from any and all damages or injuries to persons or property that may occur by reason of the proposed filming or photography, is part of the film permit application and must be signed by the applicant prior to permit issuance.

## **G. Compliance with Village Ordinances and Other Laws**

The production company is required to comply with the requirements of the Village of Los Ranchos de Albuquerque Film Policy and Procedures, Film Guidelines, Village Ordinances, and state laws. The Film Policy and Procedures, Film Guidelines, and Village Ordinances are held to be minimum requirements. The Village reserves the right to impose additional regulations in the interest of public safety, health, and welfare. Any exceptions to the rules of the Village of Los Ranchos de Albuquerque Film Policy and Procedures, Film Guidelines, or Village Ordinances must be approved by the Village Administrator during the film permit application and approval process.

Neighborhood covenants may exist for some residential properties. The Village does not enforce neighborhood covenants and does not take responsibility for information on or enforcement of neighborhood covenants. It is the responsibility of the production to identify any neighborhood covenants and ensure their activities comply with the neighborhood covenants.

## **H. Film Permit Application**

The production must complete all information requested in the application form prior to submittal of the film permit application. Approval of the application will take three to five working days. Changes to the film permit application will be accepted only with letters of notification and/or signatures from the affected neighborhood approving of the film activities with said changes. It will take three to five working days to approve the permit after submittal of changes.

The film permit applies to filming at one location and the basecamp and crew parking associated with that location. Filming on multiple locations requires multiple permits.

Submittal of the complete application may involve application and approval of other Village permits or permits from other entities which must be obtained and approved prior to submittal of the film permit application.

Any exceptions to the rules of the Village of Los Ranchos de Albuquerque Film Policy and Procedures, Film Guidelines, or other Village Ordinances must be approved by the Village Administrator through the application.

The endorsed application with all attachments, conditions, and signatures shall constitute the film permit for the proposed filming or photography in accordance with the terms stated in the application, including attachments and conditions. Copies of the application will be kept in Village records in accordance with the Retention Schedule.

## **I. Cancellation**

If filming is to be cancelled, it is the sole responsibility of the production to notify the Village and any law enforcement or emergency services departments. In the event an approved permit is cancelled, the production may request a prorated refund from the Village. It is the production's responsibility to confirm receipt and approval of a cancellation request.

## **J. Conduct**

It is the responsibility of the production to ensure that its staff operate in a safe and professional manner in the course of their duties. It is the production's responsibility to ensure minimum disruption to neighbors where filming occurs. This includes ensuring neighbors' access to their respective premises, pedestrian and vehicular access to adjoining properties, and making alternate parking arrangements for residents of the area where vehicles are displaced by filming activities. Relocating vehicles by towing to accommodate filming or parking is prohibited unless approved by the Village Administrator.

All trash, whether catering, crafts services, construction, strike, or personal, must be removed from the location, ensuring that all locations are returned to their original condition, reasonable wear and tear excepted, by the end of filming activities.

Cast and crew shall not trespass on residents' or business owners' property. All production activity must remain within the boundaries of the property that has been permitted for filming. Cast and crew shall observe designated smoking areas and always extinguish cigarettes in appropriate containers that have been provided by the production. Cast and crew shall keep noise levels as low as possible at all times.

A copy of the completed film permit must be on location at all times.

### **K. Denial**

The Village has discretion to deny permit applications. Reasons for denial include but are not limited to:

- The date and time requested are not available for that location because another permit was issued previously.
- The Village Administrator has concluded that the applicant is unlikely to comply with the material terms of the requested permit.
- The use of the location would interfere unreasonably with the operation of existing functions.
- The permit application is untimely or contains false or incomplete information.
- The permittee has not demonstrated an ability to comply with applicable law or regulations.
- Any other reason specified on the permit or in this policy and procedures.

### **L. Revocation**

Permits may be revoked by the Village for any one of the following reasons:

- A production or employee, agent, or contractor of the production breaches the Code of Conduct
- Filming activities are inconsistent with what has been permitted or a change in circumstances results in the permitted activities becoming detrimental to the public peace, health, safety or general welfare.
- A production or individual has failed to adhere to the approved permit, Village Film Policy and Procedures, Film Guidelines, or other applicable laws and regulations not exempt through special permission.

For non-emergency situations the Village shall provide written notice to the applicant with a reasonable opportunity to cure the breach or non-compliance.

## **II. FILMING REQUIREMENTS**

### **A. Parking**

Productions are responsible for ensuring vehicle traffic and parking impact is minimized in and around the filming, base camp, and crew locations and that a lane for emergency access as required by Bernalillo County Sheriff's Office or Bernalillo County Fire Department is maintained at all times through production activities. Parking and traffic management is required for all permitted filming activities in the Village.

Base camp or crew parking cannot be on public Village streets. Only the necessary production vehicles (i.e. grip and light truck) may be at the filming location. Crew parking, basecamp, honey-wagon, catering, non-essential production vehicles, etc. must be at a predetermined location as specified in the film permit.

Production vehicles associated with the film permit cannot enter the location before the time indicated on the permit, including the filming location, base camp, and crew parking.

Vehicles must not block or park in driveways without specific permission from the property owner. Vehicles must not block parking lot ingress/egress ramps. Access must be maintained for public use at any public facility. Access to and through filming locations must be maintained for affected neighbors and their visitors. Any lack of access date(s) and time(s) must be specified in the letter of notification.

Access to and visibility of waste collection and disposal receptacles must be maintained on collection days. If filming or parking of production vehicles blocks the access to or visibility of waste collection and disposal receptacles on collection days, arrangements must be made with the property owner of the garbage/recycling bins to relocate bins temporarily to one side of the street so that collection vehicles only need to pass once, place waste bins onto the street in front of production vehicles where they will be in clear view of collection vehicles, or stagger production vehicles to allow public access in different directions.

## **B. Letters of Notification**

Productions are responsible for communicating with businesses and residents in and around the filming, base camp, and crew parking locations. Letters of notification are the primary source but not the only mechanism to disseminate information for businesses and residents and are required for all permitted filming activities in the Village. The minimum boundary of the affected neighborhood that will receive letters of notification will be determined by the Village and may include properties located outside the Village. Letters of notification must follow the template provided with the film permit application and the Village must have an opportunity to review them prior to distribution. The information provided in the letters of notification must match the film permit application. Signatures from affected properties in this minimum boundary are a requirement for approval of the film permit. The production company shall also provide the written comments of any objecting affected properties stating the reasons for such objection.

Seventy-five percent (75%) of the affected neighborhood in the minimum boundary and all adjacent neighbors must approve of the filming activities associated with the permit as described in the letter of notification.

For requests to exceptions to the Film Policy and Procedures or Village Ordinances, the exception must be included in the letter of notification. For the Village to approve a request to any exception to the Film Policy and Procedures or Village Ordinances, the production company must provide signatures of approval from all in the affected neighborhood.

If signature from an affected neighbor cannot be obtained, the applicant must provide documentation that the Production Company attempted to communicate with the affected neighbor by as many means as possible, including at minimum, mailed physical letter, delivered physical letter, email and phone call (if available), and email and phone call to neighborhood association (if applicable). If this notification record is provided, the neighbor will be documented as notified and neither approves nor disapproves of the filming activities in the permit. Compliance to the total percentage required for approval will be calculated with the affected neighbors who signed the notification document.

## **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. Hours of production differ between residential and commercial areas.

Any extension of the hours of production already approved by a film permit will require documentation of notification and approval by the affected neighbors.

Exemptions to the hours of production may be granted by the Village on an individual production basis through the film permit if consenting signatures of all affected neighbors are provided as described in B. Letters of Notification.

- **Residential**  
Hours of production are limited to the hours of 8:00 A.M. to 8:00 P.M., Monday through Sunday.
- **Commercial**  
Hours of production are limited to the hours of 7:00 A.M. to 9:00 P.M., Monday through Sunday.

#### **D. Special Effects**

Special effects, including gunfire, explosions, pyrotechnics, or high-speed car chases are not permitted unless with special permission from the Village.

#### **E. Noise Pollution**

No filming activities at the filming location, basecamp, or crew parking locations, including gunfire or blank fire, bullhorns, sirens, music playback, or public address systems shall generate excessive noise, defined as over 65 decibels (dB) at the property line, during the daytime. Blimped (noise abated) generators shall be used when auxiliary power is needed on location. Exemption from generating excessive noise requires approval by the Village and with consenting signatures of all affected neighbors as described in B. Letters of Notification.

#### **F. Light Pollution**

For any nighttime production activities, the Production Company is responsible for assuring that film lights comply with Village Dark Skies Ordinance unless with special exemption from the Village and with consenting signatures from all affected neighbors as described in B. Letters of Notification.

#### **G. Activity in the Public Right-of-Way**

All production activity taking place in the public right-of-way shall require advance public notice, permitting, and traffic control to minimize impact on Village roads. Road closures and intermittent traffic control must be enforced through Bernalillo County Sheriff's Office or a private barricade company, as approved by the Village and Bernalillo County Sheriff's Office, and under no circumstances shall production company staff, such as production assistants or hired security staff, be allowed to stop traffic.

Advance notice of activity in a public right-of-way must be posted in public view at the site, at the Village Hall and on the Village's website at least five (5) days in advance of the activity or as soon as possible.

No interference with pedestrian traffic, vehicular traffic, or equestrian traffic is to occur without being noted on the permit and approved with signatures from all affected properties as described in B. Letters of Notification.

All production vehicles must comply with all Federal, State, and Village traffic regulations unless otherwise approved on the film permit.

#### **Intermittent Traffic Control**

- Intermittent Traffic Control on public roads cannot occur during rush hours which are 7am-9am and 4pm – 6pm Monday through Friday.

- Traffic can be held for a maximum of 5 minutes.
- All traffic control on public roads requires traffic control plans issued by a barricade company and an approved barricade permit from the Village.
- Any emergency roadwork or construction by Village or Bernalillo County crews and/or private contractors under permit or contract with the appropriate department shall have priority over filming activities.
- All traffic control activities must be in compliance with the Americans with Disabilities Act and implementing regulations.

#### **Road Closures**

- Road closures on public roads require traffic control plans issued only by a licensed barricade company and an approved barricade permit from the Village

#### **H. Use of Village-Owned Facilities**

For use of a Village-owned facility for filming activities, including base camp or crew parking, an approved separate application for rental of that space must be submitted with the complete film permit application. A Location Agreement must be executed if any filming activities will occur on Village-owned property

No alteration of any nature, whether temporary or permanent, shall be made to public or Village-owned property in connection with any filming or photography without a reclamation plan and execution of said plan after filming activities have been completed, as described in the Location Agreement between the production company and the Village Any modification to a Village-owned property in the duration of the film permit must be restored to its original condition, reasonable wear and tear excepted.

For filming occurring on jointly owned property between the Village and another entity, film permits from all involved entities are required.

### **III. CONDITIONS AND RESTRICTIONS**

The applicant shall comply with all conditions and restrictions of the film permit. Violation of the Village of Los Ranchos de Albuquerque Film Policy and Procedures or Film Guidelines 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.

This Policy and Procedures are intended to serve as the minimum regulations under typical filming circumstances. 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 Board of Trustees in writing within five (5) working days of notification of the denial.

**THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE RESERVES THE RIGHT TO WITHDRAW A PERMIT OR STOP PRODUCTION IN THE EVENT THAT THE APPLICANT DOES NOT ADHERE TO THE PROVISIONS OF THIS POLICY AND PROCEDURES.**