

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2021-439**

5 AN ORDINANCE AMENDING CHAPTER 123 (PUBLIC  
6 FEES), PART 2 (MOTION PHOTOGRAPHY PRODUCTION  
7 PERMITS), SECTIONS 123.203 (DEFINITIONS) AND  
8 123.205 (PERMIT REQUIRED; SUSPENSION AND/OR  
9 REVOCATION; VIOLATION), *ORDINANCE CODE*, TO  
10 MODIFY AND ADD CERTAIN DEFINITIONS AND TO  
11 CLARIFY THE REQUIREMENT FOR PRODUCTION  
12 PERMITS; PROVIDING AN EFFECTIVE DATE.  
13

14 **BE IT ORDAINED** by the Council of the City of Jacksonville:

15 **Section 1. Chapter 123 (Public Fees) amended.** Chapter 123  
16 (Public Fees), *Ordinance Code*, is hereby amended to read as  
17 follows:

18 **CHAPTER 123 - PUBLIC FEES**

19 \* \* \*

20 **PART 2. - MOTION PHOTOGRAPHY PRODUCTION PERMITS**

21 \* \* \*

22 **Sec. 123.203. - Definitions.**

23 The following words, terms and phrases, when used in this  
24 Part, shall have the meanings respectively ascribed to them in this  
25 section, except where the context clearly requires otherwise:

26 (a) *Breaking News* is defined as an event that is currently  
27 occurring or developing. This shall not apply to  
28 simulations or re-enactments orchestrated by print or  
29 electronic news or any scripted content.

30 ~~(a)~~(b) *City equipment* is any tangible property, other than  
31 real property, purchased by public funds and utilized in

1 the normal course and scope of providing governmental  
2 service by the City of Jacksonville.

3 ~~(b)~~ (c) City facility is any public street, sidewalk, place or  
4 building owned or controlled by or under the jurisdiction  
5 of the City of Jacksonville to include, but not be limited  
6 to, City parks and recreation facilities, ~~the ALLTEL~~  
7 ~~Municipal Stadium~~ including all grounds surrounding, all  
8 sports complex facilities, ~~including the Coliseum,~~ and  
9 City Hall.

10 (d) Commercial means film, video, digital, or other electronic  
11 media for sale or distribution to further business  
12 interests.

13 ~~(e)~~ (e) Executive Director is the Executor Director of the  
14 Office of Economic Development.

15 ~~(d)~~ (f) Film Commissioner is the Manager of the Film and  
16 Television Commission, a division of the Office of  
17 Economic Development.

18 ~~(e)~~ (g) Motion photography is the commercial taking of still,  
19 live, or motion picture production whether made on or by  
20 film, video, digital, or any other electronic device used  
21 to produce theatrical motion pictures, television, and  
22 streaming entertainment motion pictures, industrial motion  
23 pictures, television commercials, social media, internet-  
24 based content, animation, or print media, regardless of  
25 platform, ~~is the commercial taking or making of a motion~~  
26 ~~picture, television, videotape, or film production~~  
27 utilizing City equipment or utilizing City facilities.  
28 This term shall include, and a production permit shall be  
29 required for, such commercial productions on private  
30 property not at a studio involving the erection of tents  
31 or other temporary structures or involving the use of

1 pyrotechnics, explosives, or other incendiary devices.  
2 This term shall not include the shooting of such film at  
3 studios constructed for such purpose where no City  
4 equipment or City facilities are involved and shall not  
5 include any breaking news. ~~news—feature,—still~~  
6 ~~photography,—or documentary production.~~

7 ~~(f)~~(h) *Production permit* (also referred to herein as *permit*)  
8 is the permit required by this Part.

9 (Ord. 97-881-E, § 1; Ord. 2012-364-E, § 10)

10 \* \* \*

11 **Sec. 123.205. - Permit required; suspension and/or revocation;**  
12 **violation.**

13 (a) No person shall film or take photos or do any other type  
14 of motion photography for any commercial purpose within a  
15 state or local publicly owned or controlled site,  
16 facility, or right-of-way within the City of Jacksonville  
17 without first obtaining a permit.

18 (b) Exceptions. Nothing in this section shall require any  
19 permit from:

20 (i) Any individuals filming, taking photos, or  
21 videotaping only for their own personal or family  
22 use.

23 (ii) Employees of print or electronic news media when  
24 filming breaking news events as previously defined.

25 (iii) Any student of a secondary school or college or  
26 university when filming, taking photos, or  
27 videotaping for educational purposes while using a  
28 hand-held camera, one camera on one tripod (with the  
29 exception of such use on public transit and public  
30 transit platforms), hand-held props and/or hand-held  
31 equipment with a cast, crew, and personnel of three

1 or fewer people who are: (1) not asserting exclusive  
2 use of City owned or controlled property; (2) not  
3 using prop weapons, fire, pyrotechnics, animals, prop  
4 vehicles, stunts, or actors in police, fire, or other  
5 emergency personnel uniform; (3) not requesting  
6 parking privileges for production vehicles; (4) not  
7 fighting, whether real or simulated; (5) not using or  
8 projecting noise with profane, vulgar, or indecent  
9 language or other language in public that is likely  
10 to incite violence or panic; (6) not creating noise  
11 which is frequent, habitual, or long, and plainly  
12 audible at a distance of one hundred (100) feet from  
13 the area where the individual is located; (7) not  
14 filming or taking photos at state or local publicly  
15 City-owned or controlled property subject to contract  
16 by a private party; (8) not simulating the use or  
17 sale of drugs; and, (9) not otherwise requesting an  
18 exemption from the City's rules and regulations or  
19 engaging in conduct that would require an exemption  
20 from the City's rules and regulations.

21 ~~(a)~~ (c) No person shall advertise, engage in, participate  
22 in, and/or start any motion photography production unless  
23 a production permit shall first have been obtained from  
24 and signed by the Executive Director, or designee.  
25 Violation of this section shall be punishable as a class  
26 "D" offense as defined in Section 632.101.

27 ~~(b)~~ (d) Failure to comply with the terms and conditions of  
28 the production permit once issued shall be grounds for  
29 immediate suspension of the production until such time as  
30 the noncompliance is remedied. The suspension shall be  
31 initially communicated orally, followed by a written

1 suspension order. Continued failure to comply with the  
2 terms and conditions of the production permit may result  
3 in revocation of the permit. Continuation of the  
4 production in violation of the suspension and/or  
5 revocation shall be punishable as a class "D" offense as  
6 defined in Section 632.101.

7 (Ord. 97-881-E, § 1)

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9 **Section 2. Effective Date.** This Ordinance shall become  
10 effective upon signature by the Mayor or upon becoming effective  
11 without the Mayor's signature.

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13 Form Approved:

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15           /s/ James R. McCain, Jr.          

16 Office of General Counsel

17 Legislation prepared by: James R. McCain, Jr.

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