

COUNCIL POLICY
1.8.1 Film Production Policy

POLICY NAME	Film Production	POLICY NO.	1.8.1
POLICY OWNER	Community Services	REVIEW PERIOD	As needed
EFFECTIVE DATE		RESOLUTION NO.	
AMENDMENT DATE		AMENDMENT RESOLUTION NO.	

1. PURPOSE

The intent of this policy is to establish guidelines for film production in the District of Sechelt and minimize disruptions to residents and businesses.

2. DEFINITIONS

For the purpose of this policy the following definitions will apply:

“Applicant” means the person or representative of a Production Company applying to film within the District of Sechelt.

“Auxiliary Location” means a location where the production may film for short periods with minimal impact to the location.

“Director of Corporate and Community Services” means the person who holds the title of Director of Corporate and Community Services or their designate.

“District Property” means parks, facilities, buildings, property, equipment, assets, streets, rights-of-ways, and public places owned by the District of Sechelt.

“Filming Activity” means all scouting activities and site surveys, technical surveys, preparation work, actual filming, subsequent site clean-up and restoration for all commercial and non-commercial filming.

“Film Permit” means a permit for film production issued by the District of Sechelt in accordance with this policy.

“Film Permit Application” means an application for film production in the District of Sechelt, attached to this Policy as Appendix 1.

“Film Production Fees” means the Film Production Fees stated in the District of Sechelt Fees and Charges Bylaw No. 575, 2019, and its amendments.

“Location Manager or Assistant Location Manager” means a person from the Production Company assigned to be on site throughout all Filming Activities who will act as an agent of the Production Company to the District of Sechelt and the Community to coordinate and supervise Filming Activities. The Production Company is to provide a 24-hour emergency telephone number to the District in case of fire, theft etc.

“Municipal Facilities” means every public building (including all driveways, roadways, paths and lanes within or adjacent to the public building) including, but not limited to the District Hall, public library, any community center, art gallery, museum, arena, exhibition and all other community facilities owned or controlled by the District of Sechelt, and any real property upon which a public building is located that was acquired and held by the District of Sechelt and managed by it for the use by the public.

“Municipal Parks” means public parks, playgrounds, squares, plaza, greens, and other open spaces, including all driveways, roadways, paths, and lanes within or adjacent to the public parks, playgrounds, squares, greens and other open spaces under the custody, care, and management of the District of Sechelt.

“Parking Street Usage” means the use of street parking for Film Activities, including storage, vehicle parking and other activities.

“Primary Location” means the location where most of the Filming Activity takes place.

“Production Company” means a business responsible for undertaking works in the realms of film, television, and video.

“Reverse Polling” means requiring Production Companies to send out a notification letter informing affected property owners and tenants of the proposed Filming Activity, and inviting them to send their objection to the District of Sechelt prior to the Filming Activity. If 80% of affected property owners and tenants respond negatively to the District of Sechelt within the specified response period the Film Production Application, or portions of the proposed Activity, the permit application may be denied by the District.

“Road Closure” means the complete closure of a District of Sechelt road for the purposes of Film Activity.

“Staff” means the person employed by the District of Sechelt.

“Student Films” means filming activities by students. Students must be able to provide proof of registration in an accredited educational institution.

3. SCOPE

This policy applies to all filming that occurs on District of Sechelt property.

4. POLICY STATEMENT

- 4.1. The Director of Corporate and Community Services or designate is responsible for administering the Film Permit Application of this Policy and the associated Film Permit requirements.
- 4.2. It is the obligation of the Applicant applying to film within the District of Sechelt, whether on District or private property, to submit a Film Permit Application and Fee, and comply with the District's Film Production Policy.
- 4.3. The District reserves the right to limit the number of Filming Activities in the municipality at any one time.
- 4.4. The District reserves the right to approve or deny any requests for filming on District Property.
- 4.5. Each Applicant must return all District Property to the state or condition it was in prior to filming activity. The District may require, at the cost of the Applicant, the attendance of District staff to ensure the appropriate use and/or security of District Property.
- 4.6. The Applicant is directly responsible to negotiate the terms of use for any private residential, commercial, or industrial property directly with the owner.
- 4.7. Requirements for insurance and security deposits are identified in the Film Permit Application and must be met by the Applicant at least ten (10) days prior to commencement of any Filming Activities.
- 4.8. All Federal, Provincial and Municipal bylaws, laws, and ordinances must be obeyed by the Applicant and by any contractors retained by the Applicant. The District of Sechelt reserves the right to report any failure to comply with the Film Production Policy and the Film Permit Requirements to Creative BC.
- 4.9. A Sechelt business license is required for Production Companies to operate in the District of Sechelt.
- 4.10. Rentals of Municipal Parks and Facilities (including District owned parking lots) and other Municipal property is coordinated through District staff. Rental fees can be found in the District's Fees and Charges Bylaw 575, 2019, and its amendments.

5. FILM PERMIT REQUIREMENTS

The District of Sechelt endeavors to provide the film industry with reasonable access and use of the many features the District has to offer for location filming. Our goal is to ensure the District's requirements are clear and easily followed by providing these requirements on the Film Permit Application forms.

- 5.1 Applicants must complete the Film Permit Application and file it with District staff at least ten (10) business days in advance to allow for processing through the various approval stages.
- 5.2 Film Production Fees must be paid at least ten (10) business days in advance.
- 5.3 Film Permit Applications received less than ten (10) business days in advance of filming may not be approved.
- 5.4 Film Permit Applications received less than ten (10) business days, will be subject to a higher Film Permit Application Fee as detailed in the District of Sechelt Fees and Charges Bylaw No. 575, 2019, and its amendments..
- 5.5 A fee for each additional location is required if more than one (1) location is being requested by the Applicant. Fees are found in the Districts' Fees and Charges Bylaw 575, 2019, and its amendments.
- 5.6 All required fees and deposits are to be submitted a minimum of ten (10) business days in advance of filming to allow for processing.
- 5.7 A Film Permit security deposit will be required to cover any charges for operations, use of Municipal Facilities and staff involvement at the time of Film Permit Approval. The Film Deposit will range from \$1,000.00 to \$10,000.00 depending on the locations, timeframe, use for Municipal Facilities, parking and street use, stunts and pyrotechnics. If the Production Company causes damages to District Property, uses additional District services, or does not meet permit conditions, deposits may be partly or fully withheld to recoup costs.
- 5.8 Staff will estimate the Film Permit Deposit amount based upon the Production Company's requirements. All fees will be deducted from this deposit except for the Film Permit Application Fees and the Business License Application fee which must be paid separately and in advance of the permit being issued, per Business License Bylaw 520, 2012, and its amendments.

6. LIABILITY INSURANCE

- 6.1. The District of Sechelt requires the Production Company to obtain a \$5,000,000 (five million dollars) general comprehensive liability insurance policy. The certificate shall name the District of Sechelt, as additional insured. The certificate must be submitted with the Film Permit Application.
- 6.2. The District of Sechelt requires the Production Company to obtain a minimum \$2,000,000 (two million dollars) vehicle third party liability policy. The certificate must be submitted with the Film Permit Application.
- 6.3. The District of Sechelt reserves the right, solely at its discretion, to set higher insurance limits. This may be required depending on the type of activity planned during filming (e.g. stunts, pyrotechnics and dangerous activities).

7. STREET USE AND TRAFFIC CONTROL

- 7.1 A Road Closure fee is required for the use of District streets including laneways and boulevard areas, as well as the adjacent street parking and sidewalks. Please provide drawings/maps outlining requested use.
- 7.2 A Parking Street Usage Fee is required for the use of District street parking. Please provide drawings/maps outlining requested use.
- 7.3 An Auxiliary Location Usage Fee is required for the use of District sidewalks if a full Road Closure is not in place.
- 7.4 In most cases street parking can be provided for essential unit vehicles. Where off-street parking is available, the Production Company must use it for non-essential vehicles, e.g. crew parking. In locations where off-street parking is not available the Production Company may be required to use a remote parking location.
- 7.5 All vehicles must be legally parked and allow uninhibited access for emergency services (i.e. police, fire, ambulance, etc.). Vehicles may be required to be identified with signage/hangers.
- 7.6 Parking must abide by Highway & Parking Bylaw 516, 2012, and its amendments..
- 7.7 Reverse Polling is required for use of streets, sidewalks and on street parking in downtown Sechelt, per section 8 of this Policy.
- 7.8 The Production Company will be required to obtain at their cost, currently certified or licensed professionals for traffic and/or crowd control were deemed necessary by the District.
- 7.9 The RCMP road requirements and traffic managements plan must meet the Fire and RCMP Requirements included at section 9 of this Policy, and must be forwarded to the Ministry of Transportation and Infrastructure (MOTI), Sechelt RCMP, Sechelt Fire Department and at least ten (10) business days prior to any Filming Activity.
- 7.10 Approval from BC Transit and/or School District #46 for any lane closures on bus routes or in proximity to schools is required at least ten (10) business days prior to any Filming Activity.
- 7.11 The District may restrict lane closures on arterial roads during peak hours (7:00 – 9:00am and 3:00 – 6:00pm) or other high volume traffic periods.
- 7.12 Emergency vehicles shall have the absolute right-of-way and shall not be impeded for any reason.

8. MARINE LOCATIONS

- 8.1 For filming on marine locations Transport Canada and Department of Fisheries and Oceans requirements must be met and the Royal Canadian Marine Search and Rescue must be informed at least ten (10) business days prior to any Filming Activity.

9. FIRE AND RCMP REQUIREMENTS

- 9.1 Productions involving activities, such as fire, explosives, detonators, guns, gunfire, flash powder, etc. will require approval from the Sechelt Fire Department and RCMP. Requests for pyrotechnic and dangerous activities shall be reviewed at a meeting between the Production Company and all approval authorities to be held at least ten (10) business days prior to the scheduled event.
- 9.2 A resolution of Council is required if an exemption from Fireworks Prohibition Bylaw No. 445, 2005, and its amendments is requested for the use applicable effects including fire, explosives, detonators, guns, gunfire, flash powder etc.
- 9.3 Open air burning for the purpose of providing special effects for filming will require the prior written authorization from the Sechelt Fire Chief that must be provided to the District of Sechelt at least five (5) business days in advance.
- 9.4 All traffic control on District of Sechelt roads must be maintained by the Sechelt RCMP at full cost to the Production Company.
- 9.5 Any on-street filming including car chases, stunts or scenes involving weapons must have provide written RCMP permission to the District of Sechelt at least five (5) business days in advance.

10. DRONE PERMITTING GUIDELINES

- 10.1 Transport Canada regulations and all Provincial and Federal laws must be followed for the use of drones when filming in the District of Sechelt.
- 10.2 Flight path restrictions may also be imposed over certain areas, including the Sechelt Airport and sea plane flight paths in Trail Bay and Porpoise Bay.
- 10.3 The Production Company must provide drone specifications, proof of Licensing and Insurance to the District of Sechelt at least five (5) business days in advance.

11. PUBLIC NOTIFICATION AND POLLING

- 11.1. If Film Activity is to be located within the Business Improvement Area (BIA) as defined by Business Improvement Area Bylaw 599, 2021, and its amendments, then the Production Company shall provide public notification, as defined in section 11.3 of this policy, the Sechelt Downtown Business Association, affected property owners, businesses, residents, and tenants at least ten (10) business days in advance.

- 11.2. For Film Activity to be located in the District of Sechelt, outside of the Business Improvement Area (BIA) as defined by Business Improvement Area Bylaw 599, 2021, and its amendments, the Production Company shall provide public notification, as defined in section 11.3 of this policy in a radius determined by the District of Sechelt to affected property owners, businesses, residents, and tenants at least ten (10) business days in advance.
- 11.3. Public notification of Filming Activity must:
- a. Be delivered by the Production Company in draft format to the District of Sechelt for review at least five (5) business days before delivery to affected property owners and tenants.
 - b. Be delivered by the Production Company to each affected property including tenants, business owners, residents and property owners a minimum of ten (10) business days prior to Film Activity in the area.
 - c. Include a statement that generally describes the Filming Activity, filming schedule and any factors that may disrupt the community including noise, use of sidewalks and use of parking areas.
 - d. Invite members of the public to provide comments to the District of Sechelt:

District of Sechelt
5797 Cowrie Street
2nd Floor
Sechelt, BC, V0N 2W4
Email: info@sechelt.ca
Phone: 604-885-1986
 - e. Invite members of the public to provide comments to the Production Company.
- 11.4. Road closures for Filming Activity in the District of Sechelt may not be permitted unless a reverse polling process is completed with no more than 20% of affected property owners submitting an objection to the Road Closure.
- 11.5. A letter of approval from the Sechelt Downtown Business Association approval is required for all Film Production Activity proposed for the Business Improvement Area, as defined by Business Improvement Area Bylaw 599, 2021, and its amendments.
- 11.6. Polling approval must be received a minimum of (5) five business days before the proposed filming date to give District staff sufficient time to review and verify.
- 11.7. The Production Company will consult with District staff to determine the extents of the polling area and review of the polling letter.

In the event where polling is limited or restricted by secure access (i.e., apartment buildings), the Production Company will post filming notification or polling letters on all building entrances, and if applicable or reasonable, send a copy of filming notification or polling letter to the building manager, strata committee, landlord and/or property management company. In the event a merchant or resident is unavailable during polling, the production company is required to visit the premise a minimum of two times, on separate days, and to leave a filming notification letter at each visit.

- 11.8. Reverse Polling will be considered only when the Applicant has submitted their application, fees and all pertinent information is submitted to the District thirty (30) days in advance of filming.
- 11.9. The Production Company will be directly responsible for addressing any problems that residents may have, due to filming, and are responsible for resolving them in advance.

12. ELECTRICAL PERMITS & ELECTRICAL INSPECTIONS

- 12.1 Electrical Permits must be obtained where applicable and may be applied for through the BC Safety Authority.

13. NOISE & HOURS OF WORK

- 13.1 Filming activities will be permitted between 7:00 am and 10:00 pm Monday to Saturday and 9:00 am to 10:00 pm on Sunday.
- 13.2 Where late night and early morning move-ins, move-outs or filming outside the hours defined in (Noise Bylaw No. 519, 2012, and its amendments) the Production Company may request a noise bylaw exemption from Council.

14. FILMING ON STATUTORY HOLIDAYS, SEASONAL PERIODS AND/OR DURING MUNICIPAL EVENTS

Filming Activities may be limited by the District of Sechelt:

- 14.1 On statutory holidays and may include, as required, dates preceding statutory holidays; and
- 14.2 From December 24 to January 1; and
- 14.3 During peak tourist periods, including but not limited to the summer season; and
- 14.4 During municipal special events and/or during construction periods in coinciding locations – to better ensure public safety and reduce disruption.

15. OTHER CONDITIONS FOR FILMING IN THE DISTRICT OF SECHELT

- 15.1 The District requires the production company to have a Location Manager or Assistant Location Manager to always be on-site during filming. This person shall possess the ability to communicate effectively with District staff both orally and in writing. The Production Company is to provide the District with a 24-hour emergency telephone number in case of fire, theft, etc.
- 15.2 The name(s) and number(s) of person(s) in charge on the set shall be provided to District staff.
- 15.3 The Production Company is not permitted to alter any part of the permit conditions or change locations without first receiving the District's approval.
- 15.4 Once a Filming Permit has been issued, subsequent changes in dates, times or location may result in cancellation of the existing permit, requiring the Production Company to reapply with re-payment of the associated fees and deposits.

- 15.5 If the District deems it necessary, a District staff representative shall be on site to ensure requirements and permit conditions are adhered to.

The Production Company will be charged for staff time required. Inspections of the filming location may be made by the District prior to, during and after filming to ensure guideline and permit conditions are adhered to. Noted violations of permit conditions may result in fines, orders and/or permit revocation.

- 15.6 All time frames for approval are approximate and may change subject to staff availability for permit processing.
- 15.7 It is recognized that use of District facilities, personnel, and equipment is dependent upon availability and may be withdrawn without notice or liability which may further restrict filming activities.

16. STUDENT FILMS

The District of Sechelt welcomes Student Films. Student Film projects must meet the following criteria:

- 16.1 All Student Films are subject to the District of Sechelt Film Permit Requirements and applicable bylaws.
- 16.2 Applicants should submit a completed Film Permit Application at last ten (10) business days in advance of the proposed film start date along with the Student Film Fee for film school projects which meet the following criteria:
- a) The school is an accredited and recognized education institution; and
 - b) The school must sign all legal documents and provide current insurance of no less than \$2,000,000.00 (two million dollars) general comprehensive liability insurance in place with the District of Sechelt listed as an additional insured.

17. GRANTING OF APPROVAL

The District of Sechelt shall be guided in part by the following considerations when determining whether a Film Permit Application is approved:

- Film Permit Applications will be handled on a first-come-first-served basis. The District reserves the right to limit the number of Film Companies operating in the District at one time.
- The District reserves the right to approve or deny any requests for filming on location involving District property.
- It may be necessary for the District to limit the use of any film location. The District will be guided by the Reverse Polling process to limit filming in any location as well as the amount of recent filming in an area. The District will notify the industry through Creative BC of any areas where the District is limiting film activity.
- The District of Sechelt reserves the right to deny applications that it views as detrimental to the safety and comfort of its citizens or that may negatively impact the environment.

18. PENALTIES FOR GUIDELINE & CONDITION VIOLATIONS

- a) The District will notify the Production Company as soon as they become aware of circumstances that (a) do not comply with this Policy; and/or (b) are determined to be harmful, or cause disruption to individuals, businesses and/or the community (c) or in any way jeopardize the safety and/or well-being of the public and grant them a reasonable timeline to rectify depending on the nature and severity of the infraction. Failure to comply within the specified timeline may result in cancellation of filming permits.
- b) An applicant may apply for a new permit if their permit is cancelled.
- c) The District of Sechelt may report any failure to comply with the above requirements to Creative BC.
- d) Penalties may apply in accordance with Bylaw Enforcement Implementation Bylaw 515, 2012, and its amendments.