

CITY OF STERLING HEIGHTS

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 401

AN ORDINANCE TO SET FORTH RULES AND REGULATIONS GOVERNING THE PRODUCTION OF COMMERCIAL FILMS WITHIN THE CITY

THE CITY OF STERLING HEIGHTS ORDAINS:

SECTION 1. Article VI shall be added to Chapter 12 of the Code of Ordinances to read as follows:

ARTICLE VI. FILMING PERMITS

12-150. SHORT TITLE.

This article may be known and may be cited as the City of Sterling Heights "Film Permit Ordinance."

12-151. PURPOSE.

The commercial production of films, television programming, and commercials is expected to become an important part of the economy of the City of Sterling Heights and the State of Michigan. In order to further those activities within the City, this Article sets forth rules and regulations to govern and authorize individuals and film companies to conduct filming activities in the City without unreasonably impacting the peace and comfort of the residents of the community; to assure that such activities are consistent with considerations of the public health, safety, and general welfare; to ensure the protection of property; and to provide a streamlined process for issuing film permits. The requirements provided in this Article shall be separate and in addition to those provisions of ordinances of the City, and/or other codes adopted by reference, regarding business regulation and licensing. Any and all fees provided in this Article are intended to cover the cost of investigation and processing permits for filming, as specified herein, and shall be in addition to all other applicable licenses and/or permits.

12-152. PERMIT REQUIRED.

Except as otherwise provided in this Article, it is unlawful for any person to engage in the business or activity of filming at any place within the City, other than at or in an established motion picture or television studio or entirely within an enclosed structure or building (with no outside storage of filming equipment) without a film permit from the City. Any person interested in filming within the City shall complete in full a film permit application that shall be submitted to the Film Office of the City of Sterling Heights. A film permit does not constitute or grant permission to use or occupy property not owned, leased, or controlled by the City.

12-153. EXEMPTIONS.

The provisions of this Article shall not apply to:

- (A) The creation of a personal film;
- (B) The creation of news media;
- (C) The filming or video recording of motion pictures for use in a criminal investigation, civil proceeding, or emergencies such as fires, floods, or police actions;
- (D) The filming or video recording of motion pictures and activities associated therewith which occur upon property which is owned or leased for more than 6 months by the enterprise or individual conducting the filming or video recording and none of the activities are open to view by the general public. However, this exemption shall not be construed to authorize the use of residential properties for commercial enterprises that violate any laws, the city code, or the City's zoning ordinance;
- (E) Education, government, and public access and local origination programs for cable television systems franchised within the City;
- (F) The filming or video recording of motion pictures by the City, including, but not limited to, video recording of a sewer line or preparation of promotional videos;
- (G) The filming of competitive athletic events, parades, or other similar events of a public nature, when in attendance as a member of the public and a spectator;
- (H) The creation of a student film, unless the filming activities utilize or adversely impact public ways or are conducted outdoors in residential areas;
- (I) Local commercials (video or still photography) produced entirely on private property for purposes of advertising local businesses and merchants, so long as the equipment, personnel, and subject connected with the commercials do not interfere in any way with the public right-of-way or impact neighboring private property;
- (J) Still photographers, who are photographing in a public area, and who do not encroach upon the public right-of-way with equipment or personnel;
- (K) Films produced entirely for training of employees or personnel that are produced within the employer's property and do not utilize or adversely impact any public ways and are not produced outdoors in residential areas; and
- (L) Any other activity deemed to be in the public interest by the City Manager.

12-154. DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

CHARITABLE FILMS. Commercials, motion pictures, television, video recordings, or other photography produced by a nonprofit organization which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, recordings, or photos.

FILMING. The act(s) of undertaking, producing, or creating a video recording or motion picture film. The term also includes the setup and dismantling of all related equipment.

FILM OFFICE. The film production office designated by the Community Relations Department of the City of Sterling Heights.

NEWS MEDIA. The filming or video recording for the purpose of spontaneous, unplanned, or "on scene" television news broadcasting by reporters, photographers, or camera operators, but not including magazine or documentary programs filmed, edited, and prepared for commercial purposes.

PERSONAL FILM. A video recording or film for private or family use, including but not limited to family event videos or a recording of security footage.

STUDENT FILM. A motion picture film or video recording production by a student of a public or private school or college where the production is for school or college credit and from which no profit is taken.

VIDEO RECORDING. The creation of a motion picture or film, whether by the act of filming, undertaking a video recording production, or otherwise.

VIDEO RECORDING PRODUCTION. The use of video recording equipment to capture motion picture images, whether by videotape, digital media, or any other means.

12-155. APPLICATION.

Any person desiring to conduct video recording production activities shall make application on the appropriate form provided by the Film Office. The form must be signed and accompanied by the required processing fee, deposit, hold harmless agreement, and insurance certificate before it will be processed.

12-156. APPLICATION INFORMATION AND FEES.

The applicant for a permit required by this Article shall supply the following information on the application:

(A) Name, permanent street address, and telephone number of the applicant. If an association, the applicant shall provide its full name. If a corporation, the applicant shall provide the full name and the official address thereof with the date and state of incorporation, the full name and address of the resident agent, and attach to the application a copy of the certificate from the state of incorporation indicating that the corporation is in good standing. If a limited liability company, the applicant shall provide the full name and the official address thereof with

the date and state of organization, the full name and address of the members and of the resident agent, and attach to the application a copy of the certificate from the state of organization indicating that the company is in good standing;

(B) Name, address, and telephone number of the person in charge of the location and responsible for the applicant's and applicant's employees' conduct. The Film Office may also require that the applicant provide the names and related information of association members, corporate directors, partners, or others in a position of responsibility with the applying entity;

(C) If the filming is conducted by a non-profit organization which qualifies under the Internal Revenue Code Section 501(c)(3) or Michigan law as a charitable organization, and no person, directly or indirectly, receives a profit from the marketing or production of the film or tape or from showing the film, tape, or photos, the applicant must sign under penalty of perjury to this information on the application form;

(D) Name, address, and twenty-four (24) hour telephone number of at least two (2) persons to be contacted in the event of emergency situations which might alter the conditions of the film permit;

(E) Name (or working title) of the film or project, and the nature of the proposed motion picture, television, or photographic production;

(F) Location(s), date(s), time(s), and activities of the proposed filming, and an estimate of the maximum number of attendees expected at the filming during each day or time. If the proposed filming involves the use of private property, the full name and address of the property owner where the filming is to occur and a signed affidavit from the property owner granting permission for the proposed use of the property in question shall be provided. If, in the discretion of the Film Office, it appears that the peace and tranquility of neighboring property owners may be disturbed by the filming, the Film Office may require affidavits from neighboring property owners indicating their concurrence with the proposed use of the property in question. However, if a residential area is to be used, the applicant must file a copy of notice to residents who are within a 300-foot radius of filming site and a signed affidavit as proof of such notice with application prior to actual filming;

(G) Approximate number of individuals in the cast and crew;

(H) List of types and number of vehicles and other equipment;

(I) If applicable, a statement that overnight parking and locations are needed;

(J) Requests for special assistance at the location, including but not limited to street closure, traffic control, and emergency services;

(K) Special conditions or requests by the applicant;

(L) If the applicant intends to use either wild animals, chemicals, explosives, or fire, or intends to engage in any other hazardous activity, a statement to that effect and a description of such activities with specificity;

(M) A list of prior filming projects, references, experience, and credentials relating to the individuals primarily responsible for the proposed filming activity and production;

(N) A sworn statement as to the truth of the statements in the application. If the applicant is a corporation or business, the application shall be signed by one (1) principal officer of the corporation or business; and

(O) In addition to the requirements of this Article, any applicant who or which will engage in any activity that requires compliance with any federal, state, or local regulations, including additional licenses or permits, shall present evidence of satisfactory compliance with such regulations.

(P) Each application shall be accompanied by a fee as follows:

(1) A processing fee in an amount established by the City Council's annual appropriations ordinance to reimburse the City for the staff time required to evaluate the application and establish conditions of approval.

(2) After the application has been reviewed and it is determined that City property will likely be utilized during filming activities, the applicant shall pay to the City a daily property use fee in an amount calculated by the Finance Director to compensate the City for the use of public property and its lack of availability for ordinary and usual purposes resulting from the filming activity.

(3) After the application has been reviewed and it is determined that City personnel will be utilized during filming activities, the applicant shall pay to the City a monitoring fee to reimburse the City for staff time required to monitor the filming activity, and for reasonable costs for other City services or equipment approved for use during such activities, in an amount determined by the Finance Director based upon the actual costs to the City and for the City's administrative oversight during the process. Staff time may include, but shall not be limited to, the time expended by law enforcement personnel, traffic control personnel, fire safety personnel, trash haulers, and review by the city attorney.

(4) In lieu of providing three distinct fee payments, the Finance Director may authorize the payment of one sum to be held as a deposit by the City to ensure the payment of all of the fees required by this section. Any amounts not used at the end of the project shall be refunded by the City to the applicant. In the event the actual costs exceed the deposit, the City may retain the deposit and the applicant will be invoiced by the City and shall pay for the excess. No permit shall be issued to an applicant who owes the City money for a prior permit.

(5) The processing fee shall be waived for the following if, in the discretion of the City Manager, the City will benefit by doing so:

(a) Productions conducted by a cable television company operating under a franchise granted by the City which are not conducted on public property, do not interfere with public rights-of-way, and which involve fewer than two motor vehicles; and

(b) Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly, other than funds to further the charitable or educational mission of the producer.

(6) In the event that weather conditions or other circumstances beyond the control of the permittee require that the date(s) or time(s) of the proposed filming or taping need to be altered, no additional processing fees shall be required because of such alteration of the date(s) or time(s) so long as the Film Office is given at least one (1) business day notice of the alteration; however, an additional fee will be charged if changes, additions, deletions, and extensions to the original filming permit are requested which are not beyond the control of the permittee. The additional fee shall be established by the City Council's annual appropriations ordinance. A change, addition, deletion, or extension to the original filming permit request must be filed with the Film Office. Only one (1) such request per permit will be allowed.

(7) If the Film Office, in coordination with the City Manager, Police Chief, and Fire Chief, determines that any potential danger to the public's health, safety or general welfare, or property would be eliminated by the presence of police or fire protection at the site of the filming or videotaping, the Film Office may grant the film permit with the condition that the permittee pay in advance to the City the anticipated costs of such police or fire protection or presence.

(8) For filming permits that require the City to provide services to the permittee in addition to police or fire protection, service charges shall be imposed for same. Such charges will be determined by the Finance Director for the services provided and shall be based on the actual cost incurred by the City in providing such services. Such service charges shall include, but shall not be limited to, charges for labor, supervision, overhead, administration, and the use of any and all City equipment, supplies, etc. Additional charges may be imposed to cover the cost of extraordinary film permit investigation and/or staff costs, if the City Manager deems the collection of such costs to be necessary to prevent absorption of any costs by the taxpayers.

12-157. PLANS.

Each application for a permit required by this article shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

(A) The size or area of the property to be used, including a sketch of the filming site showing placement of work trucks and production vehicles;

(B) A sketch of the "base camp," if any, showing any off-street locations for crew parking, honeywagon, catering, and non-essential production vehicles;

(C) A traffic control plan of the exact filming location, listing roads or lanes to be closed, if any;

(D) A description of the duration of the proposed activities and daily hours of operation;

(E) The facilities for cleanup and waste disposal;

(F) A letter of notification of, and signatures from, businesses/neighborhoods impacted by filming or related activities, if required by the Film Office; and

(G) Insurance and bonding arrangements.

12-158. LIABILITY PROVISIONS.

The requirements of this section are applicable whenever a permittee's operations will utilize or impact City facilities or property as determined by the Film Office.

(A) *Liability Insurance; Indemnity and Faithful Performance Bond.* Before a permit is issued a certificate of insurance must be submitted evidencing insurance in an amount not less than one million dollars per occurrence for comprehensive or commercial general liability and one million dollars per occurrence for automobile liability. In the event the use of pyrotechnics or any other potentially hazardous activity is contemplated, the permittee will be required to submit evidence of insurance which will cover said use or activity in an amount and form acceptable to the Risk Manager and Fire Marshal. An endorsement to said liability policies shall be submitted naming the City of Sterling Heights, its officers, employees, agents, representatives, and volunteers as additional insureds. The Risk Manager is authorized to modify the insurance requirements above if it is deemed to be in the best interests of the City.

(B) *Hold Harmless and Indemnity Agreement.* An applicant shall execute a hold harmless and indemnity agreement as provided by the City prior to the issuance of a permit under this Article.

(C) *Faithful Performance Bond.* To ensure cleanup and restoration of the site, an applicant may be required to post a refundable cash deposit or faithful performance bond (amount to be determined by the Finance Director) upon submittal of the application. Upon completion of filming, cleanup, and restoration of the site by the permittee, and inspection of the site by the City with a satisfactory conclusion, the bond shall be returned to the permittee.

12-159. INVESTIGATION OF APPLICATION.

(A) Upon receipt by the Film Office, copies of the application for a permit required by this Article shall be forwarded to the Police Chief, Fire Chief, City Development Director, Public Works Director, City Planner, and to such other appropriate public officials or departments as the City Manager deems necessary. Such officers, departments, and officials shall review and investigate matters relevant to the application and within four (4) business days of receipt thereof shall report their findings and recommendations to the Film Office or his/her designee.

(B) The Chief of Police shall investigate each application for a filming permit. If, during the course of such investigation, the Chief of Police desires additional information to assist with determining whether or not such a permit should be issued, the Chief of Police is authorized to require the applicant to furnish such additional information.

(C) The applicant and permittee shall allow for site inspections by the City as requested by the City for purposes of ensuring compliance with this Article, all conditions of the permit, and all applicable fire and building codes and ordinances.

12-160. SPECIFIC CIRCUMSTANCES.

In addition to the criteria listed in this Article, the City shall also investigate the application with respect to the following special circumstances and may impose conditions if warranted:

(A) *Noise.* Filming activities which produce unusual noise such as gunfire, sirens, public address systems, bull horns, or any other loud noises may be restricted to mitigate the effects of the activity.

(B) *Aircraft.* Helicopter landings or filming from the air are not permitted without explicit written permission from the Film Office. The written authorization shall be filed with the application.

(C) *Public safety personnel.* Police and/or fire personnel requirements shall be determined by those departments and any personnel required shall be at the permittee's expense. Additional public safety employees may be requested by the applicant at the time of application at the applicant's expense. The Chief of Police may approve the use of additional public safety personnel or may require the applicant instead to contract with a private security firm. Additional public safety employees approved by the Chief of Police shall enforce all City regulations and shall remain employees of the city at all times. The City's employees shall not be employees of the permittee and shall not act at the direction of the permittee unless doing so will ensure enforcement of applicable laws and regulations.

(D) *Roads and streets.* If the permittee must park equipment, trucks, and/or cars in zones that do not permit parking, the permittee must post the street as required by the Public Works Director. The applicant must also obtain permission to string cable across sidewalks or from a generator to a service point.

(E) *Traffic control.* For any filming that would impair traffic flow in any manner or for any duration, the applicant shall comply with all traffic control requirements deemed necessary by local police or private security personnel for traffic control, subject to the approval of the Chief of Police or the use of local law enforcement personnel. The use of local law enforcement personnel shall be dependent on the location of filming (for example, filming within a County park would fall under the jurisdiction of the County Sheriff rather than local law enforcement) and must be approved and funded as described in division (C) above. All interruptions of normal pedestrian or vehicular traffic must be authorized on the permit, with the traffic control plan and staffing approved by the Chief of Police prior to permit issuance. Any proposed detour plan or parking shall be submitted for the review and approval of the City Engineer. The permittee shall also obtain all necessary permits and approvals from the Michigan Department of Transportation and/or Macomb County Road Commission prior to filming on a state or County roadway.

(F) *Adult entertainment.* No filming shall be conducted within the City which depicts nudity, sexual intercourse, simulated sex acts, or other displays prohibited by state law or City ordinance which could be observed by a member of the general public. Films which have as their primary purpose the display of such acts for distribution to an adult entertainment market or video provider shall not be granted a permit for filming. A permit issued under this Article does not authorize the production of a film that in any manner requires the use of property owned by or under the control of the City in violation of Public Act 84 of 2008, which prohibits the

production of a film that includes obscene matter or an obscene performance, or that requires that individually identifiable records be created and maintained for every performer provided in 18 U.S.C. 2557.

(G) *Pyrotechnics and special effects.* The applicant shall obtain a permit from the Fire Department for any pyrotechnics or similar special effects.

(H) *Vegetation.* The Film Office may impose restrictions on filming in native vegetation, natural areas, wetlands, and similar locations.

(I) *Crew size.* The Film Office may impose requirements for filming operations involving more than fifty (50) cast and crew at a filming location.

(J) *Refueling.* The Film Office may impose restrictions on refueling operations in excess of ten (10) gallons.

(K) *Boundaries.* The Film Office may impose requirements concerning the posting of the outer boundaries of the filming.

(L) *Uniforms.* The Film Office may impose restrictions concerning the covering of police, fire, and other uniforms worn by actors when they are not being filmed.

(M) *Insignia.* The Film Office may impose restrictions on the use of City and other public agencies' logos, insignias, badges, or decals for filming purposes.

(N) *Extras.* The Film Office may request that City residents be afforded a higher priority than others, for example, exclusive access to the first day of auditions, when the permittee seeks or requires "extras" for certain portions of the filming.

(O) *Acknowledgement.* The Film Office shall require that the permittee properly acknowledge the assistance of the City in the final film credits.

(P) *Access.* The Film Office may request access to behind the scenes production of any filming activities for purposes of creating promotional videos for the City. However, the Film Office will honor all conditions of the production company regarding material that may be disclosed to the public prior to release of the final film or production.

12-161. GRANTING OR DENIAL OF PERMIT; ADMINISTRATIVE POLICIES.

(A) If, after his investigation, the Chief of Police finds that the conduct of the activity regulated by this Article or the proposed location of such will not comport with the public welfare or that it will tend to create a nuisance or that the character or reputation of the applicant, its officers, or employees as to truthfulness, decency, or of order is poor, the Film Office shall deny such application.

(B) The City Manager may promulgate administrative policies and procedures governing the form, time, and location of any filming activity within the City. Such policies and procedures shall be on file with the City Clerk's office for review by the public and they shall

have the force and effect of law as if fully set forth in this Article. In addition to the City Manager's policies and procedures, if any, all decisions concerning the issuance of any film permit and/or the conditions imposed thereon shall be made after consideration of the following factors:

- (1) The health and safety of the public;
- (2) Disruption of activities of businesses or persons within the affected area;
- (3) The safety of property within the City; and
- (4) Traffic congestion at particular locations within the City.

(C) Otherwise, a permit shall be issued, or issued subject to conditions, unless it is determined that the activity contemplated in the permit will adversely affect City operations, City businesses or residents, or City personnel resources, or if the proposed activity has the potential to damage public or private property.

(D) A permit may only be issued for a maximum of thirty (30) calendar days before the first day of filming activities. A permit is void thirty (30) days after it is issued unless the permit contains a more specific expiration date.

(E) A permit may not be assigned and must be posted in public view at the filming location at all times.

12-162. APPLICATION PROCESSING TIME.

If the application satisfies the criteria of this Article, the permit shall be issued within ten (10) business days of submission; or within twelve (12) business days of submission if the activity requires traffic control measures, outdoor stunts, or special effects; or within fifteen (15) business days of submission if the filming requires road closures.

12-163. APPEAL.

Any person aggrieved by the decision of the Film Office shall have the right to appeal the approval, conditional approval, or disapproval of the application to the City Manager or his/her designee in writing. The appeal shall be taken within five (5) business days after notice of the decision is mailed or transmitted to the applicant. The City Manager shall decide the appeal within ten (10) business days. The City Manager's decision shall be final.

12-164. RESTORATION.

A permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use, maintenance of the area, and the cleanup of trash and debris. The area used shall be cleaned of trash and debris within two hours of the completion of the activity or within such other time established in the permit to the City's satisfaction. The applicant shall be responsible for restoring any area damaged or disrupted before leaving the site. If the site is not repaired or restored to the City's satisfaction, the City Manager or his/her

designee shall have the necessary restoration and/or repairs performed and the applicant shall reimburse the City for such work within ten days of completing filming. In the event the applicant fails to reimburse the City, the City may secure its reimbursement from any deposit or bond that was posted by the permittee during the application process. The amount of any bond shall in no way limit the permittee's liability or responsibility for the costs of repairs or restoration in the event these costs exceed the bond amount.

12-165. FILMING HOURS.

(A) *Permitted hours.* It is prohibited for any person to commence or conduct, or permit the commencement or conducting of, any filming in residentially-zoned neighborhoods, and any other neighborhoods within a three hundred (300) foot radius of a residential zone, except between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday; 8:00 a.m. and 10:00 p.m., Saturday; and 9:00 a.m. and 10:00 p.m., Sunday and City-specified holidays.

(B) *Exception – Extended hours.* Filming activity in residentially-zoned neighborhoods, and other neighborhoods located within a three hundred (300) foot radius of a residential zone, shall be permitted beyond those hours set forth in this section if the permittee submits signatures of approval from one (1) adult resident of at least seventy percent (70%) of the dwelling units located within a three hundred (300) foot radius of the filming, at least forty-eight (48) hours prior to the scheduled start time of the filming. However, this signature requirement may be waived by the Film Office if it determines that the filming will not have any adverse effect upon the owners or occupants of such dwelling units.

12-166. PARKING AND STREET CLOSURES.

(A) No person shall close any City street or alley, unless first authorized by the City.

(B) No person shall park a vehicle or place equipment associated with filming on any street or alley, except where parking is lawfully permitted.

(C) The permittee shall post "No Parking" signs, as required by the Film Office, at least twenty-four (24) hours prior to the scheduled start time of the filming.

(D) Before a street or alley closure can occur, the permittee shall submit to the Film Office, at least forty-eight (48) hours prior to the scheduled start time of the filming activity, signatures of approval from one (1) adult resident of at least seventy percent (70%) of the dwelling units and businesses adjacent to or serviced by the street or alley proposed to be closed.

(E) If a permittee wets the roadway for filming purposes, the permittee shall not strike the set until the roadway is dry to the City's satisfaction. A professional lane closure company shall be hired to install the lane closure area for the wet-down and shall maintain such closure until the roadway is dry. "Wet Pavement" signs are required at both ends of the wet-down.

12-167. VIOLATION; REVOCATION; PENALTY.

(A) Any film permit may be revoked under the following circumstances:

(1) Where it has been determined that the permittee has violated or has failed to comply with any of the terms or conditions of the film permit;

(2) Where it has been determined that the permittee has violated or has failed to comply with any ordinances, resolutions, or applicable regulations;

(3) Where it has been determined that the film permit was granted pursuant to false or fraudulent information contained in the film permit application or verbally provided to City officials;

(4) Where it has subsequently been determined that filming activity will fail to meet the criteria enumerated in this Article for granting a film permit; or

(5) Where it has been determined that the preservation of the public health, safety, and general welfare demand revocation of the film permit.

(B) A notice of revocation shall be mailed to the permittee, by certified mail, stating the grounds for revocation and advising the permittee of the appeal rights afforded by this Article.

(C) City officials with the authority to revoke a permit include the Community Relations Director, Police Chief or designee, Fire Chief or designee, Development Director, Public Works Director, and the City Manager.

(D) Revocation of a film permit shall be effective for a period of one year. No permits shall be issued to any individual or entity found to be in violation of this Article for the subsequent one (1) year period of time. Thereafter, film permits may be granted on a restricted or conditional basis to ensure that the offender does not violate this Article again.

(E) Violation of any of the provisions of this Article or any of the terms and conditions of a film permit shall be punishable as set forth in chapter one of the City Code. In addition, it shall be a misdemeanor to:

(1) Provide false or fraudulent information to the City during the permit application process;

(2) Provide any false or fraudulent information after the permit has been issued, including but not limited to the possession or existence of consent or permission from property owners when required; or

(3) Fail or refuse to cease any film activities when ordered to do so by a City official due to violations of any code, ordinance, or this article.

12-168. NUISANCE VIOLATIONS.

Any filming, video recording, or related activity conducted contrary to the provisions of this chapter shall be and is hereby declared to be an unlawful action and a public nuisance. The City Council may authorize the commencement of an action at law or in equity in the name of the

City in any court of competent jurisdiction against the permittee to ensure compliance with the terms of this Article. All remedies prescribed herein will be cumulative and the use of any one (1) or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Article, nor shall the City's delay or failure to exercise any remedy result in a waiver of same.

12-169 - 12-199. RESERVED.

SECTION 2. Section 1-9(C) of Chapter 1 of the City Code shall be amended to include the following provisions of Article VI of Chapter 12 within the list of municipal civil infractions:

| <i>Chapter</i> | <i>Title</i> | <i>Section</i> |
|----------------|-----------------------|--|
| 12 | Film Permit Ordinance | All sections except 12-160, 12-166, & 12-167 |

SECTION 3. All other provisions of the Code of Ordinances not specifically amended by this amendment shall remain in full force and effect.

SECTION 4. This ordinance shall become effective immediately upon publication of a notice of adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Sterling Heights on the 2nd day of March, 2009, and was duly adopted at a regular meeting of the City Council of the City of Sterling Heights on the 2nd day of March, 2009.

WALTER C. BLESSED, City Clerk

INTRODUCED: 02-17-09
ADOPTED: 03-02-09
PUBLISHED: 03-11-09
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