

Request for Decision

Request for Approval of Updated Film By-Law & Guidelines

Presented To: Community Services Committee

Presented: Monday, Mar 02, 2020

Report Date: Friday, Feb 14, 2020

Type: Managers' Reports

Resolution

THAT the City of Greater Sudbury approves the updated Film By-Law and guidelines, as outlined in the report entitled "Request for Approval of Updated Film By-law & Guidelines", from the Chief Administrative Officer, presented at the Community Services Committee meeting on March 2, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

This report relates to Council's strategic objectives of Business Attraction, Development and Retention as well as Economic Capacity and Investment Readiness. It also supports the goal of making the city "a 'film friendly' regional hub by updating film policies to reflect sector needs" as outlined in From the Ground Up Community Economic Development Strategic Plan and the Greater Sudbury Cultural Plan.

In terms of health impact, the recommendations of this report will contribute to the economic vitality of the community.

Report Summary

The following presents the recommendations for a renewed film by-law and guidelines as per the update presented to Community Services Committee December 2, 2019.

Financial Implications

This report has no financial implications.

Signed By

Report Prepared By

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Health Impact Review

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Approval of Film By-Law & Guidelines

Presented to Community Services Committee: March 2, 2020

Summary

On December 2, 2019, staff reported to Council on the results of the industry scan and public input process to gather feedback from film stakeholders, local businesses and residents on the current *Film By-law 2015-227*, which expires March 31, 2020.

Following Council's endorsement in December, this report serves to update Council and seek endorsement of the work undertaken to implement the recommendations contained in the December report.

Background

Greater Sudbury City Council has identified the growth of the local film industry as a priority area for economic development.

- In 2012 the City serviced nine productions with a combined total of 366 film days and direct local spending of \$11.2M.
- In comparison, the City serviced 15 productions in 2018 with a combined total of 580 film days and direct local spending of \$35.9M.

Over the years the City of Greater Sudbury has gained experience in supporting local film activity and gleaned expertise from regular contact with other film centres.

- Since the current Film By-Law was introduced in 2015 the City has serviced an additional 82 film and television productions with a combined total of 3,489 film days.
- This has resulted in a combined \$122.2M in reported direct local spending since 2015 and further ripple effects and job creation within the local economy.

There are many elements that are taken into account when considering the city's competitiveness in film investment attraction – such as provincial and federal incentives, available infrastructure and talented local crew. Among this, a city's willingness to accommodate film productions and support on-location filming remains one of the draws to filming in the city.

The goal of updating the Film By-Law and processes is to work within existing service levels to further support the development of a thriving film industry while taking into account interests of citizens and businesses. A community that is supportive of on-location filming is essential to ensuring the film-friendliness of the city, which supports the changes to the applicable by-laws, fees and internal processes should streamline communication where possible.

Through Council's direction in December, the policy changes being recommended allow for the application of permitting requirements that reflect the various types of scenarios seen in this industry. The lead role by Economic Development will further clarify points of contact for productions and for the public. By concentrating operational requirements of the Film By-Law to the Film Handbook, is to better equip staff to accommodate filming requests with a periodic review of process improvements. These approaches are in line with the best practices noted from other municipalities and reflective of stakeholder and citizen input.

Updates

Following Council's direction in December, the following work has been undertaken:

- ***Update the Film By-Law to focus on film permit applicability and jurisdiction. Direct operational matters to the filming guidelines.***
 - Staff recommends that the current Film By-Law 2015-227 be replaced with version attached to this report. This would align Greater Sudbury's process with industry best practices and encourage a more streamlined approach to film permitting.
 - The *Filming Guidelines* have been updated to reflect the proposed changes to the Film By-Law. The guidelines outline the operational processes involved with filming in Greater Sudbury, including permitting requirements as well as aspects not covered by by-laws, e.g.: sustainable filming practices, drone use, code of conduct for cast and crew, etc. The updated Filming Guidelines are attached here. Future periodic updates to the guidelines would be under the purview of the Director of Economic Development.
- ***Update delegated authority to issue or revoke film permits from the Director of Assets to the Director of Economic Development.***
 - The updated Film By-law and guidelines reflect the change in film permitting authority from the Director of Assets to the Director of Economic Development. No further by-laws are impacted by this change.
- ***Direct staff to update the associated User Fee By-law to remove the current film permit fees.***
 - The updated filming guidelines reflect the change in film permitting processes and zero fee film permit. This position will be leveraged to market Greater Sudbury as a film-friendly city. This User Fee By-Law update will be brought to Finance and Administration Committee for a housekeeping amendment following the ratification of the attached Film By-law.
 - While the Film Permit Fee is being discontinued, film productions will remain responsible for covering other fees and costs associated with the use of municipal facilities, such as venue rentals, parking costs, road occupancy permits and other expenses.
 - Following the ratification of the updated Film By-Law, staff will formally communicate with the sector to ensure understanding. This will be done through one-on-one meetings, news releases and email/newsletters.
- ***Direct staff to amend the Zoning By-Law to clarify the definitions of Filming Events and Audio/Visual Studios.***
 - The updated Film By-law and guidelines further clarify the difference between on-location film events and those that take place in studios. This Zoning By-Law update is scheduled to be brought to Planning Committee as a housekeeping amendment following the ratification of the attached Film By-law.
- ***Direct staff to implement filming policies that support Greater Sudbury's position as a filming destination.***
 - With the introduction and launch of a new online permitting system and guidelines, staff across involved departments will have the opportunity to clarify applicable film related fees and agreements.

Conclusion

The goal of implementing these changes to the Film By-Law is work within existing service levels to further support the development of a thriving film industry while taking into account interests of citizens and businesses.

Pending approval from Council, staff will finalize the updates to the Film By-Law and filming guidelines and work with film industry stakeholders and across CGS departments to implement the changes in process. Further, marketing materials will reflect Greater Sudbury's position as a film-friendly destination for new business and online materials will be made available as a resource for residents.

Relevant Links for Further Information

- 1. Community Services Committee meeting of December 2, 2019**
Staff report: Update on Film By-Law
<https://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=1360&itemid=17489>
- 2. City Council meeting of September 11, 2018**
Staff report: Update on Film By-law Review Process
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1246&itemid=15525&lang=en>
- 3. City Council meeting of August 22, 2017**
Council motion directing staff to conduct a review of the existing By-Law in 2019
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1132&itemid=13384&lang=en>
- 4. City Council meeting of April 25, 2017**
Council motion requesting a staff report on ways to mitigate negative impacts of filming
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=1126#agendaitem13135>
- 5. Planning Committee meeting of April 11, 2016**
Staff report: Housekeeping amendments to zoning By-Law – addition of filming events as permitted activities in all zones
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=983&itemid=11102>
- 6. Community Services Committee meeting of October 5, 2015**
Staff report: Update on film By-Law development – draft By-Law for review & details of public consultation
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=834&itemid=10311>
- 7. Community Services Committee of August 10, 2015**
Staff report: Update on film By-Law development – draft for review
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=832&itemid=10092&lang=en>
- 8. Community Services Committee meeting of May 4, 2015**
Staff report: Update on film By-Law development & overview of private/public property implications
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=829&itemid=9591>



Greater Sudbury Film Guidelines

A step-by-step guide to filming in Greater Sudbury

Last revised February 7, 2020

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WELCOME

1.0. The Film Industry in Greater Sudbury

On behalf of the City of Greater Sudbury we welcome the opportunity to work with you on all elements of your film production. In partnership with our local industry professionals, we aim to assist you from the moment you begin scouting to wrap and departure. Over the past decade, Sudbury has seen exponentially grown its crew base with local talent trained by professionals who have a passion for filming in the North. We have developed infrastructure for filming in the North that will cater to your specific production.

Greater Sudbury also has a storied history in film exhibition as home to Canada's fourth largest film festival, [Cinéfest Sudbury International Film Festival](#). The nine-day event now includes a dynamic industry centre which features a variety of workshops and networking sessions attended by hundreds of Canadian industry professionals. As well, the community's locales have served as an ideal platform to attract a number of commercial and film productions.

Visit www.filminsudbury.ca for more reasons to shoot your next production in Sudbury, and for information about the permit process.

Cultural Industries Ontario North (CION) is a pan Northern Ontario organization serving the needs of those working in music, film, television and digital media across Northern Ontario. CION has numerous resources available to assist you with your project. For more information visit www.cionorth.ca.

1.1. Community Profile

The Sudbury area is rich in natural, urban, industrial and cultural landmarks. The City of Greater Sudbury (population: 162,900) was amalgamated in 2003 with seven former area municipalities, spanning over 3,600 square kilometers and featuring a wealth of natural landscapes from the northern beauty of Onaping Falls to the rugged geological formations studied by Apollo astronauts. Look through the locations featured by the [Ontario Creates](#) to see for yourself.

The City of Greater Sudbury serves as the regional capital of northeastern Ontario and boasts 330 lakes within its municipal boundaries, including two of the largest city-contained lakes in the world. With a vibrant downtown core and a thriving arts and culture scene, Sudbury's personality makes staying in the North not only convenient for the production, it is also a great place to spend your downtime between shoots. We have easy access to over 200 kilometres of photogenic hiking and ski trails, including 13 kilometres along Junction Creek, with its rich history of restoration and community involvement.

From rocky cliffs and pristine lakes to open fields and urban downtowns, the topography can suit a variety of backdrops, and our Sudburian mine sites have been featured in a number of productions. Combined with four very distinct seasons, you can get what you are looking for in Greater Sudbury. Here are the average weather conditions for the Greater Sudbury area:

	Spring (April)	Summer (July)	Autumn (October)	Winter (January)
High	11°C (52°F)	27°C (81°F)	10°C (50°F)	-8°C (46°F)
Low	1°C (34°F)	14°C (57°F)	1°C (34°F)	-17°C (1°F)
Precipitation	60 mm (2.4")	75 mm (3.0")	80 cm (3.1")	65 mm (2.6")
Sunrise	6:30 am	5:45 am	7:45 am	8:00 am
Sunset	8:15 pm	9:00 pm	6:30 pm	5:00 pm

Transportation from Toronto to Greater Sudbury is seamless:

- A short four-hour drive to downtown Toronto by car along the recently four-lane highway (390 kilometres)
- A one-hour [flight](#) by one of the commercial airlines from downtown Toronto's Billy Bishop Airport or Lester B Pearson International Airport

Thank you for pointing your camera lens in our direction!
We look forward to working with you.

FILM POLICY

2.0. Policy Statement

The City of Greater Sudbury recognizes the important economic and social benefits of film, television, music and video production in our community. More so, the community recognizes the short and long-term impact that the growth of this sector will have on Greater Sudbury. As such, the City of Greater Sudbury will continue to liaise with provincial and federal government agencies in support of film production and incentives in the area.

The rights, safety and privacy of the citizens and businesses are very important to our community and therefore the City of Greater Sudbury requests/requires all film, television, and video production to be reported and coordinated with the **City of Greater Sudbury Film Office (Economic Development Department)**.

2.1. Purpose

This *Greater Sudbury Film Guidelines* has been developed to outline policies and processes for a coordinated approach to service film and television production in the area and on streets and properties falling under the jurisdiction of the City of Greater Sudbury.

2.2. Applicability

The following guidelines apply to all film recording that takes place on **public property** within the City of Greater Sudbury except for current affairs, newscasts, some student school projects and personal recordings. Additionally, we require that all projects that intend to film on private property, but require road closures, alter traffic patterns or the urban landscape, include special effects or have a direct impact on the neighboring residents, occupants or businesses complete the online **Film Permit Application** available through www.filminsudbury.ca.

2.3. Municipal Support

The Economic Development Division/Film Office provides assistance by:

- Streamlining all necessary permits and approvals by working with other departments
- Assisting with scouting for appropriate site locations
- Facilitating arrangements for facilities
- Accessing the local talent pool and logistics providers
- Liaising with community partners and utilities

2.4. Key Contact

The production company should contact the Film Liaison as early as possible, in order to better serve and facilitate the project, including the permit application process. Refer to the *Application Process* section below for lead time requirements.

Municipal Film Liaison Contact Information:

City of Greater Sudbury – Economic Development Department

Phone: 1-800-708-2505

Hours of operation: Monday – Friday 8:30 am – 4:30 pm

film@greatersudbury.ca

Phone: 705-674-4455 ext 4429

www.filminsudbury.ca

PO Box 5000 Stn A, 200 Brady Street, Sudbury, ON P3A 5P3

FILM PERMITS

3.0. Application Process

Film Permits are required for location filming on rights of way, parkland or other property under the jurisdiction of the City of Greater Sudbury or in cases where filming on private property requires municipal approvals, i.e.: noise, special effects, emergency personnel, etc. **Film Permit Applications** by the production company will be accepted by the Film Liaison and channeled through the necessary City departments for review. The Director of Economic Development and/or designate, has the authority to issue **Film Permits**.

All **Film Permit Applications** requesting approval for location filming within the City of Greater Sudbury should be submitted in writing/online to the Film Liaison according to the lead time requirements below. The following are the applicant's responsibility and the information **must** be on file with the Film Liaison **prior to filming** using the online permitting system through www.filminsudbury.ca. Detailed instructions and templates are listed in the **Appendix** of these guidelines.

Required in all cases:

- ✓ Completed **Production Information Sheet (Appendix A)**
- ✓ Completed **Application for Location Permits to Film (Appendix B)**, one form per location request)
- ✓ Certificate of insurance (refer to section 4.10 for insurance levels)
- ✓ Shooting locations schedule

Required if applicable:

- ✓ Municipal facilities requests and proof of payment (i.e. facility rental, building permits, road closures, etc.)
- ✓ Parking plan map (**Appendix C**)
- ✓ Special effects filming site map (**Appendix D**)
- ✓ Notifications to residents/businesses (**Appendix E**)
- ✓ Proof of Paid Duty Police Officer contract
- ✓ Proof of permission granted for right-of-way interruption
- ✓ Script

In order to avoid unnecessary delays, the Film Liaison should be notified as early as possible of all location scouting and filming. The following guidelines cover the time it takes the Film Liaison to process your request, notify the relevant departments or stakeholders and address issues that may arise.

ACTIVITY*	PROCESSING TIME**
Simple commercial filming involving handheld equipment only, maximum five people	Four business days
Parking suspensions and permissions, including Road Occupancy Permits	Four business days, including consultation with neighbours
Filming requiring traffic management (e.g.: intermittent traffic interruption with Paid Duty Officers present)	Four business days, including consultation with neighbours
Filming in residential areas with enhanced notification	Ten business days
Request for use of Municipal Facilities	Ten business days
Noise By-law Exemptions	Up to twenty business days
Complex filming where eight or more licenses, permits or exemptions are required for a given location, i.e.: multiple road and parking permissions, aerial filming, street furniture removal, street lighting control, stunts or use of special effects	Up to thirty business days

***Depending on location requirements or potentially hazardous activities, more lead time may be required. This will be determined on a case-by-case basis.**

****Processing time is provided for complete Applications for Location Permits to Film. If information in the application request is missing or changed, City staff will require additional time to process requests.**

Your application will be reviewed and you will be advised of any conflicts, concerns or if further conditions are warranted, e.g.: notification to the [Business Improvement Association](#) or neighbourhood associations. Once approved and issued, the **Film Permit** must be accompanied by any additional permits/agreements as specified in order to be valid (e.g.: Road Occupancy/Closure Permit, Facility Usage Agreement, etc.).

FILM PERMIT DETAILS & CONDITIONS

4.0. Notification

Refer to **Appendix E: Sample Notification Letter to Businesses/Residents**.

Community:

The applicant is required to notify affected residents, occupants and businesses three (3) business days in advance of filming, and additional time may be warranted depending on the impact of filming on the neighbourhood. Information such as duration, location of filming, planned special effects, road and/or lane closures, sidewalk usage and street parking restrictions in addition to Production Company contact information must be communicated in writing to all areas affected by filming activity.

A copy of all notification letters must be submitted to the Film Liaison for approval prior to circulation as required. The Film Liaison will assist the applicant in obtaining a map of those properties within a 60 metre radius (200 feet), or appropriate, of the site that requires notification of filming. In the event that the City of Greater Sudbury by-laws require public notification through local media, the production company will absorb said costs.

Expanded Notification: Productions must incorporate expanded notification tactics if they are planning to film in residential neighborhoods for 7 consecutive days or more or if the area has hosted 4 or more separate filming occurrences within the past year or if the nature of filming is expected to have a considerable impact on the neighbourhood. Expanded notification requirements must be discussed with the Film Liaison prior to circulation and may include advance notice of 10 business days or canvassing the neighbourhood to assess and plan to mitigate concerns. Where concerns cannot be mitigated, a “cooling off” period may be warranted for a stretch of time to be determined by the Director of Economic Development.

Police, Fire, Ambulance and Municipal Departments:

Depending on the nature and requirements of the production, the applicant may require the approval from the above-mentioned organizations or municipal departments. Greater Sudbury Police, Fire and Ambulance Services must be notified two (2) business days in advance of any approved detonation of special effects or traffic intermittent stoppages/road closures. The Film Liaison will facilitate this process as required.

4.1. Quality of Place: Consideration to Citizens, Conduct & Clean Up

Residents and area business operators should not experience undue hardship resulting from the production. This includes, but is not limited to:

- Night filming must not proceed between 11:00 pm and 7:00 am without proper notification to residents/businesses.
- The applicant must comply with the municipal [by-laws](#) governing noise. As such, all generators used on streets or in public areas must be equipped with silencing attachments as required.
- Lighting for filming should be oriented away from neighbouring residences.
- Alcohol is not to be consumed on designated municipal properties ([By-law 2003-209](#)).
- Vehicles are not permitted to unnecessarily idle for more than two (2) minutes ([By-law 2013-194](#)).

- Smoking is not permitted in municipal parks and associated facilities ([By-law 2013-54](#)).
- Plans must be in place to address property, vehicular, pedestrian and special needs access to adjacent properties. This includes making necessary arrangements and covering the costs if garbage collection must be rescheduled.
- Removal, alteration and/or cutting vegetation/public infrastructure is prohibited unless approved by the City of Greater Sudbury.
- Production crews are responsible for cleaning the location at the end of the shoot day in order to return the location to its original condition with minimum noise and disruption.
- Materials and debris are not to be washed into area catch basins. The production company must arrange for the proper disposal of all waste, hazardous waste (including batteries, medications, paint, etc.) and recyclable materials. Film companies are required by the City of Greater Sudbury ([By-law 2006-280](#)) to provide appropriate types of solid waste receptacles. The receptacles should be appropriately placed to capture the different material streams generated by specific locations. They should also be colour coded and clearly labeled for easy identification by users. Private waste disposal and recycling companies are listed in the Yellow Pages under “Rubbish Removal” and “Recycling”.
- Standards in place through the Ministry of Natural Resources, Ministry of the Environment and Department of Fisheries.

Refer to **Appendix F** for the ***Code of Conduct for Cast & Crew***. These expectations of cast/crew conduct are to be included on the reverse side of the film notification letters distributed to affected businesses and residents.

Exceptions to the above conditions require the approval of the majority of affected residents and the relevant local departments and/or City Council. In the event of any damage to public or private property, the production company or applicant will be responsible for all fees associated with restoration.

Production companies also have the opportunity to join leaders worldwide in greatly reducing their environmental impact with a few simple efforts. The Association of Independent Commercial Producers recommends [these Green Guidelines](#). Reducing the carbon footprint of locally shot film productions is important to the City of Greater Sudbury and it is recommended that the applicant evaluate the impact through the use of [CUT!CO2 The Carbon Film Quote](#), an online app to automatically calculate the carbon dioxide emissions in the production quote and for use in planning effective production alternatives. [Refer to Appendix G for Greater Sudbury’s Sustainable Filming Practices.](#)

4.2. Right-of-Way Closures/Interruptions

Click [here](#) for detailed maps and street guides of Greater Sudbury’s communities.

Filming requests that impact a municipal right-of-way (sidewalks, roads and lanes) are to be coordinated through the Film Liaison and noted on the ***Film Permit Application***. The applicant is strongly encouraged to maintain the right-of-way with intermittent traffic interruptions over full closures where safety permits.

Municipal right-of-way closures, temporary traffic light alterations or traffic pattern changes must be approved by the City of Greater Sudbury Infrastructure Services Department pursuant to [By-law 2011-243](#), and in consultation with the Greater Sudbury Police Service, Emergency Medical Service and/or Fire Prevention.

Traffic and pedestrian control will be carried out by the Paid Duty Officer or equivalent authority (according to MTO Book 7) and in compliance with the arrangements made in the Film Permit. Production vehicles are to comply with appropriate traffic regulations unless special permissions are outlined on the ***Film Permit***. Intermittent traffic stoppages should be limited to a maximum of 3 minutes, unless otherwise stated on the ***Film Permit***. Every opportunity must be allowed to ensure access to vehicle or pedestrian traffic, or people with disabilities.

It is the applicant’s responsibility to arrange and cover costs for implementing the approved traffic control plan. Fees will vary depending on the location, nature and length of road/lane closure and/or light alteration and will be applied on a cost recovery basis. Depending on filming circumstance, there may be a minimum number of Paid Duty Officers

required on site. Paid Duty rates are subject to change annually. Click [here](#) for current Paid Duty Officer rates and terms, of note:

- The minimum shift for a Paid Duty Officer is three (3) hours.
- Amendments to the schedule must be communicated to the Paid Duty Officer Coordinator a minimum of 48 hours prior to filming.
- [Application forms](#) should be submitted to the Paid Duty Coordinator with appropriate lead time.
- The Paid Duty Officer contract requires the signature and payment from the production company prior to assigning Officers.
- Cancellation notice is required 24 hours prior to the scheduled duty.
- Payment is required prior to the scheduled duty and any scheduling adjustments will be dealt with after the fact.

Road closures on all Provincial Highways are subject to Ministry of Transportation Approval. Traffic matters involving Provincial Highways under Ontario Provincial Police (OPP) jurisdiction should be referred to the OPP for consultation.

4.3. Street Signs & Public Infrastructure/Fixtures

Please be advised that if any street signs and fixtures (street names, traffic signs, directional signs, etc.) need to be altered, removed and/or reinstalled due to filming, changes need to be approved and carried out by the City of Greater Sudbury Roads and Transportation Division. Fees may vary depending on the location, nature and length of road/lane closure and/or light alteration and will be applied on a cost recovery basis.

Authorization to dig must be requested at the time of the **Film Permit Application**. When digging has been authorized by the City for public property, on-site locates are required. Water, waste water and storm water considerations must be vetted by calling 3-1-1 and utility considerations should be vetted through [ON1Call](#) by calling 1-800-400-2255.

4.4. Parking

Production vehicles must adhere to parking regulations of the City of Greater Sudbury as outlined in the [Traffic and Parking By-law 2010-1](#) and shall not block fire hydrants including sprinklers and standpipe connections, impede emergency vehicle access, or park within nine meters of an intersecting street. In all circumstances, production vehicles cannot block bus stops, pedestrian crosswalks, signalized intersections, driveways, accesses/egresses/ingresses, ramps, parking lot entrances and accessible parking for persons with disabilities. Exceptions must be identified on the Film Permit. The production company must also comply with any other requirements as specified on the **Film Permit**.

Production and crew vehicles should be parked off major municipal road allowances whenever possible and a copy of the **Film Permit** must be displayed in the window of all production vehicles along with the Red Film Parking Cards.

Parking plans that involve taking up downtown parking spaces during business hours (Monday through Friday from 9:00 am until 6:00 pm for both municipal parking meters and lots) will be assessed on a case-by-case basis and in consultation with the [Downtown Business Improvement Association](#). Click [here](#) for municipal parking rates and maps in Downtown Sudbury.

A parking plan must be submitted to the Film Liaison along with the Film Permit Application. The plan should include the following information:

- Dates and times of parking restrictions
- Map indicating meter numbers and left/right side of streets
- Number of production vehicles

If the parking plan includes on-street parking that is not in a designated parking lot or at meters, a Road Occupancy Permit may be required.

If required, a review and approval of the proposed plan will then be conducted by the Transit, Roads, Fire and Emergency Services Divisions as well as the Greater Sudbury Police Service, to be coordinated by the Film Liaison.

It is the responsibility of the production company to secure parking spaces, as agreed upon in the above plan. The City of Greater Sudbury will not be responsible for towed or impounded vehicles.

4.5. Special Effects

Applicants must identify their intent to use guns, gunfire, pyrotechnics, bomb/mock ups, flash powder, detonators, and flammable liquids/material including the filming of dangerous stunts as part of the Film Permit application.

A permit is required for the use of explosives within the City of Greater Sudbury and can be obtained by filling in **Appendix B** with the relevant information. The application must provide a copy of the filming site map, which explains where all special effects will occur. Paid Duty Officers and/or Fire Prevention Officers and/or Emergency Medical Services personnel may be required when detonating pyrotechnic special effects or filming dangerous situations on a case-by-case basis.

All open air burning must be approved. The burning must be with clean, organic materials. All pyrotechnic special effects and fireworks handling and discharge shall conform to the [Natural Resources Canada Display Fireworks Manual](#) and the [Natural Resources Canada Standard for Pyrotechnic Special Effects](#). A site inspection must be carried out by Fire Prevention Officers prior to discharge of any pyrotechnics within a building.

4.6. Drone Filming

Drone operations are regulated by Transport Canada. Please visit the [Transport Canada website](#) for details.

If you are taking off or landing on City property, including roads or parks, please speak to the Film Liaison about submitting copies of your federal approvals.

4.7. Municipally-Owned & Operated Property & Facilities

If the applicant wishes to film at a Greater Sudbury park, picnic area, sport field, arena, community centre or other property they must rent the facilities accordingly. Requests to film on other municipally owned property should be communicated at the time of Film Permit Application in order to secure the appropriate approvals from the respective departments. The Film Liaison can facilitate all arrangements related to municipal facilities.

4.8. Restrictions

There may be sensitive areas and/or properties in Greater Sudbury where filming is restricted. The appropriate municipal officials will consider decisions about the nature and extent of filming in or around these properties. Each request will be looked at on a case-by-case basis and is subject to the approvals of Greater Sudbury City officials.

Priority of use will be granted to prior bookings and based on purpose of use. Access to some facilities may be limited by seasonality and operational commitments.

4.9. Safety

It is the responsibility of the applicant to ensure that the production crew operates in a safe and professional manner in the course of their duties. This applies to filming on public and private property.

The production company must adhere to all applicable laws, regulations, rules and by-laws of the federal, provincial and municipal governments including but not limited to:

- The Ontario Ministry of Labour [Safety Guidelines for the Film & Television Industry in Ontario](#).
- The Ontario Ministry of Transportation Traffic Manual, in particular as [Book #7](#) relates to temporary conditions of roadway operations.
- The [Ontario Fire Code](#), and may be subjected to a fire safety inspection and be asked to produce a fire safety plan to the satisfaction of the Greater Sudbury Fire Prevention Officer.
- The [Ontario Electrical Safety Code](#), in particular all electrical work and electrical equipment must be inspected and/or approved by the Electrical Safety Authority's Inspection and interior signs on buildings must not be

covered (i.e. fire exit signs) unless agreed upon prior to filming. Covering of fire exits is permitted only if all people in the area have been advised of location exits in case of emergency.

- Grounding film equipment to fire hydrants is not permitted.

The applicant shall promptly report to the Film Liaison and to the [Ministry of Labour](#) any potentially serious accidents or claims for liability or loss with respect to these policies.

4.10. Indemnification/Save Harmless

The applicant shall indemnify and save harmless the City of Greater Sudbury from and against all claims, actions, damages, injuries, costs, expenses or losses whatsoever, which may arise or be brought against the City of Greater Sudbury as a result of or in connection with the use of said location(s) by the applicant, its employees, contractors, agents or representatives. The City of Greater Sudbury will not be responsible for any liability arising from these activities with respect to advertising, copyright or trademark infringements.

4.11. Insurance

The applicant shall, at its own expense, including the cost of deductibles, provide and maintain insurance coverage from an insurance company registered to do business in the Province of Ontario. A certificate of insurance shall be provided to the Film Liaison and to the satisfaction of the Risk Management Team prior to issuance of the **Film Permit**. In all policies the City of Greater Sudbury must be named as an additional insured and a cross-liability clause must be included.

- A comprehensive general liability policy or commercial general liability policy in the amount of not less than \$2,000,000 (two million dollars) inclusive limit for any occurrence required. Where a Road Occupancy or Closure Permit is required, this must be in the amount of \$5,000,000 (five million dollars).
- Automobile third-party liability insurance in the amount of not less than \$1,000,000 (one million dollars) inclusive limit covering all vehicles used in connection with the filmmaking activities required.
- Tenants' legal liability coverage in the amount of not less than \$100,000 (one hundred thousand dollars), which may be increased based on the value of the building occupied during filming.
- Additional insurance (i.e. Aircraft Liability, Pyrotechnics Liability, Fire, Legal Liability, etc.) may be required depending on other specific activities, in which case the amount will be determined by the Risk Management Team of the City of Greater Sudbury.
- It is the responsibility of the production company to maintain insurance coverage for contents and equipment, rentals, liability for all activities, business interruption, automotive exposures and other risk and to limits of coverage amounts usual to that of a prudent company in the filming business operating at the same capacity.

A thirty- (30) day notification prior to the cancellation of policy must be included.

4.12. Expenses and Permit Fees

There is no charge for the **Film Permit** itself. However all out-of-pocket expenses and fees related to the use of municipal properties and services are the responsibility of the production company. These may relate to parking, roads, facilities, parks, equipment or additional staffing such as janitorial, security and site preparation.

The company shall be provided with an estimate of costs prior to permitting and/or film activity. Total fees will be estimated according to plan, time permitting, subject to change upon actual usage.

Payment is required in order to reserve the location and any outstanding balance is due, in full, prior to commencing filming preparations. Payment is accepted in the form of certified cheque, debit or credit (VISA, Mastercard) in person through any [Citizen Services Centre](#) or through credit card by phoning 3-1-1.

When filming takes place on municipal property, if the City of Greater Sudbury must incur additional costs to restore the location to its original state, such costs will be subtracted from the security deposit and if the deposit is insufficient to

cover the costs of restoration or damages the applicant shall be required to provide any balance owing to the City forthwith. If expenses include staffing, cost adjustments will be dealt with after the fact by deducting the balance from the security deposit. This process takes approximately thirty (30) days. If a shoot wraps earlier than scheduled, this will not necessarily result in a reimbursement adjustment.

4.13. Security Deposit

The applicant will be required to provide a certified cheque or letter of credit as deemed necessary by the Film Liaison commensurate with the scale and scope of the production and its filming requests. The deposit shall be returned when all conditions, including location restoration and payments as applicable, have been met. Should the scale and scope of the production change mid-production, the security deposit may be increased.

4.14. Local Sourcing

The production company will make every effort to utilize certified local businesses and services throughout the course of production activity, including pre- and post-production work. Visit www.filminsudbury.ca for information on industry resources in Greater Sudbury.

4.15. Acknowledgement

The City of Greater Sudbury wishes to enhance its ability to attract commercial, video and film production. To promote our City we ask for:

- Mention in the credits in the form of a City of Greater Sudbury logo or “Filmed on location in the City of Greater Sudbury”
- A letter confirming that the City of Greater Sudbury will receive a screen credit on the final film/video
- Any stills/clips/etc. filmed in Greater Sudbury to be utilized by the City of Greater Sudbury for promotional activities
- Permission to use the film title, film reference, actors/directors/producers/writers names or similar identification of the production in any promotional information used by the City of Greater Sudbury

The Economic Development division respectfully requests copies of any media releases, casting calls or public advertising related to the project while filming in the City of Greater Sudbury.

4.16. Disclaimer

The City of Greater Sudbury reserves the right to refuse to allow filming or issuance of a **Film Permit** to an applicant that does not comply with and/or satisfy the criteria outlined in these guidelines, or to terminate the **Film Permit**. Decisions will be made on an individual basis.

FILM PERMIT APPLICATION & TEMPLATES

APPENDIX A: Production Information Sheet

***Submit Production Information Sheet online or by email to Film@GreaterSudbury.ca for confidential records prior to filming at the same time as the first Film Location Permit Application.**

Applicant Information		
Production company:		Production title:
Date:		
Name of Applicant:		Position/Title:
Production Company:		Parent production company:
Name of Producer:		Name of Director:
Name of Locations Manager:		Name of Production Manager:
Locations Manager cell:		Locations Manager e-mail:
Local production Office Address:		
Local production office phone:		Local production office fax:
Billing address (if different from above):		
Production information		
Production title:		
Production type: <input type="checkbox"/> Feature film <input type="checkbox"/> Commercial	<input type="checkbox"/> TV movie <input type="checkbox"/> Student project	<input type="checkbox"/> TV series <input type="checkbox"/> Music video <input type="checkbox"/> Other (specify)
Production's country of origin: <input type="checkbox"/> Canadian <input type="checkbox"/> US	<input type="checkbox"/> Canadian/US co-venture <input type="checkbox"/> Other (specify)	
Total budget (\$):		Spent in Greater Sudbury (\$):
Date it will air:		Channel/broadcaster:
Pre-production date:	Camera date:	Wrap date:
Total # of days in Sudbury (prep, camera, wrap):		Total # of different Greater Sudbury locations:
Number of cast and crew (total):		Number of cast and crew (local):
Brief plot synopsis		

APPENDIX B: Application for Location Permits to Film

***Submit Applications online or by email to Film@GreaterSudbury.ca for approval. Required lead time is 4 or more business days prior to filming, or more based on shoot requirements (see guidelines above). See Checklist for additional document requirements.**

Applicant Information		
Production Company:		Production Title:
Name of Applicant:		Position/Title:
Billing Address:		
City:	Province:	Postal Code:
Cell Phone:	Production Office Phone:	E-mail:
Location Sites		
The following format is suggested for <u>each</u> film location.		
Location Sites (All public roads and properties – attach extra pages as required):		
1)		
2)		
3)		
4)		
Date – commencement of prep work:	Time:	<input type="checkbox"/> AM PM
Date – completion of filming:	Time:	<input type="checkbox"/> AM PM
Date – completion of restoration:	Time:	<input type="checkbox"/> AM PM
ACTIVITY DESCRIPTION		
(State purpose of property use – attach extra pages or maps as required)		
<p>Check as appropriate:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Intermittent traffic stoppages (PDO required) <input type="checkbox"/> Road closure required (PDO required) <input type="checkbox"/> Travelling shot (PDO required) <input type="checkbox"/> Other reason for PDO required (specify) <input type="checkbox"/> Sidewalk or other right-of-way occupancy (specify) <input type="checkbox"/> Parking plan required <input type="checkbox"/> Use of municipal facilities/property (specify) <input type="checkbox"/> Special effects (specify) <input type="checkbox"/> Alteration or construction of temporary structures, including signage (specify) <input type="checkbox"/> Modification of municipal infrastructure (specify) <input type="checkbox"/> Noise by-law exemption or filming at unusual hours (specify) <input type="checkbox"/> Utility and site locates required (specify) 		
CHECKLIST of applicant's responsibilities		
The following are the applicant's responsibility and the information must be on file with the Film Liaison prior to filming according to the required lead time. Detailed instructions and required lead times are listed in the City of Greater Sudbury's <i>Filming Guidelines Handbook</i> .		

Required in all cases:

- ☐ Completed Film Permit Application (this document)
- ☐ Production Information Sheet (see Appendix for template)
- ☐ Certificate of insurance and insurance claims contact information
- ☐ Script
- ☐ Shooting locations schedule

Required if applicable:

- ☐ Municipal facilities requests and proof of payment (i.e. facility rental, building permits, road closures, etc.)
- ☐ Parking plan for production vehicles (see Appendix for template)
- ☐ Special effects filming site map (see Appendix for template)
- ☐ Copy of all notifications to residents/businesses (see Appendix for template)
- ☐ Proof of Paid Duty Police Officer contract
- ☐ Proof of permission granted for right-of-way interruption
- ☐ Proof of building permits for temporary structures

OFFICE USE ONLY – Special conditions

I certify that all of the information above is to the best of my knowledge true, correct and complete. I understand that the City of Greater Sudbury will use and rely on this information in issuing the requisite permit(s). I understand and agree that any false information, misrepresentation, or omission of facts in this application and the application process may be justification for permit(s) refusal or immediate permit(s) termination without recourse.

Notice of Collection

Any personal information on this form is collected under the authority of section 10 the *Municipal Act, 2001*, S.O. 2001, c.25 and will be used to apply for film permit in the City of Greater Sudbury. Questions about the collection of your information may be directed to the Business Development Officer, Growth and Development Department at P.O. Box 5000, Station A 200 Brady Street, Sudbury, ON P3A 5P3 or by calling 311 and asking for the Business Development Officer.

APPENDIX C: Sample Parking Plan

***Submit parking plans online or by email to Film@GreaterSudbury.ca at time of Film Permit Application (4 or more business days prior to filming) for approval.**

A parking plan must be submitted when production vehicles and/or trailers are used at each filming location. If required, a review and approval of parking will then be conducted by the City of Greater Sudbury Parking Department and related municipal department representatives in association with the Greater Sudbury Police Service, Fire and Ambulance Services.

The production company will be issued a pre-determined number of Red Film Parking Cards, which must be displayed in all production vehicles along with a copy of the Film Permit.

Sketches to Include:

- Identify North direction
- Identify existing landmarks/infrastructure (i.e. bus stops, traffic lights, etc.)
- Identify street names
- Identify location and number of production vehicles
- Identify location of camera/dolly track, equipment, etc.
- Identify movement of scenes, traffic/pedestrian interruptions, barricades, etc.
- Identify parking meter numbers and/or parking lot names as applicable

APPENDIX D: Sample Special Effects Filming Map

***Submit special effects plans online or by email to Film@GreaterSudbury.ca at time of Film Permit Application (4 or more business days prior to filming) for approval.**

A special effects filming site map must be submitted when guns, gunfire, explosives, bomb/mock ups, flash powder, detonators, and flammable liquids/materials will be used and/or other dangerous stunts will be performed.

The applicant must provide a copy of the map, which explains where all special effects will occur, to the Film Liaison who will work with the Greater Sudbury Police, Fire and Ambulance Services on necessary approvals.

Sketches to Include:

- Identify North direction Identify existing infrastructure (i.e. hydrants, traffic lights, etc.)
- Identify street names Identify location of production vehicles Identify location of camera/dolly track, equipment, etc.
- Identify movement of scenes, traffic/pedestrian interruptions, barricades, etc.
- Identify location and type of special effect(s)
- Name and contact information of on-site Certified Special Effects Supervisor

APPENDIX E: Sample Filming Notification Letter to Businesses/Residents

***Submit notification letters online or by email to Film@GreaterSudbury.ca at time of Film Permit Application (4 or more business days prior to filming) for approval.**

(Insert your logo and company information here)

FILMING NOTIFICATION

Dear Property Owner,

Please be advised that filming in your immediate area will occur *(insert date)* to *(insert date)*.

Production crews will be operating at film location *(insert address and/or location description)* during this period.

The filming of this production will include: *(insert appropriate activities and descriptions as appropriate)*

- ✓ Temporary street closures
- ✓ Intermittent traffic interruptions
- ✓ Parked production crew vehicles
- ✓ Alterations to the neighbourhood
- ✓ Costumed cast and props
- ✓ Controlled special effects including: *(insert nature of special effect i.e. explosion)*

Thank you in advance for your cooperation and understanding. *(Insert production company name)* has been working with the City of Greater Sudbury in order to minimize disruption while filming in the community. Please see the Cast & Crew Conduct expectations on the reverse of this letter.

We appreciate your generous support and welcome you to observe filming from a safe distance without compromising the set.

For further information please contact:

(Insert Production Crew contact name and phone number/e-mail address)

Or

_____, Film Liaison, City of Greater Sudbury
At: 705-674-4455 ext 4429 or Film@GreaterSudbury.ca

Ce document est disponible en français sur demande.

Cc: Economic Development Division, City of Greater Sudbury

APPENDIX F: Code of Conduct for Cast & Crew

*** Film and television productions are all guests in residential and commercial areas and shall treat all locations, as well as the members of the public, with courtesy. It is the responsibility of each producer/production company to ensure that cast and crew comply with this Code of Conduct. Filming notification letters distributed in the neighbourhood or business district should include this one-page Code of Conduct (PDF).**

TO THE PUBLIC

If you find this production company is not adhering to this Code of Conduct, please call the City of Greater Sudbury at 705-674-4455 ext 4429, Monday-Friday between the hours of 8:30 am and 4:30 pm; e-mail at Film@GreaterSudbury.ca.

Title of Production

Production Manager

Phone Number

- 1) When filming in a neighbourhood or business district, proper notification is to be provided to each merchant or resident directly affected by filming activity (this includes parking and base camp areas). The filming notice shall include:
 - a. Name of production company, title of production
 - b. Production type (feature film, movie of the week, mini-series, TV pilot, TV special, etc.)
 - c. Type, duration and description of activity (i.e. times, dates and number of days, including prep and strike)
 - d. Company contact:

Location Manager (LM)

Assistant Location Manager (ALM)

- 2) The code of conduct shall be attached to every filming notification which is distributed in the neighbourhood or business district.
- 3) Any production company intending to film on public property must first obtain a permit from the City of Greater Sudbury.
- 4) Production vehicles arriving on location in or near a residential neighbourhood shall not enter the area before the time stipulated on the permit. Production vehicles shall park one-by-one, turning off engines as soon as possible. Cast and crew vehicles are not covered by the location filming permit and shall observe designated parking areas noted by location managers. This shall appear on the call sheet map. Filming only takes place between 7:00 am and 11:00 pm unless residents are surveyed and a majority has given their approval (written approval where possible, name and address noted if homeowner/tenant/business owner has no objection but does not wish to sign).
- 5) Moving or towing of any vehicle is prohibited without the express permission of the owner of the vehicle or the City.
- 6) Production vehicles shall not block, or park in, driveways without the expressed permission of the driveway owner.
- 7) Pedestrian traffic shall not be obstructed at any time. All cables and similar items must be channeled. Approved traffic interruptions must not exceed 3-minute intervals.
- 8) Cast and crew shall not trespass on residents' or merchants' property. They must remain within the boundaries of the property that has been permitted for filming.
- 9) No alcoholic beverages or banned substances are permitted at any time on any set or location.
- 10) Cast and crew meals shall be confined to the area designated in the location agreement or permit. Individuals shall eat within their designated meal area, during scheduled crew meals. All trash must be disposed of properly upon completion of the meal. All napkins, plates, and coffee cups used in the course of the work day shall be disposed of in the proper receptacles. All catering, crafts service, construction, strike and personal trash must be removed from the location, ensuring that all locations are returned to their original condition.
- 11) Cast and crew shall observe designated smoking areas and always extinguish cigarettes in appropriate containers.

- 12) Removing, trimming and/or cutting of vegetation or trees are prohibited unless approved by the relevant municipal authority (existing City Municipal By-law) or property owner.
- 13) Film crew shall not remove City street signs. This must be done by City Transportation Services staff.
- 14) Use of any municipal infrastructure, such as fire hydrants, is not permitted unless explicitly approved by the City.
- 15) Every member of the cast and crew shall keep noise levels as low as possible at all times. Cast and crew will refrain from the use of lewd or improper language.
- 16) Every member of the crew shall wear a production pass (badge) when required by the location.
- 17) The cast and crew shall not bring guests or pets to the location, unless expressly authorized in advance by the company.
- 18) It is up to the film company to make alternative parking arrangements for residents in possession of a valid parking permit for that area whose vehicles are displaced by the filming activity. Relocating vehicles by towing to accommodate filming or parking will not be permitted.
- 19) The company will comply at all times with the provisions of the filming permit which include adherence to the City of Greater Sudbury By-law 2015-227. A copy of the filming permit shall be on location at all times with the location department.
- 20) The production company appreciates your cooperation and assistance in upholding the code of conduct. Failure to comply with this code of conduct can result in disciplinary action by the production company or your Union, Guild or Association.

APPENDIX G: Sustainable Filming Practices

One of the main reasons why Greater Sudbury is so popular for filming is because of its beautiful natural environment. We work hard to protect our environment and look to each production that visits our community to do the same.

Many in the motion picture production community already understand that a light footprint on our environment means a longer life for our natural resources and a longer welcome from the area. Sustainable filming practices can also translate into budgetary savings for productions when there is adequate preparation during pre-production, thorough communication across all departments, and a sustainability coordinator to oversee initiatives and track progress.

All productions must comply with City of Greater Sudbury by-laws and policies including waste diversion, anti-idling, smoking, drinking water source protection, and ensure they follow industry-led best practices such as:

- [Reel Green](#) as developed by Creative BC;
- The [Green Production Guide](#) as developed by the Producers Guild of America; or
- Initiatives developed by [Sustainable Media Production Canada](#).

EarthCare Sudbury

[EarthCare](#) is a collaboration of community partners lead by the City of Greater Sudbury with a goal of enhancing our environment, creating a healthier community and strengthening the local economy.

To foster and encourage sustainable filming practices in Greater Sudbury, productions can receive EarthCare recognition for their leadership by supplying the relevant information to the Film Liaison.

Waste Diversion

The City of Greater Sudbury is committed to reducing the amount of waste that ends up in our landfill and consequently requires that film productions make all reasonable efforts to ensure crews Reduce, Reuse, and/or Recycle waste when in Greater Sudbury.

- REDUCE waste by not generating it in the first place, e.g.: reusable cutlery, plates and cups rather than disposable items;
- REUSE materials, e.g. plan to reuse them on future productions, alternatively sell or donate items to second hand/thrift stores or consignment shops. Please remember to always phone ahead before bringing in donated items. Visit our [website](#) for some options of local stores that may accept the donations (e.g.: [Sudbury ReStore](#)). Donate materials to local groups, community centres and churches to recover and re-purpose as local art projects; and
- RECYCLE items that cannot be reused, e.g.: ensure the set is equipped with recycling bins for [acceptable recyclable materials](#).

Recycling Drop-off Depots

You can drop off recycling at the Recycling Centre located at 1825 Frobisher Street (Open 24 hours a day, seven days a week). Each of our landfill and transfer sites has a waste diversion area where you can also drop off recyclables. Make sure you sort your recycling and place it in the appropriate drop-off area.

Composting

In addition you can drastically reduce garbage with the use of compost bins for approved compostable items such as food scraps, non-recyclable paper products and other organic material. Check out our [Organics - What Goes In infosheet](#) to help you figure out what can be composted. Please remember to line your compost bins with certified compostable bags before placing acceptable items in it.

Garbage

Garbage that cannot be reused, donated, recycled or composted can be delivered to the local landfill sites. Tipping fees may apply. The [Waste Wise app](#) makes it easy to find out what items go in which bin. For more information, contact the City at 311.

Water Quality

Greater Sudbury boasts 330 lakes within its municipal boundaries, with Ramsey Lake located in the centre of the city as our primary source of drinking water. Maintaining our water quality is integral for drinking source protection, for the enjoyment of residents and for the protection of natural ecosystems and wildlife. As such the City of Greater Sudbury requires that productions:

- Consult with the City on all potential use of chemical products (eg snow foams etc.), and develop risk management plans when appropriate;
- Respect that certain areas may limit filming activity based on source water protection requirements that are not compatible with the specific filming request;
- Use spill kits and storm water drain covers as part of the standard equipment for working on location; and
- Dispose of liquid wastes at approved disposal sites; DO NOT use storm drains.

To obtain municipal support or to access services to assist your production in meeting its sustainability goals, please contact the Film Liaison at film@greatersudbury.ca or 705-674-4455 ext 4429.

By-law 2020-XX

A By-law of the City of Greater Sudbury to Regulate Filming Activity on City of Greater Sudbury Property

Whereas section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes a municipality to pass by-laws respecting the public assets of the municipality acquired for the purpose of exercising its authority, the economic, social and environmental well-being of the municipality, health safety and well-being of persons, the provision of any service or thing that it considers necessary or desirable for the public and the protection of persons and property;

And Whereas Council of the City of Greater Sudbury wishes to promote film production in the City of Greater Sudbury;

And Whereas Council of the City of Greater Sudbury deems it necessary to require permits for location filming in the City of Greater Sudbury and to regulate the use of properties under its jurisdiction for purposes of location filming;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

Short Title

1.-(1) This By-law may be cited as the “Film By-law”.

Interpretation

2.-(1) In this By-law:

- (a) “City Property” means land owned, leased or occupied by the City, including buildings or other structures or facilities, and includes highways and parks.
- (b) “Director” means the Director of Economic Development or their designate.
- (c) “Film Permit” means any permit issued in accordance with this By-law.
- (d) “Filming” means recording, except in a film studio, for a feature film, television program or series, paid advertisement, including a commercial, music video, educational film, including the pre-production and post-production activities associated therewith, but does not include:
 - (i) activities by news media related to the dissemination of information;
 - (ii) location scouting; or

- (iii) recording personal movies or photographs.
- (e) "Filming Guidelines" means the guidelines for Filming in the City, as established by the Director from time to time, and includes the "Code of Conduct for Cast and Crew".

Permit

2.-(1) No person shall occupy any City Property for Filming purposes except in accordance with a Film Permit.

(2) A Film Permit shall not be required where the Filming is undertaken by the City or by a contractor carrying out work on behalf of the City.

(3) Despite any other City by-law, where a Film Permit has been issued by the Director, the permit holder may use the City Property identified in the Film Permit for the purposes and during the period specified in the Film Permit, on the terms and conditions set out in the Film Permit and as contained in the agreement made under Section 3.2 herein.

Procedure

3.-(1) An application for a Film Permit shall be made through the office of the Director on the form prescribed by the Director. The Director may prescribe any information to be given therein and other necessary documents to be completed or submitted by the applicant in conjunction with the application.

(2) The Director shall issue a Film Permit to the applicant subject to the applicant entering into an agreement with the City to:

- (a) comply with this By-law, the Filming Guidelines, and any other applicable by-laws;
- (b) indemnify and save harmless the City from any action, claim, damage or loss whatsoever and pay legal fees reasonably incurred by the City arising from the issuance of the Film Permit or the use of the City Property;
- (c) provide a certificate of insurance in accordance with the Filming Guidelines and in a form satisfactory to the Director; and

- (d) provide a security deposit, where deemed necessary in the sole determination of the Director, in an amount satisfactory to the Director to ensure that the City Property is restored to the condition it was in prior to its occupation or use.

(3) Where an applicant fails to comply with this By-law, the Filming Guidelines, any agreement entered into pursuant to Section 3.2 herein or any Film Permit, the Director may revoke or suspend the Film Permit forthwith without notice.

Prohibition

4.-(1) Without limiting Section 3.3 herein, no person shall:

- (a) cause, allow or permit Filming to occur on City Property, except in accordance with a valid Film Permit; or
- (b) participate in Filming on City Property, except in accordance with a valid Film Permit; or
- (c) fail to observe the Filming Guidelines.

(2) Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided in the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended.

(3) Prosecution under this By-law shall not preclude any other legal actions required to recover damages required to repair, replace or restore damaged real or personal property, as the case may be.

Conflict

5.-(1) This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.

(2) If there is a conflict between a provision of this By-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain a clean and tidy condition on land shall apply.

Severability

6.-(1) If any provision or part of a provision of this by-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in certain

circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

Effective Date

7.-(1) This By-law comes into effect upon passage

(2) By-law 2015-227, as amended, is hereby repealed.

(3) The “Economic Development section of Schedule “A” to By-law 2020-26, as amended, is hereby deleted.

(4) Schedule “ED-1” to By-law 2020-26, as amended, is hereby deleted.

Read and Passed in Open Council this XX day of XX, 2020

Mayor

Clerk