

Department:	Corporate and Legislative Services	Policy No.:	ADMIN-023
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Approved By:		Amended By:	
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POLICY PURPOSE

- a) To provide a suitable environment that encourages filming production in the Village of Pemberton.
- b) To protect the Village of Pemberton, staff, properties, public and environment from adverse impacts of filming production.
- c) To provide a set of operational guidelines for regulating production and ensuring cost recovery for film production in the Village of Pemberton.

REFERENCES

Filming Bylaw No.818, 2017

DEFINITIONS

Applicant: Means an Applicant for a Permit and the holder of the issued Permit.

Application: Means a film Permit Application in a form as established by the Chief Administrative Officer.

Designated Representative: Means a person appointed by the Applicant or the film production company responsible for all Film Production Activities through the duration of the filming.

Film Industry: The Film Industry or Motion Picture Industry comprises the technological and commercial institutions of film making, i.e. film production companies, film studios, cinematography, film production, screenwriting, pre-production, post production, film festivals, distribution; and actors, film directors and other film crew personnel.

Filming: Means any recording or photography conducted on a film, digital or other camera, video camera or other audio or visual recording device.

Film Production Activities: Filming activities include scouting of locations; pre-production preparations such as crew arrival, equipment load-in and set decoration; filming and/or still

photography; and any all activities involved in wrapping the production so that all areas, lands and infrastructure are returned to their prior condition.

Manager: Means the Chief Administrative Officer and his or her delegates.

Permit: Means a film Permit issued under this Bylaw in a form as prescribed by the Village.

POLICY

The Village of Pemberton strives to encourage and support the film industry by:

1. Promoting Pemberton as a supportive, accessible and friendly film location;
2. Creating productive working relationships with production companies encouraging future and return productions, with the intent of generating economic spinoff off for Pemberton business, industry and tourism;
3. Clarifying and streamlining the process for obtaining municipal authorization for filming in the Village of Pemberton;
4. Minimizing any impact on the community and general public as a result of filming;
5. Ensuring appropriate liability insurance for the use of public facilities for filming (minimum \$5M);
6. Ensuring that filming does not cause irreparable damage to public property and if damage occurs, the film company is responsible for repairs, as required;
7. Encouraging participation in environmentally responsible community initiatives and a commitment to follow Creative BC's Reel Green best practices in an effort to reduce the environmental impact of the filming industry in the Village of Pemberton;
8. Ensuring that the Village of Pemberton recovers its costs, where appropriate, for filming services rendered; and
9. Ensuring that filming activities observe the Village of Pemberton bylaws and policies.

PROCEDURE

1. **FILMING FEES AND SECURITY DEPOSIT**

- a) The Applicant is required to pay all applicable Permit Fees as set out in Filming Bylaw No. 818, 2017 Schedule "A" as amended from time to time. Payment of the Permit Fee is required at time of Application submission.
- b) The Permittee shall pay to the Village of Pemberton, a daily filming fee as set out in the Filming Bylaw No. 818, 2017 Schedule "A", for each day of preparing, shooting and wrapping up production within the Village of Pemberton, paid at the completion of production.
- c) The Permittee must hold a valid Village of Pemberton Business Licence.
- d) Filming Applicants must provide the Village with a minimum refundable security deposit of \$5,000 per filming Application, to a maximum of \$10,000. The deposit amount is

determined by the Manager dependent on the location and type of filming activity.

- e) Any requests to have fees waived or negotiated will be conducted by the Manager.
- f) Village of Pemberton staff must receive written notice of cancellation at least seven (7) days prior to the start of production for a refund of fees less the \$125 non-refundable Application fee.
- g) Productions cancelled with less than seven (7) days prior to the event may not receive a refund.
- h) There are no refunds due to poor weather conditions.

2. INSURANCE

- a) The Applicant is required to purchase and maintain a minimum of \$5,000,000 Comprehensive Liability insurance to a maximum deemed appropriate by the Manager. This insurance is to be held on a per occurrence basis.
- b) The Village of Pemberton must be named as an insured under the policy and a completed "Proof of Insurance" form must accompany the filming license Application.
- c) Any loss or damage which occurs and which is under the deductible in the insurance policy or is not covered by the insurance policy is the responsibility of the Applicant.

3. DESIGNATED REPRESENTATIVE

- a) The Applicant must appoint a Designated Representative from the company or organization who will be responsible for all film company activities. The Designated Representative must be on site through the duration of all filming and related activities.
- b) A twenty-four (24) hour contact phone number must be provided to the Village of Pemberton. The Designated Representative is responsible for ensuring that all cast and crew are informed and abide by Village of Pemberton bylaws and policies and abide by the Creative BC Code of Conduct.

4. OBTAINING A PERMIT

- a) The following documentation along with the Film Permit Application must be submitted in writing:
 - i. Project description including the purpose and scope of the film shoot;
 - ii. Crew and cast size, number of vehicles, arrangements for sanitary facilities, waste management and security provisions;
 - iii. Number of days and dates crew will be on Village or private property or within the Village boundaries;
 - iv. Locations requested for filming;
 - v. Details of all stunts and/or special effects;

- vi. A production and circus site plan.
- b) Requirements may vary based on the scope and nature of the production and will be communicated to the Applicant by the Manager or his/her designate.

5. NOTIFICATION TO THE PUBLIC

- a) The Manager will advise the Applicant if filming notifications to residents, businesses and others who may be impacted is required. This will include identifying the notification area within the Village boundaries.
- b) The Applicant must prepare a notice that includes details of the locations, the production schedule and include the contact information of the Designated Representative.
- c) The Manager must approve the notification in advance of distribution which must take place at least seven (7) days prior to production move in and set up.

6. CODE OF CONDUCT

- a) The producers, cast and crew must abide by the Code of Conduct as set out by Creative BC (<http://www.creativebc.com/community/filming-in-our-communities#code-of-conduct>).
- b) All filming activity in the Village of Pemberton must be in accordance with this Filming Policy and with industry standards and best practices, including Creative BC's Reel Green Best Practices (www.creativebc.com).

7. PARKING

- a) The Applicant must arrange in advance for parking of all vehicles associated with the production and parking must be approved by the Manager prior to production.
- b) Off-street parking will be paid for at the Applicant's expense as required and a shuttle-service may need to be provided to and from production and filming locations depending on scope and size of the production.
- c) Only essential vehicles may be parked on Village streets.
- d) No parking is permitted on grass areas, fire lanes or restricted areas unless prior permission, in writing, has been obtained from the Village.

- e) All vehicles associated with the film production must bear an identification tag including phone number of the Designated Representative, which must be displayed prominently.

8. SIGNAGE

- a) The Applicant may be required to submit a signage plan, which may only identify “event in progress” or, for larger events, will identify access and egress routes, directional signage and/or other instructional requirements.
- b) The Applicant may be required to make Application for a Sign Permit pursuant to the Sign Permit Bylaw as amended from time to time.

9. APPROVALS

- a) If necessary, the Applicant will need to arrange for approvals from:
 - i. Ministry of Transportation and Infrastructure (MOTI)
 - ii. Village of Pemberton Fire Department and Public Works as required
 - iii. Royal Canadian Mounted Police (RCMP)
 - iv. Vancouver Coastal Health (VCH)
 - v. British Columbia Ambulance Service (BCAS)
- b) The Village may require the Applicant to provide a copy of any approvals or Permits issued by other agencies.

10. CROWD CONTROL AND SECURITY

- a) The Applicant shall employ security staff or other means approved by the Village to ensure spectator crowds are controlled.
- b) The Applicant is responsible for security at all production locations.

11. INDEMNITY

- a) The Village accepts no financial or legal responsibility for any damaged, lost or stolen equipment, death or injury.

12. INDOOR FILMING

- a) The Applicant must abide by all building specific policies and restrictions and Village policies and bylaws.

13. NOISE

- a) The Applicant must make every effort to keep noise to a reasonable level during production.
- b) Hours of filming must be approved, in writing, by the Manager subject to Village bylaws. An exemption to the Noise Bylaw may be authorized as negotiated.
- c) The Applicant must deliver notification to each household as determined by the Manager as being effected by the production.
- d) The notification must be reviewed and approved by the Manager in advance of distribution.

14. STREET CLOSURES

- a) Film production must not interfere with normal traffic flows along Village streets, malls, pedestrian areas unless granted prior approval, in writing, by the Manager.
- b) The Manager may refuse street, mall or pedestrian area closures during retail business hours or other designated peak times where alternate access is not available.
- c) The Manager may permit intermittent street closures except for those streets under the authority of the Ministry of Transportation and Infrastructure.
- d) Intermittent street closures may require, at the expense of the Applicant, the use of a licensed traffic controller or RCMP officer.
- e) The Applicant must contact the Ministry of Transportation and Infrastructure regarding filming on Highway 99 or any other highway under the jurisdiction of the Ministry of Transportation and Infrastructure (MOTI) within the Village of Pemberton.

15. PRODUCTION SITE REQUIREMENTS

- a) Should public washrooms not be available, or the washrooms available are not adequate to accommodate the number of cast and crew, sufficient portable toilets must be provided (~1/100 crew and cast).
- b) If public washrooms are set aside for use by the cast and crew the cost of maintenance and cleaning will be at the expense of the Applicant.

16. ON SITE CONSTRUCTION

- a) Any construction must be approved prior, in writing, by the Manager.

- b) All construction must not cause damage or endanger the public, the surrounding environment, the Village or Village sites and facilities.
- c) All construction and temporary structures must be built and maintained as per the BC Building Code and BC Fire Code and will be subject to inspection.
- d) Any temporary structures must be removed promptly following the conclusion of production.
- e) Any fixtures not removed following the conclusion of production will be removed at the Applicant's expense.

17. SPECIAL EFFECTS

- a) All explosions, gun blasts, low fly-overs by any type of aircraft, real or model, vehicle collision, aircraft collision, use of incendiary devices or other special effects must be detailed in the Film Permit Application.
- b) Prior approval, in writing, is required from the RCMP, Fire Department and other affected agencies and organizations and must be included in the Film Permit Application.
- c) The use of paper snow is not permitted within the Village of Pemberton.

18. USE OF DRONE/UAV

- a) The use of Drones or UAV Devices must meet with the current guidelines as set out by Transport Canada.
- b) Drone/UAV Operators must hold a valid Transport Canada Special Flight Operations Certificate (SFOC) regardless of how much the UAV weighs.
- c) Drones/UAV must not be flown within nine (9) kilometers of the Pemberton Regional Airport unless prior approval has been granted by the Manager and a NOTAM is filed.

19. WASTE MANAGEMENT

- a) The Applicant will be responsible for providing adequate animal proof garbage bins and arranging pick up and removal of all waste at their expense.
- b) The Applicant may not utilize Village waste receptacles unless approved in writing in advance by the Manager. Any extra costs incurred by the Village as a result of using Village receptacles will be cost recovered.

20. RESTORATION

- a) The Applicant shall restore all Village locations to their original state and condition.
- b) The Applicant shall conduct operations so not to cause damage or leave waste.
- c) The Applicant is responsible for all costs associated with all production related repairs and cleaning at, on and around Village locations.
- d) The Applicant may be charged with all additional expenses incurred by the Village as a result of production including Public Works and Fire Department call outs.

21. LOSS OF BUSINESS

- a) The Applicant must meet in advance with any business or home owner that may be affected by filming.

22. COPYRIGHT

- a) The Village of Pemberton shall have no copyright interest in any photography or recording made in the Village of Pemberton's jurisdiction.

23. ACCREDITATION

- a) The Village of Pemberton retains the right to request films display the following credit line: **"Filmed in the Village of Pemberton, British Columbia."**

24. REVOCAATION

- a) The Village of Pemberton may revoke any filming Application without notice, and without any payment of damages if the Applicant fails to comply with any of the terms and conditions set forth in this policy, Village of Pemberton bylaws or any associated legislation.

25. GOVERNING LAW

- a) The Applicant agrees to submit to the jurisdiction of the courts of British Columbia and Canada.

26. ALTERATIONS

- a) The Applicant shall not deviate from the production specifications listed in the Film Permit Application unless the Applicant receives written consent of the Village.

27. BYLAW COMPLIANCE

a) All filming activity must comply with the Village of Pemberton Bylaws as amended or revised from time to time, in particular:

- Filming Bylaw No. 818, 2017
- Airport Establishment, Operations & Fees Bylaw 817, 2017
- Parks and Public Spaces Bylaw No. 797, 2016
- Parking and Traffic Control Bylaw No. 586, 2006
- Sign Bylaw No. 380, 1995
- Noise Regulation Bylaw No. 699, 2012
- Wildlife Attractants Bylaw No. 684, 2011