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**SECTION:** Corporate Services

**TITLE:** Filming Policy

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## 1.0 POLICY STATEMENT

The Town of Oliver recognizes the unique economic benefits that the film industry provides and welcomes the film industry to the community. The Town strives to allow the film industry to have reasonable use of locations around the Town. This Policy provides direction for the film industry on how to obtain access to Film their productions in the Town while balancing the Town's operational needs and citizens; access to programs and services.

## 2.0 PURPOSE

The purpose of this Policy is to establish clear requirements for filming within the Town of Oliver and to balance the economic benefits of filming with the need to minimize disruption to residents, businesses, and municipal services.

## 3.0 SCOPE

This policy applies to all Filming that occurs within the Town and to all production companies that are interested in Filming in the Town, as well as any Town Staff that are involved in coordinating or monitoring the Filming.

## 4.0 DEFINITIONS

"Town" means the Town of Oliver

"Town Facilities" means and Park, Public Place, or Town owned location.

"Town Staff" means any person employed by the Town or any person who has been assigned or hired to act on the Town's behalf.

"Filming" means any commercial, non-commercial, educational, or student filming activities that occur in Town, including but not limited to scouting activities, site surveys, technical surveys, site preparation and clean-up, including "circus and crew"

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park locations, equipment/work truck parking, film work, or necessary restoration of sites after filming but excludes news broadcasts.

“Force Majeure Event” means any delay in Filming created by a situation beyond the Town’s reasonable control, including but not limited to any war, riot, pandemic, civil emergency, natural disaster, strike, lockout, inability to procure materials or services or other industrial disturbance, fire, lightning, floods, inclement storms, or unusually severe weather.

“Production Company” means the company seeking to conduct Filming in Town and includes all their production crew and external third party contracted staff.

“Public Place” means any Town owned or managed areas to which the public has access by right or invitation.

“Relevant Parties” means any property owners, businesses, residents, tenants, or other such individuals who are within reasonable proximity of Filming and are directly or indirectly impacted by the Filming.

### 4.0 PROCEDURE

#### 4.1 Location Scouting

- a) The Production Company will direct any questions related to potential Filming locations and scouting opportunities to the Corporate Officer.
- b) The Corporate Officer will consider each Filming inquiry and will advise the Production Company if there are issues with the requested Filming Locations

#### 4.2 Filming Permit Process

- a) The Production Company must provide the following to Corporate Services prior to the commencement of any Filming:
  - i. a certificate of insurance that includes the Town as additional insured;
  - ii. the Film Application form which is located on the Town’s external website and must be submitted at least 8 – 12 Business Days prior to the desired Filming date to allow for the form to be processed;
  - iii. a draft of the Resident Letter, to be provided to the Corporate Officer at least three (3) Business Days in advance, if required.
- b) The Production Company may not change Filming locations without written approval by the Town of Oliver.
- c) The use of Town Facilities and resources is subject to their availability.
- d) The Town reserves the right to deny a Film Application if it is determined it may have detrimental effects on the safety and/or wellbeing of the community.

### 4.3 Noise

- a) Filming, setting up sites, or taking down sites outside of the hours set in the current Good Neighbour Bylaw will not be permitted unless Bylaw is satisfied that all residents and businesses in the affected area have been notified and approval in writing has been obtained from Bylaw.

### 4.4 Filming Notification

- a) The Production Company will notify any Relevant Parties who may be affected by the Filming with a Resident Letter.

The Production Company's proposed Resident Letter must be provided by email at least three (3) Business Days before Filming Commences. The Resident Letter must contain, at a minimum, the following:

- i. Name of Production Company;
  - ii. Brief description of Filming activity, including and stunts and noise impacts that may result from Filming;
  - iii. Date and time of Filming;
  - iv. Contact information for the on-site representative of the Production Company;
  - v. Contact information for the Town of Oliver;
  - vi. Telephone number and email address of Creative BC;
  - vii. Parking impacts.
- b) The Corporate Officer will review the Resident Letter to ensure it meets the criteria set out in the Policy. If the Resident Letter is acceptable, then it may be distributed by the Production Company.
  - c) The Production Company must distribute the Resident Letter of Approval to all Relevant Parties residing within a two (2) block radius of Filming and filming related equipment.

### 4.5 Highway Use and Traffic Control

- a) The Production Company must obtain, at their own cost, certified traffic control professionals to organize traffic control in the area that Filming occurs, and a traffic control plan must be provided to the Corporate Officer five (5) Business Days prior to Filming to obtain the Town's approval of the plan.
- b) If traffic cannot be diverted to other roads, then traffic will be stopped intermittently with traffic control professionals to direct traffic for periods

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not exceeding 3 minutes unless special circumstances warrant an extension.

- c) The Production Company and its designates will provide emergency vehicles the absolute right of way at all times during traffic control and will not impede, or attempt to impede, them at any time for any reason.

### 4.6 Parking

- a) Signage, as approved by the Corporate Officer, must be placed by the Production Company 24 hours in advance of Filming at the location site to notify Relevant Parties that parking access to those areas may be limited.

### 4.7 Rental of Town Facilities and Private Property

- a) If the Production Company wishes to rent a Town Facility for Filming, the rental must be booked through the Corporate Officer.
- b) If the Production Company wishes to Film on a private property, they must coordinate this with the registered owner of that private property. The Corporate Officer will work with the Production Company to issue the necessary permits for Filming, but the Town bears no responsibility for any issues, legal or otherwise, that may arise as a result of the Production Company Filming at a private property.

### 4.8 Modifications to Location

- a) The Production Company may not construct Filming sets at any Town Facility without written authorization from the Town of Oliver.

### 4.9 Fees and Compensation

- a) All fees and charges issued by the Town in relation to Filming will be charged to the Production Company pursuant to the current Town of Oliver Fees and Charges Bylaw.
- b) If Relevant Parties wish to seek compensation for any Filming Activities that impact their neighbourhood or business, they must coordinate this with the Production Company or fill out a "Loss of Business Form" from Creative BC to agree on compensation.
- c) The Production Company will bear associated costs if any of the following situations occur:
  - i. The Production Company causes damage to any Town Facility during Filming;
  - ii. The Production Company uses additional Town services outside the scope of the Film Application; or

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- iii. The Production Company fails to obtain the required permit, or meet and follow required permit conditions.

### 4.10 Indemnity and Insurance

- a) The Production Company is required to provide proof of liability insurance at least five (5) Business Days in advance of Filming;
- b) The insurance policy must include the following;
  - i. Cover no less than five million dollars (\$5,000,000) of comprehensive liability insurance; and
  - ii. Name the Town of Oliver as an additional named insured.

### 4.11 Bylaws

- a) Subject to written authorization obtained from the Town, all Filming that occurs at a Town Facility must comply with all Town bylaws.