

TITLE: Filming and Photography In Parks and Recreation Areas or Facilities
EFFECTIVE DATE: December 9, 1999
REVISION EFFECTIVE DATE: February 14, 2013

1.0 GENERAL

1.1 The purpose of this document is to establish policy regarding the use of parks and recreation areas and facilities for filming, video, still photography, documentary, short subject films, movies, or advertisements for commercial purposes. It also adopts operating policies to monitor and regulate filming activities on park land in the City of Spokane.

1.2 TABLE OF CONTENTS

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY
- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all parks and recreation areas and facilities owned or managed by the Parks and Recreation Department.

3.0 REFERENCES

City Charter Article V, Parks and Park Board, Section 48 Park Board Powers
Rules of the Park Board Section 14, General Operating Policies and Procedures,
Ruling and Appeals:

4.0 DEFINITIONS

4.1 "Acknowledgments" mean the use of official City of Spokane or Spokane Parks and Recreation Department logo or verbal / print acknowledgment of either as part of commercial film credit line.

- 4.2 "Board" means the Spokane Park Board.
- 4.3 "Certificate of Insurance" means a certificate issued by an insurance company in an amount and in such form as is approved by the City of Spokane Risk Manager, which represents that the user holds general liability insurance which covers the filming activity and which names the City of Spokane and the Parks and Recreation Department as additional insureds.
- 4.4 "Commercial Filming Activities" means any person who uses Parks and Recreation areas or facilities to produce commercials, training films, industrial and short subject films, movies, documentaries, or advertisements for profit or desires to reserve a specific Park and Recreation area.
- 4.5 "Damage Deposit" means a cash deposit of specified dollars (see fee schedule), the amount of which is determined by the Parks and Recreation Director at his / her discretion and the City of Spokane Film Program Manager, and which is to be applied to any damage caused by the filming activities, or refunded in whole or in part. Deposits shall be refunded one (1) year from date of initial deposit or may be continued to the following year by written request from the commercial photographer.
- 4.6 "Department" means the City of Spokane Parks and Recreation Department.
- 4.7 "Director" means the Director of the City of Spokane Parks and Recreation Department.
- 4.8 "Filming Activities" mean the use of still photography cameras, video or movie cameras to capture an image that will be used for commercial or hobby purposes.
- 4.9 "Park Hours" mean the times all parks are open regularly open to the public.
- 4.10 "Park Use Rules" mean standard rules for use of parks and park facilities.
- 4.11 "Parks and Recreation Areas" mean all property owned and/or managed by the Spokane Parks and Recreation Department including all facilities located thereon.
- 4.12 "Photographer" means any person who uses Parks and Recreation areas for portrait settings for individuals or groups or shots of scenery or structures.

- 4.13 "User" means the individual or business entity using Parks and Recreation areas for filming activities, assuming responsibility for same, and paying user fees and/or deposit related thereto.
- 4.14 "Use Fee" means an assessment for privilege of using Parks and Recreation areas and facilities for filming activities.

5.0 POLICY

- 5.1 It is the policy of the City of Spokane Parks and Recreation Department to set specific fees and guidelines for certain uses of Parks and Recreation areas for filming activities.
- 5.2 The Department, at its discretion, may grant a waiver of commercial filming user fees when an exchange for similar value is designated and approved by the Director.
- 5.3 Credit shall be given to the Department in writing or verbally on the finished product. Exceptions: senior class photographs, individual portraits, family portraits, prom and wedding photographs, and wedding videos.
- 5.4 The Board shall set the annual filming fees.
- 5.5 Permission for filming is granted, upon completion of all applicable requirements, within the discretion of the Parks and Recreation Director within the parameters established by this policy from time to time.

6.0 PROCEDURE

- 6.1 Persons (users) desiring to use Parks and Recreation areas for commercial filming activities or photographers desiring to reserve specific areas for photography shall submit to the Department a special event permit application for a Special Event Permit. Persons desiring to use Park and Recreation facilities (such as picnic shelters, buildings, sports complexes, swimming pools and other structures) shall make a Facility Reservation. Authorization to use park property for filming activities or reserved area photography is considered confirmed when a Special Event Permit is signed by the Director or designee, use fees, if applicable, are paid, and the damage deposit and certificate of insurance are received by the Department or the Facility Reservation is completed and all applicable fees and deposits have been paid.

- 6.2 Applicable fees will be determined by referring to the Department filming fee schedule which is part of the Fees and Charges Policy.
- 6.3 Park use rules shall be reviewed by the filming agency / individual to ensure compliance. Additional filming rules may apply to use of Riverfront Park. No commercial filming activities of any kind or photography are allowed in the Nishinomiya Japanese Garden, except for scheduled weddings. No commercial filming activity of any kind or photography is allowed in the Gaiser Conservatory and Greenhouse.
- 6.4 A certificate of insurance, approved by the City of Spokane Risk Manager, must be on file with the Department prior to use for commercial and reservation filming activities.
- 6.5 Filming activities are authorized only during times when Parks and Recreation areas are open and available to the public. Parks are generally open from 4:00 a.m. to 11:00 p.m., Pacific Daylight Savings Time, and 5:00 a.m. to 10:00 p.m. Pacific Standard Time except for Riverfront Park which closes at 12:00 midnight year-round. Variations and conditions to the above stated hours of use will be confirmed in writing by the Parks and Recreation Director or designee. The hours also apply to the arrival and departure of crew(s) and equipment. Park areas are open for public use during park hours and can not be closed for exclusive use of commercial photographers.
- 6.6 There shall be a mandatory refundable damage deposit for all commercial and reservation filming activities to cover any damage to Parks and Recreation areas and to pay for any unforeseen costs to the Department related to the filming activity. Upon completion of filming activity the deposit will be returned if the site(s) is approved by Department personnel and no additional unforeseen costs have been incurred by the Department. For convenience, the commercial photographer may leave its damage deposit on file for future use for up to one (1) year.
- 6.7 Use fees for commercial and reservation filming are refundable if the usage is canceled after the user fee is paid and if written notice is received seven (7) days in advance of usage. A \$15 administrative fee will be charged against refund requests.
- 6.8 Filming with significant impact on neighborhoods adjacent to the park site requires notification to the Neighborhood Services and Code Enforcement Department a minimum of five (5) working days prior to conducting any activities. The user is responsible for obtaining the cooperation of residents adjacent to park property and is responsible for working out any conflicts or negative financial impacts. Failure to properly comply with this provision may result in revocation of permission to use Parks and

Recreation Areas and forfeiture of user fees.

- 6.9 A user fee receipt must be on the filming site at all times and be presented upon request by Department personnel.
- 6.10 Permission granted to a specified user shall not be assigned by that user to another party without the written consent of the Parks and Recreation Director or designee.
- 6.11 Exceptions to this policy may be submitted to the Director for approval/disapproval. Thirty (30) days should be allowed for the Department to process the request.
- 6.12 The Parks Special Event Permit or Facility Reservation must be completed and signed by the Director or designee, approving specified commercial and reservation_filming activities, delineating the applicable user fee(s) for such activities, and other matters of regulation applicable thereto.
- 6.13 Enforcement.
 - 6.13.1 Enforcement of the City of Spokane Charter and the Park Code which is within the City of Spokane Municipal Code section 10.10.040 (D) Public Parks lies with the City of Spokane Police Department. Violations should be referred to the Police Department for response.
 - 6.13.2 Enforcement of Park Rules shall be referred to Department staff for response. In the event that Department staff finds activities being conducted by a Parks Special Event Permit user unnecessarily endangers the health or safety of any person, or that activities are or will cause damage to real or personal property, the staff may suspend, rescind, or amend the Parks Special Event Permit.
 - 6.13.3 The Department reserves the right to suspend, rescind, or amend the Parks Special Event Permit at any time without incurring any liability to the user. Also, the Department reserves the right to deny a future Parks Special Event Permit request because of previous damage by a user.

7.0 RESPONSIBILITIES

The Director of Parks and Recreation shall administer this policy.

8.0 APPENDICES

Fee Schedule
Riverfront Park Information Sheet

APPROVED BY:

City Attorney

Date

Director – Parks and Recreation

Date

SPOKANE PARKS AND RECREATION DEPARTMENT
FILMING ACTIVITIES FEE SCHEDULE

Effective Date: February 14, 2013

USE FEES: (Damage deposit required for some activities)

A. All Still Photography and Not for Profit Filming (except weddings)

Gaiser Conservatory and Greenhouse	Not Permitted
Nishinomiya Japanese Garden	Not Permitted (except scheduled weddings)
All Other Park Areas	No Charge if using space "as available"

\$50.00 per use with damage deposit under Special Event permit process if specific location and schedule is required (other fees may apply for large groups or special circumstances)

B. Weddings (Still Photography or Video)

Gaiser Conservatory and Greenhouse	Not Permitted
All Other Park Areas	Same Fees (\$300.00) and procedures as wedding ceremonies

C. Motion Pictures or Video (Feature films, movies)

Gaiser Conservatory & Greenhouse	Not Permitted
Nishinomiya Japanese Garden	Not Permitted
Riverfront Park	\$625.00 per use, four-hour maximum
All Other Park and Recreation Areas	\$500.00 per use, four-hour maximum

D. Motion Pictures or Video (Documentary, Short Subject, Advertisement, and All Other):

Gaiser Conservatory & Greenhouse	Not Permitted
Nishinomiya Japanese Garden	Not Permitted
All Other Park and Recreation Areas	\$250.00 per use, four-hour maximum

REFUNDS: No Refunds

EXCEPTIONS:

1. City of Spokane departments wishing to promote City programs are exempt from all use fees, but must notify the Parks and Recreation Department to obtain a no charge receipt for user fees.
2. News-related events may be filmed or video recorded by the media without payment of fees or advance permit application.

ALL FEES SHOULD BE PAYABLE TO THE:
CITY OF SPOKANE PARKS AND RECREATION DEPARTMENT