



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Filming Policy

Adopted July 6, 2009

Village of Lions Bay Filming Policy

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1.0 Introduction

Filming in Lions Bay

Located on the east shore of Howe Sound, the community of Lions Bay is endowed with a spectacular natural landscape. It is the landscape that both attracts residents to the community, and significantly shapes its character. The mountainous terrain with its creek corridors and steep slopes dictates the type of land uses that can be accommodated while respecting public safety values.

Lions Bay residents value this community as a peaceful, close-knit village, deeply connected to the natural West Coast environment. The community values peace and quiet. Filming must respect the residential character of the Village and minimize disruption to daily life.

Any person or company who is interested in accessing Village of Lions Bay municipal property for the purposes of commercial photography, video, film and television must obtain a Filming License from the Village of Lions Bay. Complete and *Application for Filming License* and return to the Village of Lions Bay Office for review. News media are exempt.

2.0 Terms and Conditions

The Municipality of the Village of Lions Bay License for Filming Purposes

2.1 Objectives

This policy has been written to meet a number of specific objectives:

1. To accommodate the film industry to the extent that Village residents are not inconvenienced and peace and quiet are maintained,
2. To protect the safety, well-being and interests of residents,
3. Recover its costs for all services rendered as well as earn a market rate of return on the use of municipal services and locations by the industry,
4. To provide a broad set of procedures by which filming activities may be authorized,
5. To protect municipal properties from adverse impacts on the environment.

2.2 General Applications

All filming within the Village of Lions Bay should comply with all Federal, Provincial, and Municipal regulations, particularly those in respect to occupational safety and health.

A film application must be submitted in writing and contain the following information:

- Project description including the purpose and scope of the activity,
- Crew and cast size, arrangement for sanitary facilities and security provisions,
- Details on the number of types of vehicles, number of vehicles and requirements for parking and transportation,
- Number of days and dates crew will be on municipal property,
- Areas requested for filming,
- Detailed stunts or special effects.

2.3 Polling

Residents shall not be polled prior to an application for filming being submitted and approved by Village of Lions Bay. If polling has taken place prior to application, the Village will reject the application.

Residents will be polled by the Village Office upon receipt of an application by the Village Administration and Filming Liaison Designate when a multi-day parking permit is required, or where noise bylaws are requiring relaxation, prior to approval of a filming and parking permit being issued.

The poll will be conducted by the Village Office to those residents in the immediately impacted area of the filming. Note: Residences who would be in the direct sight line of vehicles parked for filming related activities, and/or within direct sight and/or hearing distance of special effects are considered to be directly impacted. 100% approval of all residents directly impacted must be obtained in order for either multi-day parking permits to be issued or any relaxation of the noise bylaw to be approved.

2.4 Fees

2.4.1 The Licensee shall apply and pay to the municipality, a daily filming license fee of \$300.00. The Licensee shall further pay to the municipality a non-refundable application fee of \$250.00 to be paid at the time the application is submitted. No filming shall be authorized without the prior completion of the appropriate forms. Refer to the Fee Schedule 'A' for other applicable fees.

2.4.2 Where parking is required and authorized by issuance of a parking permit, a parking permit fee of \$25 per day per day per vehicle and \$100 per day per truck per location must be paid. Refer below to 2.7 Parking.

2.4.3 Village Filming Liaison: Lions Bay Village Administration is a small staff with limited working hours. The Village may appoint a Filming Liaison to work prior, during and post production.

2.4.4 Legacies and Work in Kind
Production Companies are encouraged to contribute to the community by donating to local community groups, and/or by leaving a needed legacy behind for the community to enjoy.

2.4.5 Security
The Licensee shall deposit with the municipality at the time that the license is issued security in the amount of \$5,000.00. Security shall be in the form of a certified cheque, money order, or a letter of credit endorsed and delivered to the Village of Lions Bay.

Upon completion of filming, the site will be inspected by the Manager of Municipal Works or other person designated by the Municipality, to ensure that the sites are clean and have been restored to the original condition satisfactory to the Municipality. The security deposit will be returned to the Licensee within 30 days of receiving a

satisfactory inspection report, and where there are no liability or third party claims anticipated.

Any costs necessary to rectify the site will be borne by the Licensee. The security held by the Municipality will be applied to these costs and the balance of the security will be returned to the Licensee. Where these costs exceed the security held by the Municipality, the Licensee will pay the costs in full within 30 days of receiving an invoice.

2.5 Insurance

The Licensee is required to purchase and maintain a minimum of \$3,000,000 Comprehensive Liability insurance to a maximum deemed appropriate by the Treasurer. This insurance is to be held on an occurrence basis. In addition, the Village of Lions Bay must be named as an insured under the policy and a completed "Proof of Insurance" form must accompany the filming license application.

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 Licensee

2.6 Designated Representative

The Licensee must appoint a Designated Representative from the company who will be responsible for all film company activities. The representative must be on site through the duration of all filming and related activities. A 24-hour contact phone number must be provided. The designated representative is responsible for ensuring that all cast and crew are informed of, and abide by, the policies of the municipality.

2.7 Parking

Parking throughout Lions Bay is very restricted and parking permits must be obtained. Due to the steep grades, narrow roads and many cul-de-sacs, parking on Village property is limited. The Licensee must provide detailed requirements for parking of all vehicles upon application. Alternative parking arrangements outside of the Village may be required. The Licensee must arrange in advance for parking of all vehicles associated with the production. These parking arrangements must be approved and a parking permit and fee must be applied for at the time of application for the Filming license. If required, the film company will, at its own expense, provide shuttle service from the designated parking area to the filming site.

Due to the geography of in Lions Bay, frequent traffic is a concern. The safety and peace of the residents will be a factor when determining an application.

2.8 Street Closures

The Licensee must conduct production so as not to interfere with normal traffic flows along municipal streets, unless the Licensee obtains the prior permission of the municipality.

The Licensee must contact the Provincial Ministry of Transportation regarding film use on Highway 99 or any other Highway under the jurisdiction of the Ministry of Transportation.

2.9 On Site Construction

Any construction that is approved must be undertaken so as to prevent adverse environmental impact or damage to municipal sites and facilities.

Any construction or resulting structures must at no time endanger public safety.

2.10 Special Effects

All special effects must be detailed in the written application and are must be approved by the local municipality subject to municipal bylaws and the approvals of RCMP, Lions Bay Fire Rescue and any other government body who has jurisdiction of the area being used.

2.11 Restoration

The Licensee shall restore the municipal locations to their original conditions unless prior permission to leave the site in an altered state is approved by the municipality in writing.

The Licensee shall conduct its operations so as not to cause any damage or leave any waste and the Licensee will be charged with all costs of repairing damage and cleaning waste from the municipal location(s).

The Licensee shall pay for all costs associated with the production, including the costs of security, service staff, damage repair and cleaning. In particular, the Licensee may be charged with all additional expenses incurred by the municipality as a result of the production, including costs associated with Fire Department response to false alarms triggered by the production process.

2.12 Crowd Control

The Licensee shall employ security staff or take other means approved by the municipality to ensure that crowds viewing the filming process are controlled.

2.13 Indoor Filming

While filming indoors, the Licensee must abide by any non-smoking restrictions and any food or beverage restrictions applicable to the building. All sets must be constructed in a safe manner.

2.14 Noise

Peace and quiet is very important to the residents of Lions Bay. The Licensee must make every effort to keep noise down to a reasonable level during production. Hours of filming must be approved by the local municipality subject to municipal bylaws.

The municipality may refuse to permit night filming if it considers that residents will be unduly affected. Specific conditions may be imposed on night filming as considered necessary in the public interest.

2.15 Notification to Residents/Businesses.

When filming in Lions Bay, proper notification by the Village Office staff is to be provided to each resident directly affected by filming activity. The Production Company or photographer is responsible for providing at least 5 days advance written notice to all residents within the area specified by the Village. Wording of the notification must be pre-approved by the Village.

The Film Permit may be revoked if it is discovered that affected residents have not been adequately notified.

2.16 Indemnity

The Licensee hereby releases, indemnifies and saves harmless the municipality and their officers, servants, agents, employees and others from and against all costs, losses, damages, compensation, claims, demands, actions, judgments and expenses including actual legal expenses arising from death or injury to person or property loss or damage resulting from the actions or failures to act of the Licensee, its directors, officers, employees, agents, contractors, subcontractors and others in respect of the production for which this License is issued. The Village of Lions Bay will not be responsible for any loss, regardless of the cause, except the sole negligence of the municipality.

2.17 Copyright

The Village of Lions Bay shall have no copyright interest in any photography or recording made pursuant to this agreement and the Licensee shall not be obliged to make use of any photographs or recordings made pursuant to this License.

2.18 Accreditation

The Village of Lions Bay reserves the right to request films to display the following credit line which identifies areas used as a site location to be within municipal boundaries:

"Filmed in the Village of Lions Bay, British Columbia"

2.19 Revocation

The Village of Lions Bay may revoke this license without notice and without payment of any damages if the Licensee does not comply with the terms and conditions of this License or other applicable legislation.

2.20 Alterations

The Licensee may not deviate from the production specifications listed herein or the terms and conditions of the License unless the Licensee obtains written consent of the municipality.

2.21 Governing Law

This agreement shall be governed by the laws of the Province of British Columbia and the Federal Government of Canada and the Licensee agrees to submit to the jurisdiction of the courts of British Columbia and Canada.

3.0 Consideration of Residents

Filming Code of Conduct

Cast and crew members are reminded that they are guests in the homes and areas of residents of the Village of Lions Bay and it would be appreciated if they would treat this location, the residents and the public with courtesy. A Filming Code of Conduct has been developed to help ensure an effective working relationship between the visiting production companies and the residents of the Village of Lions Bay.

The Filming Code of Conduct shall be adhered to while filming as well as during the set up and break down of the location.

A copy of the Filming Code of Conduct is to be posted on site in a clearly visible area at all times (e.g. catering truck, craft service table, on the set). It is the responsibility of the Applicant to ensure that all filming staff and contractors are familiar with and abide by the Village of Lions Bay Filming Code of Conduct. All filming vehicles are to adhere to the village speed limit of 40 km/h.

FILMING CODE OF CONDUCT

1. When filming in a neighbourhood or business district the filming company shall give notice to impacted residents and merchants as determined by the Village and as detailed in the Village of Lions Bay Filming Policy.
2. The production company shall abide by the Village of Lions Bay Traffic Bylaw at all times unless otherwise requested in the application and approved by the Village of Lions Bay.
3. The production company shall abide by the Village of Lions Bay Noise Bylaw and give at least one week's notice of late night activities to impacted residents as determined by the Village.
4. Cast and crew shall enter the area no earlier and leave no later than the time specified in the application and park within designated parking areas. All engines shall be turned off as soon as possible.
5. When production passes identifying employees are issued all production staff shall wear them while at a location.
6. The production company will not move or tow vehicles without permission from the Village of Lions Bay or the vehicle's owner.
7. Production company vehicles shall not block driveways without the permission of the Village of Lions Bay or the property owner.
8. All catering, crafts service, construction, strike and personal garbage shall be removed from the location.
9. Trees or plants shall not be removed, trimmed or cut without permission of the property owner or the Village of Lions Bay.
10. The production company will remove all signs erected during production, and return all signs taken down during production. Signs shall only be placed or remove with approval by the Village.
11. Cast and crew shall avoid making excessive noise.
12. Cast and crew shall keep shoes and shirts on and not display messages or images that may be offensive on clothes, signs or posters.

Fee Schedule 'A'

One Time non refundable Application Fee:	\$ 250.00
Filming fee	\$ 300.00 per day
Damage Deposit	\$ 5,000.00

Additional Fees:

Filming in Lions Bay Parks	\$ 500.00
Parking Fees	\$ 25.00 per vehicle per day \$ 100.00 per truck per day
Filming Liaison	\$ 40.00 per hour
Fire Rescue Services	\$ 100.00 per hour
Municipal Services	\$ 80.00 per hour

Other charges may apply.