

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2015

COUNCIL BILL NO. _____
COMMITTEE OF REFERENCE:
4 _____

5 **A BILL**

6 **for an ordinance amending Sections 2-191, 2-193 and 2-195 of Article**
7 **VIII of Chapter 2 of the Revised Municipal Code of the City and County**
8 **of Denver to delete certain provisions which shall be, and hereby are**
9 **relocated to Division 4, Section 39-88 of Article II of Chapter 39 of the**
10 **Revised Municipal Code of the City and County of Denver.**
11

12 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

13 Section 1. That Section 2-191, "Arts and venues Denver", of the Revised
14 Municipal Code is hereby amended by adding language underlined and deleting language
15 stricken as follows:

16
17 Arts and venues Denver shall be the division of general services responsible for operations
18 of all facilities, structures, or parts of structures owned or leased by the City and County
19 and used for theatre, concert, auditorium, convention, or arena purposes, for management
20 of the City and County cultural and arts events, and for administration of the public art
21 program ~~and for issuance of film permits and coordination of special event permits,~~
22 creative sector development programs, and all related duties as described in this division.
23 The division of arts and venues Denver may perform other duties assigned by the manager
24 of general services not inconsistent with the Charter or the Code.
25

26 Section 2. That Section 2-193(1) through (20), "Powers and duties", of the
27 Revised Municipal Code is hereby amended by adding language underlined and deleting
28 language stricken as follows:

29
30 (1) Work with the mayor, the city council, and all affected or interested departments,
31 commissions, boards, officers, offices, agencies and employees of the city in cultural
32 development activities and in operation and management of theatre, concert,
33 auditorium, convention or arena venues; and
34

35 (2) Coordinate the activities of contractors and coordinate the various departments,
36 commissions, boards, officers, offices, agencies and employees of the city in the
37 preparation of those activities; and
38

- 1 (3) Review and analyze provisions of ordinances, rules, executive orders and other
2 regulatory documents that may affect ~~film-making or other~~ artistic activity in the city and
3 advise the mayor and city council; and
4
- 5 (4) Administer the city's public art program, whereby a portion of capital
6 improvement resource is utilized for public art; and
7
- 8 (5) Attract creative businesses and operations to Denver; and
9
- 10 ~~(6) Coordinate film and special event permitting in the city; and~~
11
- 12 (67) Act as liaison between the city and the Colorado creative industries or its state-
13 authorized successor; and
14
- 15 (78) Assist the Denver district county cultural council and the Denver metropolitan
16 scientific and cultural facilities district with administration and distribution of revenues
17 under state law; and
18
- 19 (89) Encourage the utilization of creative local professionals and businesses; and
20
- 21 (940) Coordinate the efforts of arts and venues in assisting increasing tourism and
22 visitorship in the city; and
23
- 24 (1044) Provide technical assistance and information to arts and cultural ~~and film~~ groups
25 concerning funding, grants, loans, and other forms of assistance available to them; and
26
- 27 (1142) Promote the venues and arts of the city to connect community members and
28 visitors with Denver's arts and entertainment sector; and
29
- 30 (1243) Encourage the incorporation of art in privately funded activities and capital
31 improvements; and
32
- 33 (1314) Work with the departments designated by Charter to acquire and construct all
34 facilities, structures, or parts of structures owned or leased by the City and County and
35 used for theatre, concert, auditorium or arena purposes; and
36
- 37 (1445) Maintain, repair, manage and operate all facilities, structures, or parts of
38 structures owned or leased by the city and county and used for theatre, concert,
39 auditorium, convention, or arena purposes; and
40

1 (1546) Perform centralized administrative functions for all arts and venues facilities,
2 including budgeting, revenue receipt, and coordination of capital improvements; and

3
4 (1647) Provide event support services, including booking, contract administration,
5 ticketing, customer service, parking, and production services; and

6
7 (1748) Oversee the utilization of city venues and generation of revenue by promoting
8 cultural tourism; and

9
10 (1849) Develop policies and procedures for fair corporate access to sponsorships of city
11 events, arts, and venues; and

12
13 (1920) Develop financial processes with a goal of maintaining and preserving the
14 agency's venues.

15
16 Section 3. That Section 2-195(1) through (6), "Film permits", of the Revised
17 Municipal Code is hereby amended by adding language underlined and deleting language
18 stricken as follows:

19
20 ~~Sec. 2-195. Film permits.~~

21
22 ~~The arts and venues Denver director is hereby delegated the authority to review~~
23 ~~applications for a permit to allow filming operations upon the following terms and~~
24 ~~conditions:~~

25 (1) ~~Upon receipt of an application for a film operations permit, the following actions~~
26 ~~are taken:~~

27 A) ~~Arts and venues Denver shall notify and coordinate specific details with~~
28 ~~affected city department(s) including, but not limited to, the permitting division of~~
29 ~~the department of public works and parks and recreation, the Denver Police~~
30 ~~Department, and the Denver Fire Department. Notification for significant~~
31 ~~productions will also include council members within whose district the proposed~~
32 ~~filming will take place and neighborhood organizations within whose district the~~
33 ~~proposed filming will take place; and~~

34
35 B) ~~A certificate of insurance in the face amount of not less than one million~~
36 ~~dollars (\$1,000,000.00) showing coverage for general liability, including the~~
37 ~~operations under the permit and showing the City and County of Denver and~~
38 ~~specific Denver departments as additionally insured. Exemptions to the~~
39 ~~insurance requirements may be granted by arts and venues Denver, in~~

1 consultation with Denver's Risk Management Office, for filming by
2 noncommercial, educational, charitable, and public service organizations.
3

4 ~~(2) — The applicant shall, under determined conditions, distribute leaflets at least forty-~~
5 ~~eight (48) hours prior to the proposed filming operations explaining the proposed~~
6 ~~operations to inform adjoining residents and businesses located within two hundred~~
7 ~~(200) feet of the proposed filming site or sites. The leaflet shall contain the phone~~
8 ~~number of the production company and arts and venues Denver. Arts and venues~~
9 ~~Denver may, in its sole discretion, shorten this notice period or waive this requirement~~
10 ~~entirely if an applicant has sufficiently demonstrated that the filming operations will not~~
11 ~~unduly disturb the neighborhood or affected businesses.~~

12
13 ~~(3) — Arts and venues Denver shall establish Film and TV Production Rules and~~
14 ~~Regulations. Compliance by filming operations shall be mandatory. Immediately upon~~
15 ~~formal notification to the production company by arts and venues Denver, the film~~
16 ~~permit may be cancelled if there is a failure to comply with the rules and regulations and~~
17 ~~all operations allowed by the permit may be ordered to cease.~~

18
19 ~~(4) — Film permits shall state on their face the duration of the filming. Filming at any~~
20 ~~one location shall not exceed fourteen (14) calendar days. A permit may be extended~~
21 ~~by arts and venues Denver, to allow filming to exceed this 14-calendar-day limit upon~~
22 ~~the determination that additional time is necessary, that appropriate notifications are~~
23 ~~given and that operations are in compliance with the rules and regulations.~~

24
25 ~~(5) — Arts and venues Denver director may add conditions to the permit, to protect the~~
26 ~~safety and comfort of the neighborhood in which the filming is taking place. If a filming~~
27 ~~permit is denied, an appeal shall be reviewed by the director of the arts and venues~~
28 ~~Denver in accordance with the guidelines set under rules and regulations.~~

29
30 ~~(6) — Arts and venues Denver shall refuse to grant a film permit to any applicant which~~
31 ~~has not obtained necessary permits from other departments of the City and County of~~
32 ~~Denver.~~

33
34 Section 4. Division 4 of Article II, Chapter 39 of the Revised Municipal Code is
35 hereby renamed to be "Extraordinary Events and Film Permits".

36
37 Section 5. Division 4 of Article II, Chapter 39 of the Revised Municipal Code is
38 hereby revised by adding a new Section 39-88 to read as follows:.

39
40 39-88 Film Permits

41
42 The Mayor or Mayor's designee is hereby delegated the authority to review applications for

1 a permit to allow filming operations under the following terms and conditions on city-owned
2 or operated property:

3 (1) Upon receipt of an application for a film operations permit, the following actions
4 are taken:

5 A) The mayor or designee shall notify and coordinate specific details with
6 affected city department(s) including, but not limited to, the permitting division of
7 the department of public works and parks and recreation, the Denver Police
8 Department, and the Denver Fire Department. Notification for significant
9 productions will also include council members within whose district the proposed
10 filming will take place and neighborhood organizations within whose district the
11 proposed filming will take place; and

12
13 B) A certificate of insurance as required by the film and video rules and
14 regulations showing coverage for general liability, including the operations under
15 the permit and showing the City and County of Denver as additionally insured.
16 Exemptions to the insurance requirements may be granted by the Mayor or
17 designee, in consultation with Denver's Risk Management Office, and any
18 adopted policy of the office of special events.

19
20 (2) The applicant shall, pursuant to the film and video production rules and
21 regulations, provide notice of the proposed filming operations. The mayor or designee
22 may, in its sole discretion, waive this requirement entirely if an applicant has sufficiently
23 demonstrated that the filming operations will not unduly disturb the neighborhood or
24 affected businesses.

25
26 (3) The mayor or designee shall establish film and video production rules and
27 regulations. Compliance by filming operations shall be mandatory. Immediately upon
28 formal notification to the production company by the mayor or designee, the film permit
29 may be revoked if there is a failure to comply with the film and video production rules
30 and regulations and all operations allowed by the permit may be ordered to cease.

31
32
33
34 (4) The mayor or designee may add conditions to the permit, to protect the safety
35 and comfort of the neighborhood in which the filming is taking place. If a filming permit
36 is denied, an appeal shall be reviewed by the mayor or designee in accordance with the
37 guidelines set under the film and video production rules and regulations.

38
39 (5) The mayor or designee may refuse to grant a film permit to any applicant which has
40 not obtained necessary permits from other departments of the City and County of Denver,

1 or which has failed to comply with the film and video production rules and regulations.

2
3
4 COMMITTEE APPROVAL DATE: Consent Agenda for the week of _____,
5 2015.

6 MAYOR-COUNCIL DATE: _____, 2015.

7 PASSED BY THE COUNCIL _____ 2015

8 _____ - PRESIDENT

9 APPROVED: _____ - MAYOR _____ 2015

10 ATTEST: _____ - CLERK AND RECORDER,
11 EX-OFFICIO CLERK OF THE
12 CITY AND COUNTY OF DENVER

13
14 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2015; _____ 2015

15 PREPARED BY: Nathan J. Lucero - ASSISTANT CITY ATTORNEY – _____, 2015

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the
17 office of the City Attorney. We find no irregularity as to form, and have no legal objection to
18 the proposed ordinance. The proposed ordinance is not submitted to the City Council for
19 approval pursuant to §3.2.6 of the Charter.

20
21 D. Scott Martinez, City Attorney for the City and County of Denver

22 BY: _____, _____ City Attorney

23 DATE: _____