

	Title: <b>Filming</b>	Policy No: CO-58
	Category: Council Policy	Classification: Engineering

**1. Purpose:**

The City of Langley welcomes the film industry to its community. To assist all parties and to recognize the unique benefits that can be afforded to our residents and our community through the film industry, the City has established this Policy including Film Permit Requirements to provide direction and decision making for those considering filming in the City.

**2. Scope:**

This policy applies to all filming that occurs within the municipal boundaries of the City of Langley.

**3. Definitions:**

- 3.1 Applicant – person or representative of a Production Company applying to film within the City of Langley;
- 3.2 City – means the City of Langley.
- 3.3 City Engineering Clerk – means the person employed as a Clerk in that role for the City of Langley Engineering Services Division or person designated to act in that capacity.
- 3.4 City Property means parks, facilities, buildings, and property, equipment, assets, streets, rights-of-ways and public places within the City’s boundaries.
- 3.5 Director of Engineering, Parks & Environment – the person who holds the title of Director of Engineering, Parks & Environment or his or her designate.
- 3.6 Location Manager – A person from the Production Company assigned to be on site throughout all Filming Activities who will act as an agent of the Production Company to the City and the Community to coordinate and supervise Filming Activities.
- 3.7 Production Company – a business responsible for undertaking works in the realms of film, television, and video.
- 3.8 Filming Activity - includes all scouting activities and site surveys, technical surveys, preparation work, actual filming, subsequent site clean-up and restoration for all commercial and non-commercial filming.
- 3.9 Municipal Facilities - means every public building (including all driveways, roadways, paths and lanes within or adjacent to the public building) including, but not limited to the City Hall and public library, any community center, art gallery, museum, arena, exhibition and all other community facilities owned or controlled by the City; and any real property

upon which a public building is located that was acquired and held by the City and managed by it for the use by the public

- 3.10 Municipal Parks - includes public parks, playgrounds, squares, plaza, greens and other open spaces, including all driveways, roadways, paths, and lanes within or adjacent to the public parks, playgrounds, squares, greens and other open spaces under the custody, care and management of the City.
- 3.11 Reverse Polling - allows Production Companies to send out a notification letter and only those who respond negatively to the City within the specified response period will be counted against the 80% polling requirement – no responses or positive responses will be counted as positive.
- 3.12 Student Films - filming activities by students able to provide proof of registration in an accredited educational institution.

#### **4. Policy Statement:**

- 4.1 The Director of Engineering, Parks & Environment or designate is responsible to administer the application of this Policy and the associated Film Permit Requirements.
- 4.2 It is the obligation of the person or company (Applicant) applying to film within the City boundary, whether on City or private property, to submit a Film Permit Application and fee, and to comply with the City's Filming Policy.
- 4.3 The City reserves the right to limit the number of Filming Activities in the municipality at any one time and/ or the use of a specific location within the City.
- 4.4 The City reserves the right to approve or deny any requests for filming on City Property.
- 4.5 The City may require the Applicant utilize the City of Langley RCMP and/or Fire-Rescue Service for traffic control, special effects, pyrotechnics, stunts and the use of simulated guns or other weapons in filming. The Applicant shall be responsible for the costs of all such services.
- 4.6 Each Applicant must return all City Property to the state or condition it was in prior to filming activity. The City may require, at the cost of the Applicant, the attendance of City staff to ensure the appropriate use and/or security of City Property.
- 4.7 The Applicant shall indemnify and hold harmless the City of Langley in writing in the following terms:

*The applicant will, if approval is granted for the services or facilities requested in the application, indemnify and save harmless the City from and against any and all claims for bodily injury or property damage caused by, arising from or connected with any act or omission of the applicant or any agent, employee, customer, licensee or invitee of the applicant, and against and from all liabilities, expenses, costs and legal or other fees incurred in respect of any claims or any actions or proceedings brought thereon arising directly or indirectly from or in connection with the property, facilities or services of the City.*

- 4.8 The Applicant is directly responsible to negotiate the terms of use for any private residential, commercial or industrial property directly with the owner.
- 4.9 Requirements for insurance and security deposits are identified in the Film Permit Requirements.
- 4.10 All Federal, Provincial and municipal bylaws, laws, and ordinances must be obeyed by the Applicant and by any independent contractors retained by the Applicant. The City of Langley reserves the right to report any failure to comply with the Policy and the Film Permit Requirements to Creative BC.

## **5. Film Permit Requirements**

The City of Langley endeavours to provide the film industry with reasonable access and use of the many features the City has to offer for location filming. Our goal is to ensure the City's requirements are clear and easily followed by providing these requirements and the associated application forms.

- 5.1 Complete the Film Permit Application and file it with the City Engineering Clerk at least ten (10) working days in advance to allow for processing through the various approval stages. Permits received less than ten (10) working days in advance of filming will be subject to a higher film application fee – as detailed in the City Fees and Charges bylaw.
- 5.2 The City reserves the right not to accept Film Permit Applications less than five (5) working days in advance of filming due to inadequate processing time.
- 5.3 A fee for each additional location is required if two or more locations are being requested by the Applicant. Fee amount found in the City's Fees and Charges bylaw.
- 5.4 All required fees and deposits are to be submitted a minimum two (2) working days in advance of filming to allow for processing.

### **Film Permit, Business License, & Liability Insurance**

- 5.5 The Film Permit Application fee is contained in the City's Fees and Charges bylaw must be submitted with each Film Permit Application.
- 5.6 The City will not review a Film Permit Application without payment of the Film Permit Application fee.
- 5.7 The Production Company is required to obtain a Business License for the City of Langley. (See the City's Fees and Charges bylaw and Business License Regulation bylaw).
- 5.8 The City requires a certified copy of the Production Company's insurance policy, evidencing a minimum of \$5,000,000 (five million dollars) general comprehensive liability insurance. The certificate shall name The City of Langley, as additional named insured and providing that the said policy shall not be cancelled, lapsed, or materially altered without 30 days' notice in writing. The certificate must be delivered to the City of Langley prior to issuance of a Film Permit.

- 5.9 The City of Langley reserves the right, solely at its discretion, to set higher insurance limits. This may be required depending on the type of activity planned during the course of filming (e.g. stunts, pyrotechnics and dangerous activities).
- 5.10 A Film Permit Deposit will be required to cover any charges for Operations, RCMP or Fire-Rescue Service, use of Municipal Parks and Facilities lands and staff involvement at the time of Film Permit Approval. The Film Deposit will range from \$1000.00 to \$10,000.00 depending the locations, timeframe, use of Municipal Parks & Facilities, parking and street use, stunts, pyrotechnics and the involvement of the RCMP and City of Langley Fire and Rescue Service. If the production company causes damage to City Property, uses additional City services or does not meet permit conditions, deposits may be partly or fully withheld to recoup costs.
- 5.11 The Engineering Clerk will estimate the Film Permit Deposit amount based upon the Production Company's requirements. All fees will be deducted from this deposit with the exception of the Film Permit Application fees and the Business License Application fee which must be paid separately and in advance of the permit being issued.

### **Street Use and Traffic Control**

- 5.12 A Highway Use Permit is required for the use of City streets including laneways, sidewalks, boulevard areas, and on-street parking. An application can be made to the Engineering Clerk and fee deducted from the Film Permit Deposit (see 5.10). Please provide drawings/maps outlining requested use.
- 5.13 In most cases street parking can be provided for essential unit vehicles. Where off-street parking is available, the Production Company must use it for non-essential vehicles, e.g. crew parking. In locations where off-street parking is not available the Production Company may be required to use a remote parking location. All vehicles must be legally parked and allow uninhibited access for emergency services (i.e. police, fire, ambulance, etc.). Vehicles may be required to be identified with signage/hangers.
- 5.14 Polling is required for use of streets and on-street parking in the Downtown Business Area and the Downtown Langley Business Association (DLBA) approval is required for all requests. The extents of parking and sidewalk use requested must be detailed in the polling letter for approval as detailed in section 5.30.
- 5.15 When traffic cannot be effectively diverted onto other streets, traffic shall be stopped only intermittently and for no longer than three continuous minutes - allowing queued traffic to clear before stopping traffic again.
- 5.16 The Production Company will be required to obtain at their cost, currently certified or licensed professionals for traffic and/or crowd control where deemed necessary by the City. The traffic control plan must be forwarded to the City of Langley RCMP and Fire Department at least five (5) working days prior to filming for their approval. Where traffic control is required by the RCMP i.e. process trailer shots, please contact the City Engineering Clerk who in turn will contact the Traffic Control Department of the RCMP.
- 5.17 Road Closures (including lock-ups) in the Downtown Langley Business Area are not permitted during the retail business day unless 80% of the businesses affected agree via polling approval.

- 5.18 The City may restrict lane closures on Arterial roads during peak hours (7am-9am and 3pm-6pm) or other high volume traffic periods.
- 5.19 Emergency vehicles shall have the absolute right-of-way and shall not be impeded for any reason.
- 5.20 The Production Company is required to coordinate with Coast Mountain Bus Company and/or School District #35 for any lane closures on bus routes or in proximity to schools.

### **Rental of Municipal Parks & Facilities**

- 5.21 Rentals of Municipal Parks and Facilities (including City owned parking lots) and other Municipal property can be handled through the Engineering Clerk. Rental fees can be found in the City Fees and Charges Bylaw.

### **Polling and Notification**

- 5.22 The Production Company shall notify affected property owners, businesses, residents and tenants as required by the City in its approval in principle prior to commencing filming. A copy of the notification letter shall be provided to the City Engineering Clerk for review before delivery to affected property owners, residents and tenants a minimum of 48 hours prior to filming. The City Engineering Clerk will specify the extents of the notification area based on their review of the proposed film activities.
- 5.23 The Production Company is required to poll the neighbourhood to communicate filming activity, needs and impacts while seeking neighbourhood support. The Film Coordinator will determine the polling area. Polling is required if a film application requests:
  - a) Multiple filming days;
  - b) Extensions to the Noise & Hours of Work in section 5.36;
  - c) Use of special effects or loud noises (exception: atmospheric smoke); and/or
  - d) Road Closures
  - e) For filming on City Property within the Downtown Business Area (see map Schedule A)
  - f) Film “hot spots”
- 5.24 Polling approval must be received a minimum of (2) two working days before the proposed filming date in order to give City staff sufficient time to review and verify.
- 5.25 Polling results will be reviewed by the City Engineering Clerk to determine if the filming application will be:
  - a) Approved based on majority support (80%);
  - b) Amended to mitigate an impact(s) and approved based on majority support; or
  - c) Declined base on non-majority support.
- 5.26 The Application will consult with the City Engineering Clerk to determine the extents of the polling area and review of the polling letter.

- 5.27 In the event where polling is limited or restricted by secure access (i.e. apartment buildings), the Production Company will post filming notification or polling letters on all building entrances, and if applicable or reasonable, send a copy filming notification or polling letter to the building manager, strata committee, landlord and/or property management company. In the event a merchant or resident is unavailable during polling, the production company is required to visit the premise a minimum of two times, on separate days, and to leave a filming notification letter at each visit.
- 5.28 Reverse Polling will be considered only when the Applicant has submitted their application, fees and all pertinent information submitted to the City ten (10) days in advance of filming.
- 5.29 The Production Company will be directly responsible for addressing any problems that residents in the affected area may have as a result of filming and are responsible for resolving them prior to filming.
- 5.30 Notification letters and polling letters to property owners/occupants must include:
- a) Name of the Production Company or Applicant
  - b) A description of the activity - mentioning use of parking, anticipated noise impacts, and any stunts, special effects or pyrotechnics
  - c) Date and time the Production Company will be working in the area
  - d) Name and telephone number of the Location Manager
  - e) Name and telephone number of on-site contact
  - f) Telephone number of Creative BC

### **Fire and RCMP Requirements**

- 5.31 Productions involving activities, such as fire, explosives, detonators, guns, gunfire, flash powder, etc. will require special approval from the City of Langley Fire Rescue Services and RCMP. Requests for pyrotechnic and dangerous activities shall be reviewed at a meeting between the Production Company and all approval authorities to be held at least ten (10) working days prior to the scheduled event.
- 5.32 Open air burning for the purpose of providing special effects for filming will require the prior written authorization of the City of Langley Fire Chief.
- 5.33 All traffic control must be maintained by the Langley RCMP on arterial roads at full cost to the Production Company.
- 5.34 Any on-street filming including car chases, stunts or scenes involving weapons must have received RCMP permission at least five (5) working days prior to filming.

### **Electrical Permits & Electrical Inspections**

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

## **Noise & Hours of Work**

- 5.36 Filming activities will be permitted between 7:00 am and 10:00 pm Mon – Sat and 9:00 am to 10:00 pm on Sun.
- 5.37 Where late night and early morning move-ins, move-outs or filming outside the hours defined in 5.36 and City of Langley Noise Control Bylaw are required, the Applicant may apply for a Noise Bylaw Exemption Permit. The permit may contain such terms and conditions (such as polling approval or notification) as the Director of Engineering, Parks and Environment deems necessary. The fee for a Noise Bylaw Exemption Permit is payable as outlined in the City.

## **Filming on Statutory Holidays, Seasonal Periods and/or During Municipal Events**

Filming will not be permitted in the Downtown Business Area (see map Schedule A) as follows to limit disruption to businesses, tourism and community:

- 5.38 On statutory holidays and may include, as required, dates preceding statutory holidays;
- 5.39 From December 24 to January 1;
- 5.40 During municipal special events and/or during construction periods in coinciding locations – to better ensure public safety and reduce disruption.

## **Other Conditions for Filming in the City of Langley**

- 5.41 The City requires a Location Manager or Assistant Location Manager to be on site at all times during filming. This person shall possess the ability to communicate effectively with City staff both orally and in writing. The Production Company is to provide a 24-hour emergency telephone number in case of fire, theft etc.
- 5.42 The name(s) and number(s) of person(s) in charge on the set shall be provided to the City Engineering Clerk.
- 5.43 The Production Company is not permitted to alter any part of the permit conditions or change locations without first receiving the City's approval.
- 5.44 Once a Filming Permit has been issued, subsequent changes in dates, times or location may result in cancellation of the existing permit, requiring the Production Company to re-apply with re-payment of the associated fees and deposits.
- 5.45 If the City deems it necessary, a City staff representative shall be on site to ensure requirements and permit conditions are adhered to. The Production Company will be charged for staff time required.
- 5.46 Inspections of the filming location may be made by the City prior to, during and after filming to ensure guideline and permit conditions are adhered to. Noted violations of permit conditions may result in fines, orders and/or permit revocation.
- 5.47 All time frames for approval are approximate and may change subject to staff availability for permit processing.

- 5.48 It is recognized that use of City facilities, personnel, and equipment is dependent upon availability and may be withdrawn without notice or liability which may further restrict filming activities.

## **Student Films**

- 5.49 The City of Langley welcomes Student Films. Student Films are considered as Applicants as referenced throughout this Filming Guideline and must comply with the following:

5.49.1 All Student Films are subject to the City of Langley's Film Permit Requirements and applicable bylaws.

5.49.2 A completed Film Permit Application must be received at last ten (10) business days in advance of the proposed film start date along with the Student Film Fee for film school projects which meet the following criteria:

- a) The school is an accredited and recognized education institution.
- b) The school must sign all legal documents and provide current insurance of no less than \$2,000,000.00 (two million dollars) general comprehensive liability insurance in place with the City of Langley listed as an additional insured.
- c) The project must be assigned by the instructor and be part of the curriculum.
- d) All personnel working on the project are doing so without financial compensation.
- e) The project is for academic use only, not to be used for commercial gain.

## **6. Granting of Approval**

- 6.1 The City of Langley shall be guided in part by the following considerations when determining whether a Film Permit Application is approved:

6.1.1 Film Permit Applications will be handled on a first-come-first-served basis. The City reserves the right to limit the number of Film Companies operating in the City at one time.

6.1.2 The City reserves the right to approve or deny any requests for filming on location involving City property.

6.1.3 It may be necessary for the City to limit the use of any film location. The City will be guided by a majority petition from impacted parties to limit filming in any location as well as the amount of recent filming in an area. The City will notify the industry through Creative BC of any "hot spot" areas where the City is limiting film activity. Polling will be required for any filming activity considered within designated "hot spot areas"



6.1.4 The City of Langley reserves the right to deny applications that it views as detrimental to the safety and comfort of its citizens or that may negatively impact the environment.

**7. Penalties for Guideline & Condition Violations**

- 7.1 The City will notify the Production Company as soon as they become aware of circumstances that (a) do not comply with this Policy; and/or (b) are determined to be harmful, or cause disruption to individuals, businesses and/or the community (c) or in any way jeopardize the safety and/or well-being of the public, and grant them a reasonable timeline to rectify depending on the nature and severity of the infraction. Failure to comply within the specified timeline may result in cancellation of filming permits.
- 7.2 A re-issuance of a permit that has been cancelled due to a violation will require a new Film Permit Application to be made, and is subject to the approval of the City’s Director of Engineering, Parks & Environment.
- 7.3 The City of Langley may report any failure to comply with the above Requirements to Creative BC.
- 7.4 Filming on City property without a permit may be subject to fines under the Highway Use and Traffic Regulation Bylaw or Parks and Public Facilities Bylaw.

**References**

Policy Number:	<b>CO- 58</b>
Policy Owner:	<b>Engineering</b>
Endorsed by:	<b>SMT –</b>
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Amendments:	
Related Policies:	
Related Publications:	<b>Film Permit Application, Fees and Charges bylaw</b>

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