

Municipal Film Policy Template

CORE PURPOSE

The purpose of this Municipal Film Policy is to ensure there is a fair, safe, respectful, and mutually beneficial relationship between all parties.

The municipality recognizes the direct and indirect economic benefits to the community associated with the film industry. The film permit application process is essential in ensuring that Municipal property and the rights, safety, and privacy of the citizens of the municipality are protected. Film permits will be issued only in accordance with applicable by-laws, including but not limited to bylaws governing noise, road closures, along with facility fees and charges.

SCOPE

This policy applies to all Commercial Filming which takes place on, or significantly impacts, Municipal property, excluding current affairs and newscasts. The Production Company or individuals are required to notify the municipality prior to filming to determine if their project requires a permit. Photography and videography related to weddings, sports teams and family photos do not require a 'Film Permit' and are not subject to this policy. Student and non-profit film projects shall also be exempt from permit fees.

With respect to location filming on private property or individual businesses, the property or business owner is responsible for negotiating with the Production Company the terms, conditions and fees related to the use of the private property. A film permit is not required for filming taking place on/in private property. However, the Production Company or individual must still notify the Municipality.

DEFINITIONS

Commercial Filming: use of motion picture, videotaping, sound recording, or other moving image or audio recording equipment on public lands that involves the advertisement of a product or service, the creation of a product for sale, or the use of actors, models, sets, or props, but not including activities associated with broadcasts for news programs and filming activities by persons hired by the Municipality for specific municipal business.

Film Liaison: means the staff person determined to be the Film Liaison for the Municipality; the Film Liaison person may, depending upon the nature of the filming, be a staff person from the Parks, Economic Development, Public Works or the Clerk's Department.

Film Permit: means a permit and/or letter authorizing filming with the Municipality.

Location Contacts: refers to Production Company staff responsible for booking and managing locations. These can include Location Manager and/or Location Assistants.

Minor Special Effects: means effects such as water, snow and other materials that are used in the production of filming and may impact the filming location and surrounding areas.

Major Special Effects: means effects such as fireworks, explosions and pyrotechnics that are used in the production of filming and may impact the filming location and surrounding areas.

Production Company means: a company of individuals conducting filming.

Production Vehicles: mean vehicles carrying' equipment involved in filming.

GUIDING PRINCIPLES

1. Permit Application Process

Applicants can apply for a Film Permit by completing the Film Permit Application. The application can be found on the Municipal website. The application package includes production information, location permit application, insurance requirements and related fees. This package must be completed and submitted, along with any additional forms/letters/maps to the Film Liaison (by email or in person) prior to the issuance of a film permit. Additional information including Filming Guidelines and Regulations, Code of Conduct for Cast and Crew, Sample Letter of Notification, Notification Checklist, and relevant by-laws are available on our Municipal Website, under “Filming.”

Applications must be submitted to the Municipality a minimum of 5 business days prior to commencement of the first day of filming. Notice length varies based on application see 1.1 below. Permit should be submitted allowing for the longest requirement time based on the films specific needs.

Applications are considered on a case-by-case basis by the appropriate staff or authority. Any concerns are discussed, and special requirements/approvals will be identified (fire services approval, special effects). Staff requirements are determined, and appropriation fees and security deposits are established, based on the nature of the production.

Prior to the issuance of the permit, the Production Company must provide the Recreation and Culture Department with an insurance certificate, the security deposit (if applicable) and payment of all required fees.

1.1 Key Application Timeframes/Approvals

Applications involving:	Application Processing Time	Required Approval	Notes
Road Closures	<i>Example: 7 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Traffic Plan may be requested. Production Company must notify County.</i>
Municipal Parks and Facilities	<i>Example: 7 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Subject to space availability; rental fees apply</i>
Filming in residential areas: - between 11 pm and 7 am	<i>Example: 5 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Must notify all affected residents. Restrictions on orientation of equipment for overnight filming.</i>
Use of Flammable Liquids and materials	<i>Example: 10 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Film Production must notify Fire Services</i>
Filming on Private Property - Requiring public or on street parking	<i>Example: 5 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Printed Notice to Residents minimum 5 days in advance</i>

Filming on Private Property – no parking requirements	<i>Example: 5 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Printed Notice to Residents minimum 5 days in advance</i>
Changes to approved permit	<i>Example: 2 Business Days</i>	<i>List appropriate departments/staff</i>	<i>Example: Notify residents 48 hours in advance. *Changes involving road closures are not permitted.</i>

1.2 Application Process Notes

- Plan ahead, add rain dates to your application before you submit it, not after your permit has been issued.
- Applications received after 4:00 pm will be considered as received the following business day
- Have backup shoot dates in mind in case your application is deemed too short notice.

2. Fees and Charges

Fees for filming are indicated on the Film Permit Application/Schedule of Fees (attached as Appendix B) and in the Fees and Charges bylaw. Projects which are not considered to be "commercial" are not subject to permit fees.

2.1 Application Fee

The application fee must be submitted with the application package. If the application is denied 50% of the Fee will be returned to the applicant.

2.2 Security Deposit

A security deposit is required prior to the issuance of a film permit as stipulated on the permit application. This deposit will not be returned until all invoices, charges and claims have been cleared. Security deposits can be paid by certified cheque, made out to the. The amount required for the security deposit is determined based on the nature of the project and the number of special effects used during production (see Film Permit Application/Schedule of Fees).

2.3 Other Costs/Fees

The Production Company is responsible for all out-of-pocket expenses related to the use of Municipal roads, properties, parks, or equipment and shall be given an estimate of these costs prior to permitting.

Once filming begins or is about to begin, if there are any changes to these arrangements, the Production Company is to be notified immediately. The Production Company may be required to pay for the services of Municipal staff when filming on Municipally owned property, such as recreation facilities or parks. The necessity for such staff and any associated costs will be determined on a case-by-case basis at the discretion of the appropriate staff.

Emergency services personnel may be required to be contacted prior to filming or to be on site during filming. All costs associated with these requirements are the responsibility of the applicant. Where required services are not being provided by the Municipality, the applicant shall be required to pay the service provider directly.

Any policing required should be contracted through the Ontario Provincial Police paid off-duty officers' program.

3. Insurance Requirements All companies filming in the Municipality must present to the Film Liaison, prior to permit issuance, a certificate of comprehensive general liability insurance, naming the Corporation of the Municipality as an additional insured party. The amount of coverage will be \$5 Million per occurrence or such higher limits as the Municipality reasonably requires, depending on the nature of filming.

3.1 Indemnification

The Production Company shall indemnify and save harmless the Municipality from and against all claims, actions, damages, injuries, costs, expenses or losses whatsoever, which may arise or be brought against the Municipality as a result of or in connection with the operations of the Production Company and the said use of location(s) by the Production Company, including its employees, contractors, agents or representatives; and specifically, the Municipality will not be responsible for any liability arising from these activities with respect to the advertising or any copyright or trademark infringements.

4. Public Communications

The success of a project is often contingent on keeping the right people informed. This policy outlines the mandatory requirements as they relate to communication and public notice.

4.1 Community Notification

Both the Municipality and the Production Company have a role to play in communicating with the public.

4.1.1 Municipality

The Municipality will ensure any road closures are communicated with residents in advance. This information will be shared via the municipal website, social media, municipal e-news. Where appropriate our Community Digital Sign may be used.

If filming is expected to have an impact on residents or their ability to access business districts this information will be communicated via the municipal website, social media and e-news.

As part of the application process the Municipality will ensure the production company provides written filming notice to all residents and business owners located in the designated filming areas.

Residents enjoy hearing about filming details including working titles, locations and cast members etc. In consultation with the Film Production team the Municipality will share any public details via our Municipal Facebook page and with local newspapers.

The Municipality understands this may not always be possible. There may be situations where this information is determined to be confidential. In cases where sharing of set location could result in additional traffic pressures Municipal staff may decide to keep these details internal.

4.1.2 Production Company

The Production Company must provide written notice of filming a minimum of 5 days in advance to affected residents/occupants and businesses, or as instructed by the Recreation and Culture Office. The notification must include the duration and location of filming and information about planned special effects, road and lane closures, and sidewalk usage without obstructing pedestrians. It must also reference times that cones will be placed on the street to restrict parking.

In the following circumstances, filming that takes place in residential areas will require the written consent of the majority of affected residents:

- Filming between 11 :00 pm and 7:00 am
- Filming on Sundays or Statutory Holidays
- Overnight filming, where equipment (lighting and generators) is oriented towards neighboring residences
- Filming on a residential block that has already occurred three times during the calendar year

4.2 Councillor Notification

Councillors will be notified by the Film Liaison of filming in their respective wards once the permit application is approved.

4.3 Business Community Notification

When necessary, Production Company will notify the affected Business Community advising them of the duration and location of filming, and any information about special effects, road and lane closures, sidewalk usage, and the times when cones will be placed in the street allowance. Notification will include the name of the production manager, title of the production, and a contact telephone number for the location contacts.

5. Restrictions

It is the Production Company's responsibility to ensure that there is a minimum of disruption to residents, occupants, and businesses where filming occurs. Consideration to Residents/Occupants/ Businesses should be free from any negative environmental conditions resulting from filming including spill-over lighting, exhaust fumes or noise that affect their ability to remain at their property or conduct their business, unless they have been contacted and do not express any objection.

5.1 Lighting

Lighting for filming should be oriented away from neighbouring residences unless residents have been contacted and do not express any objection and should not interfere with the safe movement of traffic. Night filming involving intensive lighting between 11 p.m. and 7 a.m. requires written approval by a majority of affected residents.

5.2 Noise

The Production Company must comply with legislation governing noise. If the affected residents/occupants/businesses have been advised in advance of the nature of the noise and do not object, the likelihood of a complaint will be reduced.

5.2.1 Generators

All generators used on streets in residential areas or in municipality owned parks will be inverters unless otherwise approved by the Film Liaison.

5.3 Hours/Days for Filming

Permits authorizing filming in areas zoned residential between 11:00 p.m. and 7 a.m. will not be approved unless all affected residents have been notified in advance. Depending on the potential impact on the area, written consent may be required by the majority of affected residents.

*Filming in Downtown areas may be restricted on Friday, Saturday, or Sunday.

5.4 Location of Filming

Location filming in areas zoned residential will be limited to 3 occasions per year for each residential block unless a majority of affected residents' consent to additional filming. Written approval must be provided for additional occurrences and all notification procedures are to be followed to the satisfaction of the Film Liaison. The amount of filming in other areas may also be limited as determined by the Film Liaison.

5.5 Environmental Requirements

The production company agrees to undertake sustainable practices wherever possible. Such practices include using recyclable/reusable/compostable products, protecting the Town's natural resources and habitats and minimizing their carbon footprint. Efforts must be made to avoid any potential contamination through the use of chemicals. Any potential accident contamination must be immediately reported to the municipality for investigation. Security Deposit will be used towards any potential remediation.

5.6 Health and Safety

The production company confirms that all provincial health and safety measures are followed while in the Municipality.

5.7 Compliance

Despite the issuance of a permit, the Production Company must ensure that all staff, crew and agents comply with all applicable legislation and by-laws in addition to the conditions provided on the Film Permit.

6. Traffic Impacts

No interference with pedestrian or vehicular traffic is to occur without being noted on the permit. Every opportunity is to be taken to ensure that access, either vehicular or pedestrian, is not restricted to persons with disabilities. Production vehicles must comply with appropriate traffic regulations unless stated otherwise on the permit.

6.1 Road Closures

Any filming on Municipal roads that intersect County roads, or that has the potential for impact on County roads, will require approval from Lanark County. Lanark County may require a traffic management plan be submitted for any stoppage of traffic affecting a County road. It is the responsibility of the Production Company to contact Lanark County for the necessary process.

6.2 Traffic Stoppages

Intermittent traffic stoppages to a maximum of 5 minutes, unless stated otherwise must be approved by the Director of Public Works and the Film Liaison. Supervision of a Paid Duty Police Officer may be requested. For high traffic roads and/or high traffic timeframes a traffic plan may be requested before a filming permit is issued. The Film Liaison will arrange for the Public Works Services Department to cover, alter, remove and/or reinstall traffic or street signs as may be necessary.

6.3 Parking and/or Standing

Production vehicles must not block fire hydrants or be parked in fire routes or within 9 metres of an intersecting street or impede any emergency response vehicles and must also adhere to any other requirements specified on the permit.

Production vehicles must not block parking lot access/egress ramps and accessible parking for persons with disabilities.

In municipal parks, production vehicles and equipment must not block driveways or other access/egress ramps. Production vehicles must leave at least two feet clearance on either side of a driveway, ramp, or other accesses/egresses/ingresses.

In all other circumstances, vehicles cannot block private driveways or other access ramps without the approval of the owner.

No production equipment/vehicles are to be within 30 metres of a pedestrian crossover or a signalized intersection unless special arrangements have been made with the Director of Public Works. Relocating vehicles by towing to accommodate filming or parking is not permitted.

It is up to the film company to make alternate parking arrangements for crew and actors available; public parking cannot be used. The Film Liaison can provide a list of private parking available for rent. These arrangements must be negotiated independently by the Film crew and the property owner.

A Production Company may be able to reserve parking in Municipal Parking lots. For information about parking availability, please contact the Recreation and Culture Department.

7. Other Significant Duties and Responsibilities

7.1 Filming Activities and Relationship to Police/Fire/Ambulance

Ontario Provincial Police Paid Duty Police Officers may be required for intermittent traffic stoppages and detour traffic control and/or when required to direct pedestrian or vehicular traffic including those instances involving city parks/properties. They may also be required to supervise the detonation of pyrotechnic special effects.

It is the responsibility of the Production Company to make arrangements with the Ontario Provincial Police and Paramedics for their services. All costs associated with these requirements are the expense of the applicant - the Film Production Company.

It is the responsibility of the Production Company to notify the Fire Services in advance when the use of flammable liquids/materials is being planned. The notice must provide details of how the

materials will be used. Fire Services may impose conditions regarding the use of these materials. Any conditions will be included as part of the Film Permit. When applying for a Film Permit, the Production Company must indicate any special effects and pyrotechnics being used. A blast analysis may be required, and additional time is needed to arrange for this activity. Qualified Emergency Medical Services personnel (paramedics) must be on site during the filming of dangerous situations such as special effects, stunts, and /or detonation of pyrotechnics.

7.2 Code of Conduct

It is the responsibility of the Production Company to ensure that their staff operate in a safe and professional manner in the course of their duties and adhere to the Municipality's Code of Conduct for Cast and Crew (attached as Appendix C).

The Code of Conduct will be posted on the municipal website for Production Companies.

Production Company must ensure that a copy of the Code of Conduct is provided to all cast and crew and that it is signed by the Location Manager and Production Manager and submitted when applying for a Film Permit.

7.3 Safety Guidelines and Regulations

Interior safety signs in buildings must not be covered, (e.g. fire exit signs) unless expressly agreed to by the property manager/owner. All production companies must adhere to the Ontario Ministry of Labour Safety Guidelines for the Film & Television Industry in Ontario. Copies of the Ontario Ministry of Transportation's Ontario Traffic Manual Series (OTM) are available for download from the Ontario Ministry of Transportation.

7.4 Clean Up

Clean Up Production crews must clean the location at the end of the day with a minimum amount of noise and disruption and ensure that the area is returned to its original condition, unless otherwise approved by the Film Liaison or other arrangements are made with the Municipality and noted on the permit, in which case the Production Company will be billed accordingly.

7.5 Monitoring

The Production Company must always keep a copy of the Film Permit on site. At the commencement of the scheduled shoot, the Film Liaison (if deemed necessary) will oversee the activities of the Production Company and will act as the Municipalities' contact person. They will be responsible for monitoring the Production Company on site and has the authority to revoke the Film Permit if the Production Company does not adhere to the Film Permit, or to grant last minute on-site requests. The Production Company must place signs in public access areas or in heavily trafficked areas to inform the public that the area is being used for filming and delays may occur. Any such delays must not exceed five (5) minutes unless prior approval has been arranged.

7.6 Location Credit

Film permits are dependant on the Production Company agreeing to include the following text in the closing credits of the film:

Thank-you to the Municipality of XXXX, Ontario, Canada for accommodating filming in the Town of XXXX and surrounding areas.

Thank-you to the Municipality of XXXX, Ontario, Canada for accommodating filming in the Village of XXXX and surrounding rural areas.

Thank-you to the Municipality of XXXX, Ontario, Canada for accommodating filming in their municipality.

Attachments:

Appendix A – Municipal Film Permit Application Schedule of Fees

Appendix B – Municipal Code of Conduct for Film Cast and Crew