

ORDINANCE NO. 18-14

The following Ordinance was introduced by Council Member Rousselle who moved its adoption:

An Ordinance to amend Article VI, Chapter 14 of the Plaquemines Parish Code of Ordinances relative to commercial film production; and otherwise to provide with respect thereto.

WHEREAS, Article VI, Chapter 14 of the Plaquemines Parish Code of Ordinances provides for the Production or Editing of Commercial Films; and

WHEREAS, Article, Chapter 14 provides for the permitting process for persons engaged in the production or editing of commercial films and the penalties for violations thereof; and

WHEREAS, Plaquemines Parish Government, as a self-governing body politic, has police power and a duty to protect public health, safety, and morals; and

WHEREAS, Plaquemines Parish Government also acts in a private capacity regarding property in its custody and control; and

WHEREAS, Plaquemines Parish Government is constitutionally prohibited from making gratuitous donations of public property;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Article VI, Chapter 14 be amended to read as follows:

Sec. 14-282.2 – *“Use of Public Buildings and Spaces for Commercial Film Activities”* and shall now read as follows:

“1. The Superintendent of Buildings may approve the private use of public buildings for commercial film activities whenever applications on forms to be provided by Plaquemines Parish Government are properly lodged and approved, and all expenses associated with the use of public buildings, labor, or property is paid for in full and in advance by the applicant according to the following schedule:

- A. \$30.00 per hour for public buildings and auditoriums;**
- B. \$400.00 per day rental for Fort Jackson;**
- C. \$50.00 per baseball field, per day, whenever field lights are used;**
- D. \$30.00 per baseball field, per day, when no lights are used;**
- E. \$75.00 per football/soccer field per day whenever lights are used;**
- F. \$50.00 per football/soccer field per day when no lights are used;**
- G. \$100 per baseball field for chalking, painting, and preparing field;**
- H. \$200 per football/soccer field for chalking, painting, and preparing field;**
- I. \$50.00 per generator per day;**
- J. \$25.00 per tent per day;**
- K. \$100.00 per hour per parish employee labor;**
- L. \$100.00 per Garbage Truck on Site per day;**
- M. \$5.00 per trash can per day;**
- N. \$10.00 per table per day; and**
- O. \$2.00 per chair per day.**

2. The following service charges shall apply to all private rentals of public buildings, parks, sports fields, festival grounds, or equipment for commercial film activities:

- A. Electrical Service Charge: \$15 per venue;**
- B. Water and Sewerage Service Charge: \$15 per venue per day;**
- C. Ice Machine Service Charge: \$10 per machine;**
- D. Delivery Service Charge: \$20 per trip for 50 miles or less; \$1/mile per trip thereafter;**
- E. Gas Service Charge: \$25 per vehicle whenever the price of gas exceed \$3.50 per gallon; and**
- F. Sea Food Service Charge: \$1 per garbage can;**

3. A refundable deposit of \$500.00 shall be charged to all applicants to secure compliance with all laws, ordinances, and regulations; and to ensure that parish property is appropriately maintained and cleaned by event sponsors.
4. That deposit shall be forfeit if an event is canceled less than 15 days before the scheduled rental. No event or rental shall be booked and officially scheduled unless all anticipated service fees and rental charges are paid in full and in advance within Five days of the filing of the application form.
5. No applicant shall receive permission to use a parish building for commercial film related activities excess of the Fire Marshal's approved capacity limit. Plaquemines Parish Government reserves the right to require Fire Department or EMS presence at any permitted event, the cost to be paid by the applicant.
6. All commercial film activities shall have security provided by the Plaquemines Parish Sheriff's Office the cost of which shall be paid by the applicant.
7. The deposit shall be forfeit if any criminal activities by the applicant or its invitees are discovered during the rental period.
8. All people in anticipated attendance shall be insured and the applicant must agree to hold Plaquemines Parish Government harmless and to indemnify it against all liability and costs.
9. Rentals for commercial filming activities shall be executed on a first-come-first-served basis, along with other private applicants. Plaquemines Parish Government shall not discriminate in the renting of public property or services, and all members of the public shall be treated equally regardless of race, ethnicity, creed, gender, age, political affiliation, or geographic location within the parish. Nothing herein shall be construed to prevent the charging of a non-resident surcharge to applicants who reside outside of Plaquemines Parish.
10. All commercial film activities shall have security provided by the Plaquemines Parish Sheriff's Office the cost of which shall be paid by the applicant.
11. The deposit shall be forfeit if any criminal activities by the applicant or its invitees are discovered during the rental period.
12. All people in anticipated attendance shall be insured and the applicant must agree to hold Plaquemines Parish Government harmless and to indemnify it against all liability and costs.
13. Rentals for commercial filming activities shall be executed on a first-come-first-served basis, along with other private applicants."

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council. WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Black seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., W. Beau Black, Kirk M. Lepine, Irvin Juneau, Benedict Rousselle, Charlie Burt, Audrey Trufant-Salvant, Jeff Edgecombe and Nicole Williams

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 8th day of February, 2018.

I hereby certify the above and foregoing to be a true and correct copy of an Ordinance adopted by the Plaquemines Parish Council at a meeting held in the Belle Chasse Council Building Council Chambers, 333 F. Edward Hebert Boulevard, Building 203, Belle Chasse, Louisiana, on Thursday, February 8, 2018.

Secretary