

# ***POLICY***

*Policy Adopted: January 14, 2008*

*Policy #08-01*

## *POLICY AND GUIDELINES for COMMERCIAL FILMING ON BOWEN ISLAND*

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### **Intent of Policy**

- 1 To allow persons intending to film on Bowen Island in such a manner that:
  - a) the residents of the community are not unduly inconvenienced; and
  - b) the operations of the Municipality are not put at risk.
- 2 For the purpose of this policy, commercial filming not only the actual filming but also the mobilizing and demobilizing of equipment and personnel.

### **Application and Approval Process**

- 3 All commercial film proponents that propose to film within the Municipality shall complete the Application Form included within Schedule 1 of this Policy. Applications shall be submitted to the Municipality's Filming Liaison no later than four (4) weeks prior to the commencement of filming.
- 4 Applications will not be processed unless accompanied with written permission from the owner(s) of the land or building where the filming will take place.
- 5 Permission to film within the Municipality will be conveyed through the issuance of a Filming Certificate. A Filming Certificate will be issued by the Municipality's Filming Liaison once all permits are issued and any required variances are granted.
- 6 Permission to occupy municipal land, buildings, or structures for the purpose of commercial filming will be conveyed through the issuance of either a Permit to Occupy Municipal Road Allowance or a Permit to Occupy Municipal Land, Buildings, or Structures.
- 7 Certificates and Permits identified in clauses 5 and 6 will be processed by Municipal staff in accordance with this policy and will not require Council approval, except in cases where Municipal staff requires Council direction, or if a variance to a Municipal Bylaw is required.

- 8 Where there is a Neighbourhood Association on Bowen Island, written permission to film may be required from the Association (if applicable).

### **Use of Municipal Land, Buildings, and Structures**

- 9 Municipal road allowances may be used for the parking of vehicles and the storage of equipment in accordance with the terms and conditions of a Permit to Occupy Municipal Road Allowance for Commercial Filming.
- 10 Municipal land, buildings, or structures may be used for commercial filming purposes subject to the provisions of a Permit to Occupy Municipal Land, Buildings, or Structures for Commercial Filming.
- 11 Where a Municipal road allowance, land, building or structure is to be used for the parking of vehicles in addition to other uses, the commercial film company shall provide the Municipality with a certified cheque in an amount to be determined by the Municipality to function as a Security Damage Deposit. The Damage Deposit will be returned after the Municipality has conducted an inspection and has determined that the road allowance, land, building or structure has been restored to its original condition. Should the film company not return the road allowance land, building or structure to the condition that existed prior to filming, then the Municipality may use the Damage Deposit for same.

### **Neighbourhood Notification**

- 12 Prior to obtaining a Filming Certificate, the film company shall be responsible for informing in writing all affected property owners within either:
  - a) the generally accepted boundaries of the neighbourhood in which the filming would take place, or
  - b) where there is no defined neighbourhood, within the area determined by the Municipality.
- 13 Written neighbourhood notification is to be made using the Schedule 2 of this policy.
- 14 In cases where filming would occur for more than 3 consecutive days at any one location, the Municipality may seek the views of the property owners who may be effected by the proposed commercial filming activity prior to the issuance of a Permit.

## Hours of Filming

- 15 Filming activity is allowed between 7:00 A.M. and 11:00 P.M. Monday through Friday, and between 9:00 A.M. and 6:00 P.M. on weekends and statutory holidays. Any filming outside these of times or any filming activity that is likely to cause disturbance to the surrounding neighbourhood will require that an exemption to the Noise Control Bylaw be granted by Council.

## Extraordinary Services

- 16 Any Extraordinary Services and Call Outs provided by the Municipality are charged on a cost recovery basis.

## Liability Insurance and Save Harmless Agreement

- 17 All commercial film company proponents shall enter into a Save Harmless Agreement with the Municipality generally in accordance with Schedule 3 of this Policy.
- 18 All commercial film company proponents shall provide evidence to the Municipality that it holds a \$5,000,000.00 in liability insurance policy and has named the Municipality as an insured party.

## Conduct

- 19 While working within the Municipality, all producers, directors, cast and crew members shall conduct themselves in accordance with the BC Film Commission's *Best Practices – Motion Picture Locations Code of Conduct*.

## Commercial Filming Fees

- 20 All commercial film company proponents that propose to utilize the Municipality's road system or any of its lands, buildings and structures for film production purposes shall provide the Municipality with the following fees:

Application Fee		\$100.00
Filming Activity		\$100.00 per day per location
Infrastructure Use	Filming Use	\$300.00 per day per location \$1500.00 per week per location
	Street Parking	\$100.00 per day per location \$500.00 per week per location
Other Permit Fees		As prescribed under individual Bylaw
Other Municipal Services		Cost recovery basis

- 21 These fees are in excess of any fees that may be payable to the owners of the land on which the filming may be taking place and could vary depending on the situation.

### **Legacies and Work in Kind**

- 22 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.

Policy approved by Council at their Regular Council Meeting held January 14, 2008.

(Original signed) \_\_\_\_\_  
Bob Turner  
Mayor

(Original signed) \_\_\_\_\_  
Bryan Kirk  
Chief Administrative Officer

1. SCHEDULE 1

APPLICATION FORM for COMMERCIAL FILMING ON BOWEN ISLAND

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**BACKGROUND INFORMATION**

- 1. Applicant Name: \_\_\_\_\_
- 2. Location Manager: \_\_\_\_\_ Cell: \_\_\_\_\_
- 3. Business Address: \_\_\_\_\_
- 4. Email Address: \_\_\_\_\_
- 5. Phone Number: Office: \_\_\_\_\_ Fax: \_\_\_\_\_

**DESCRIPTION OF FILMING PROPOSAL**

- 1. Dates of Filming (including mobilization): \_\_\_\_\_
- 2. Hours of Filming: \_\_\_\_\_
- 3. Location of Filming: \_\_\_\_\_
- 4. Description of Scenes to be Filmed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 5. Impact on traffic and neighbourhood: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 6. Type of Municipal Facilities Needed  Municipal Road Allowance  
 Municipal Land  
 Municipal Structures



## SCHEDULE 2

### SAMPLE LETTER TO NEIGHBOURS

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*[Production company letterhead]*

*[date]*

Dear \_\_\_\_\_:

On behalf of *[production company]*, we are providing advance notice that a *[commercial, TV special/series, movie-of-the-week, feature film]* called *[title]* will be shooting in this neighbourhood from *[dates]*. We will be working at *[address]*. The shoot will begin at *[time]* and end at *[time]* each day.

During production times, you can expect:

*[list in point form details of any potential disruptions or other relevant activity, including whether scenes are indoors or outdoors, lighting, traffic control, noise, stunts, special effects and parking]*

The production company has all the necessary permits for this film shoot. Please note that the public *[is, is not]* permitted to visit the location during filming.

The producers and municipal government recognize that there are sometimes inconveniences associated with a location shoot, but we are working hard to ensure that your day-to-day schedule is not disrupted.

Thank you. Your cooperation will help make this location shoot a success, and help to encourage more producers to visit Bowen Island in support of British Columbia's billion-dollar production industry.

If you have any questions or concerns about this location shoot, please contact me at *[phone number]*. During the shoot, you can also talk to *[on-site contact's name]* who will be on the set. If you have further questions about filming on Bowen Island or specific concerns about this location shoot, you can contact the Municipality's Filming Liaison, *[municipal contact]* at *[contact telephone number]*.

For general information about filming in British Columbia, or to comment on ongoing production in British Columbia contact the British Columbia Film Commission at 604-660-2732, or visit their website at [www.bc.lmcommission.com](http://www.bc.lmcommission.com).

Yours truly,

*[your name]*

*[production company]*

*[your contact information]*

**SCHEDULE 3**

*SAVE HARMLESS AGREEMENT  
COMMERCIAL FILMING ON BOWEN ISLAND*

I/We, \_\_\_\_\_, agree to assume and hold harmless Bowen Island Municipality, its officers, employees, and agents from, all liability to any person or property of whatever kind or nature which occurs as a result of the use of municipal land, buildings or structures for commercial filming activities for which I/we have been granted a Permit by the Municipality, except only to the extent caused by the sole negligence or misconduct of Bowen Island Municipality, its offers, employees and agents.

Further I/we, \_\_\_\_\_, agree to indemnify and defend, saving harmless Bowen Island Municipality, its officers, employees, and agents against any liability, or claims of liability, brought or made on behalf of any person for personal injury or property damage caused by or arising out of any act of omission of either the Permittee, his agents or employees, including any officers or employees of Bowen Island Municipality, or caused by or arising out of the condition of any Municipally - owned or controlled property, whether real or personal, and occurring during the period and as a result of the activities for which the Permit was issued, except only to the extent caused by the sole negligence or misconduct of Bowen Island Municipality, its offers, employees and agents.

Business Name: \_\_\_\_\_

Applicant: \_\_\_\_\_

Authorized Signatory: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Bowen Island Municipality Date



981 ARTISAN LANE, BOWEN ISLAND, B.C. V0N 1G0

Commercial Filming on Bowen Island – Filming Certificate

Applicant:			
Address:			
Contact:		Cellular:	
Telephone:	Office:	Fax:	

Permitted Locations:

<u>Location(s)</u>	<u>Date(s)</u>

Permits/ Exemption/ Approvals:

<u>Description</u>	<u>Permit No./ Date</u>
Noise Exemption (if applicable)	
Infrastructure Use (if applicable)	
Development Permit (if applicable)	
Neighbourhood Association Approval (if applicable)	

Filming Permit Fees:

<u>Fee Type</u>	<u>Number</u>	<u>Daily Fee</u>	<u>Total Fee</u>
Filming Application Fee			\$100.00
Filming Fee (daily)		\$100.00	
Infrastructure Use Application Fee			\$25.00
Infrastructure Use Fee (daily)		\$300.00	
	Total Fees Paid:		

This is to certify that the Commercial Filming application dated \_\_\_\_\_ has been reviewed, and has been approved, subject to the conditions of all permits issued.

Approved by:

Signature: \_\_\_\_\_

Name:

Date:

Permittee:

Signature: \_\_\_\_\_

Name:

Date: