

<i>SUBJECT</i>	Filming on Properties and Streets within the Township of Guelph/Eramosa
<i>Department/Category</i>	All Departments
<i>Related Documents</i>	<ul style="list-style-type: none"> a) <i>Township's Noise By-law</i> b) <i>Township's Parking By-law</i>

Policy Statement

Objective

- To establish a municipal administrative process that is efficient, effective, and adaptable, and allows appropriate departments to provide approvals and feedback, with the purpose of establishing the Township of Guelph/Eramosa as a film-friendly municipality.
- To confirm that a film company has sufficient insurance coverage to protect the Township from any possible claim or suit arising from the activities related to Production.
- To uphold the rights, safety and privacy of Guelph/Eramosa citizens and businesses and to ensure the security and preservation of public property.
- To ensure that costs incurred by the Township of Guelph/Eramosa, as a result of production, can be recovered from the film company (recognizing that private entities and other institutions or businesses may also seek to independently recover costs associated with production impacting their locations).

Purpose

The Township of Guelph/Eramosa (“Township”) recognizes the economic and cultural advantages of the film, television and media production industry to the community as well as the direct and indirect benefits associated with this sector to the municipality. The Township seeks to advance film projects in Guelph/Eramosa by collaborating with community partners to simplify processes and to support film companies while balancing the safety, rights, and privacy of local residents and businesses.

The Township understands the often fluid, fast-paced nature of productions and strives

to remain flexible to actively support the needs of all parties involved. Exceptions to timelines may be possible as determined by the Film Liaison or impacted Township department(s) depending upon the scope of Production, the circumstances at the time of application or filming, and/or Township resources available to support production.

All commercial film, television and media production activity in Guelph/Eramosa must first be reported to and coordinated through the Film Liaison, as defined by the policy. The Township supports film companies through the local filming process. It also provides ideas for locations, connects film companies with local resources and stakeholders, helps navigate filming requirements, and aids in resolving challenges.

This policy provides assessment guidelines for the coordination of filming projects in the Township to ensure the responsibilities of all parties are understood and agreed upon. Film permits will be issued only in accordance with applicable by-laws, including but not limited to by-laws governing noise, road closures, fireworks, and fees and charges.

Policy Scope and Applicability

This policy applies to all commercial filming which takes place on, or significantly impacts, Township property, including but not limited to roads, parks, and important infrastructure, in the Township of Guelph/Eramosa. The production company or individuals are required to notify the Film Liaison prior to filming to determine if their project requires a permit.

The following exclusions apply:

- news broadcasts, media and public affairs inquiries; and,
- non-Commercial Filming, videography and photography: as determined by the Film Liaison and related to non-profits, weddings, non-profit sports teams, academic and student projects, family photos, video and photo projects undertaken by the Township of Guelph/Eramosa, projects promoting the community (as determined by the Film Liaison), and events pursuant to the Special Events Policy; though all these are subject to other Township policies, by-laws, insurance requirements where applicable, and governing federal and provincial laws; and
- film companies renting a municipal facility or parking lot for the sole purpose of housing filming equipment; and where no production-related activities will be taking place on Township property.
 - a. Notwithstanding the above, a production company who wishes to utilize Township property for any film-related activities may still be required to obtain a film permit at the discretion of the Clerk, in consultation with the

applicable Director(s).

Definitions

‘Applicant’ refers to the relevant production company representative or the production company, who has applied to the Township of Guelph/Eramosa for a commercial film permit. That person or entity has the authority to represent and bind the film company. That person or entity may be the filmmaker, producer, videographer, production manager, location manager, or another individual or organization that is responsible for the film company’s operations in the Township of Guelph/Eramosa.

‘Business Day’ refers to a day other than a Saturday, Sunday, or any other day on which the municipal office is not open for the transaction of domestic business during normal business hours, which are 08:30 to 16:30.

‘Commercial Filming Permit’ refers to the permit applied for motion pictures, video and television filming created for profit or for sale. This permit covers all filming for sale or profit utilizing motion pictures, videotape, tape-recording, or other imaging media, including theatrical motion pictures, shorts, television programs, commercials, etc. It may be permitted after appropriate application and securing required insurance.

“Extenuating Circumstances” shall mean any circumstances deemed dangerous that could potentially impede upon the applicant’s ability to safely conduct their special event.

“Fee Schedule” refers to any set fees, charges, and costs, as approved by Township Council, that are associated with Production. The Fee Schedule includes the Township’s Fees and Charges By-law, as well as all applicable Township By-Laws.

“Film Liaison” refers to the Township staff responsible for overseeing and coordinating commercial film, television and media production activity in Guelph/Eramosa.

“Film Permit” refers to the permit issued by the Legislative Services to the Applicant granting permission for the film company to film on Township Property.

“Film Permit Application” or “Application” is a Township document or form, digital or otherwise, that is completed by an applicant for the Township to understand the scope of the film project when evaluating the merits of issuing a film permit. It may also include all related documentation provided by the applicant to the Township.

“Film Policy” refers to this Film Policy, as amended from time to time.

“Film Project” refers to a commercial filming project.

“Inclement Weather” shall mean severe weather conditions including but not limited to tornadoes, hurricane, flooding, snowstorms, ice storms, severe thunderstorms, and dangerous weather conditions.

“Location” refers to the space, site, location, or area where production occurs.

“Notification Letters” refers to a letter of notice detailing activities. It is prepared by the film company to be distributed, once approved by the Film Liaison to affected residents and businesses as determined by the Film Liaison.

“Production” refers to any filming, including planning, preparation, wrap, and associated activities undertaken by the film company in Guelph/Eramosa.

“Production Schedule” refers to the schedule for production in Guelph/Eramosa, as described in the application.

“Film Company” refers to the name of the legal entity, corporation, or person that is contracting with the Township to conduct Commercial Filming.

‘Township’ refers to the Corporation of the Township of Guelph/Eramosa.

‘Township Property’ refers to Township-owned and/or controlled property and facilities, including, but not limited to buildings, sports venues, natural pathways, streets, roads, parking lots, parks, unique locations, furniture, fixtures, signs and signals, equipment, and vehicles.

“Waste” refers to garbage, debris, left-over materials, refuse, litter, trash, rubbish, junk, waste and/or recycling materials.

“Written Notice” refers to formal electronic mail and/or physical written communication between the Film Company and the appropriate member of Township staff, as well as the general film email address for the Township. Written Notice ensures that all appropriate contacts at the Township as well as contacts for the film company are promptly and properly briefed regarding production.

Policy Guidelines for Commercial Filming

1. WHEN A FILM PERMIT IS REQUIRED

- 1.1 A Film Permit is required for all film companies undertaking production on Township Property. Film permit applications are reviewed by the film liaison. If approved, a film permit will be issued by the film liaison. The film liaison may make exceptions to this requirement based upon the exclusions in this policy.
- 1.2 Any film company interested in conducting commercial filming in the Township shall contact the film liaison prior to applying, to discuss the scope, schedule, and requirements related to production.
- 1.3 The film company shall provide pertinent information to the film liaison, including but not limited to:
 - Filming location, filming hours, parking requirements, potential use of any Township property, noise implications, number of production vehicles, number of staff, and requirement of Township resources.
 - If the proposed filming is to occur on Township property, the film company shall proceed with submitting an application.
- 1.4 **Private Property** – If the proposed filming occurs on private property, the film liaison shall review the proposal with the Director of Legislative Services, Director of Public Works and Parks and Recreation staff to determine if a film permit will be required. Items to be reviewed and considered include, but are not limited to:
 - Impact to surrounding residents
 - Impact on local roads and Township property
 - Required staff resources
- 1.5 With input from the Film Liaison, Director of Public Works and Parks and Recreation staff, the Director of Legislative Services shall determine if a film permit is required.
- 1.6 Notwithstanding the provisions of this policy, Director of Legislative Services, in consultation with any applicable Director(s), may require a Film Permit to be obtained in extenuating circumstances where it is reasonable and warranted to do so.

2. FILM PERMIT APPLICATION SUBMISSION REQUIREMENTS

- 2.1 If it is determined that a film permit is required, the film company shall submit the completed application form as set out in Schedule A and on the Township's website <https://www.get.on.ca/living-here/forms-applications/film-permit> at least five (5) business days prior to any filming activity. *If road occupancy permits, noise exemption permits, and/or other Township approvals or spaces and services are required, these applications must be made in the time frames directed in and as directed by applicable procedures and by-laws.*
- 2.2 The Applicant must supply a certificate of comprehensive general liability insurance in the amount of \$2,000,000.00 per occurrence or such higher limits as the Township reasonably requires depending on nature of filming. In addition, Standard Form Automobile Liability Insurance must be submitted for any vehicles owned, operated, or associated with the Applicant with a liability limit of not less than \$2,000,000.00 per accident or occurrence. All such policies shall add the Township of Guelph/Eramosa as an additional insured and contain a cross liability clause, a severability of interest's clause and shall not call into contribution any other insurance available to the Township. In addition, such policies may not be cancelled or amended without the prior written consent of the Township.
- 2.3 The Applicant must provide written notification, approved by the Film Liaison, to any resident, business or building within 300 feet of the location that may or will be affected during the process of filming and a copy of the letter be provided to the Township of Guelph/Eramosa. It is the Applicant's responsibility to ensure that there is minimum disruption to residents, occupants, and businesses while filming.
- 2.4 All public roads and properties used for filming or parking must be identified. A traffic control and parking plan must be provided with the application and to all relevant authorities.
- 2.5 Film Companies must submit to the Film Liaison and/or the responsible Township department(s) documentation proving that all necessary requirements, agreements (including Police paid duty offices, referred to as PDOs) and approvals are in place.
- 2.6 As part of the Application, the Film Company must provide appropriate approvals from Emergency Services (ES) for any activities involving the execution of special effects involving explosives, pyrotechnics, fireworks,

open flame, firearms, and/or other hazardous devices and materials and/or stunts as well as the use of any flammable liquids or materials during Production. Some special effects may also require the presence of or input from specialists from other Police services. The Film Company is responsible for all costs associated with obtaining approvals and for any ES support and/or supervision during filming.

2.7 Check-List:

- 1) Contact Film Liaison to provide details regarding production.
- 2) If filming on Township property, submit film permit application and appropriate accompanying documentation:
 - i. Insurance
 - ii. Traffic Control Plan
 - iii. Draft Notice to surrounding residents
- 3) If filming on private property, the Film Liaison will consult with appropriate Departments to determine if a film permit is required.
- 4) If filming on a County road, private highway, or other, see 'Schedule C' for important contacts.
- 5) Pay requisite fees.
 - i. See the Township's current Fees and Charges By-law for this amount.

3. FEES

- 3.1 Fees for the Film Permit are determined in the Township's Fees and Charges By-law. Fees are required to be paid to the Township by the Film Company before the issuance of the Film Permit, as determined by the Film Liaison or the responsible Township department(s).
- 3.2 Based on the scope of Production, the Township will determine what Township support services (included but not limited to staff, security, and equipment -- e.g. paid duty officers, after-hour support or security, etc.), are necessary to safely proceed with Production. The Film Liaison or designated Township staff may provide cost estimates of the necessary support services to the Film Company. If the Township has the capacity to provide the necessary support services to the Film Company, and the Film Company chooses to use the Township's services, the costs of the said Township support shall be the responsibility of the Film Company. In cases where services have been deemed necessary by the Film Liaison or designate Township staff, but are not provided by the Township, the Film Company is

required to secure the services of third-party service providers, and to pay the service provider directly.

- 3.3 The Township is not responsible for costs associated with obtaining the required insurance coverage, required permits or certificates (e.g. drone or aircraft operator certificates), required permissions (e.g. letters or drawings from land owners or certified engineers), legal agreements or other requirements necessary for safe and legal Production.
- 3.4 Changes to schedules may incur additional time, effort, and costs (e.g. permits, rebooked facilities, parking, staff time, updated agreements). Such costs are the sole responsibility of the Film Company.
- 3.5 Costs associated with the use of Township Property as well as road occupancy, closure, and/or traffic stoppage are the responsibility of the Film Company. These may include but are not limited to: rental fees; staff support; space or facility temporary alterations; permit applications; rush activities; Paid Duty Officers; winter maintenance; waste garbage removal; lost transit revenue; road detours; sidewalk closures; notice and advisory postings and signage; and signage, lighting, or signal support.
- 3.6 Costs and delays associated with interruptions to Production resulting from weather conditions and natural phenomenon, the need for emergency maintenance (e.g. broken water main, broken utility poles, fallen electrical wires, and such) or ES response (e.g. fire suppression, crime, medical emergencies, and such) or other emergencies (e.g. public health or public safety emergencies) shall be the sole responsibility of the Film Company and shall, under no circumstances, be the responsibility of the Township. Any such impacts or delays may necessitate the rebooking of Township Property (subject to availability) and the revision of Township permits (subject to Township approval) for any rescheduled Production.
- 3.7 The Township does not compensate individuals or businesses for disruption due to Production on Township Property. Affected businesses or individuals may request to be compensated by the Film Company for lost profits or other interruptions. Any such matters received by the Township will be referred to the Film Company for resolution.
- 3.8 Should the Township receive a claim for lost profits, business interruption, or other similar claim, the Film Company will indemnify and hold harmless the

Township for any such claim in accordance with the indemnification requirements set out in this Film Policy.

- 3.9 The Film Company will also be responsible for all efforts, activities, and costs required for the safe planning, set-up, execution, and clean-up of Production. Additional expenses may be incurred for last-minute requests or modifications to plans not identified in the original Application.
- 3.10 At the conclusion of filming, the Film Company is responsible for the costs and work to restore all Township Property exterior and interior building finishes and fixtures, as well as turf and paved surfaces, to their original condition.
- 3.11 Support from the Film Liaison or other Township departments for unscheduled work related to Production conducted outside of a Business Day or for additional work conducted to support a Film Permit Application or Production beyond the regular and reasonable service provided by the Film Liaison or other Township departments may be subject to additional staff and resource costs owed to the Township in accordance with the Fees and Charges By-law. The Township will notify the Film Company of such potential costs in advance to allow the choice of whether to proceed.
- 3.12 Emergency services personnel may be required to be contacted prior to filming or to be on site during filming. All costs associated with these requirements are the responsibility of the Applicant. The Applicant shall be required to pay the service provider directly.

4. FILMING GUIDELINES – GENERAL

- 4.1 The Film Company is subject to all applicable Federal, Provincial, and municipal legislation and regulations, including Township by-laws and policies, wherever Production takes place.
- 4.2 The Film Company must keep a copy of the Film Permit and any other applicable permits and approvals on Location at all times.
- 4.3 Changes made to the Production Schedule may require an amended Film Permit. Additional permits and permissions may also require amending (e.g. road occupancy, use of parks or facilities, parking, noise exemption, and such) should the schedule change and are subject to the current charges, as established in the Fees and Charges By-law.

- 4.4 The Applicant is responsible for the removal of waste and the restoration of the event site. Failure to do so may result in the loss of the security deposit.
- 4.5 Removing, trimming and/or cutting of vegetation or trees is prohibited unless written approval is received from the Township of Guelph/Eramosa or the relevant municipal authority.
- 4.6 The Applicant must, when refuse collection will be interrupted as the result of filming activity, be responsible for making alternative arrangements which are satisfactory to the Township of Guelph/Eramosa and the affected property owners
- 4.7 The Applicant must clean the location at the end of the day with a minimum amount of noise and disruption and ensure that the area is returned to its original condition, unless otherwise approved by the Township, at the Applicant's sole cost and expense.
- 4.8 The Applicant is responsible for notifying the local Fire Department and O.P.P. of the use of any special effects such as pyrotechnics, flammable materials, gunfire, or vehicle chases and complying with all requirements related to same at the Applicants sole cost and expense including but not limited to having qualified emergency medical services on site.
- 4.9 Use of hydro services, water trucks, etc. may require inspection by the Township or relevant municipal authority.
- 4.10 Any after-hours or overnight activity will require written permission from the Township of Guelph/Eramosa and relevant municipality. The applicant is required to always respect all provincial and municipal by-laws.
- 4.11 It is the responsibility of the Applicant to ensure their staff operate in a safe and professionally.
- 4.12 The Township of Guelph/Eramosa requests to be recognized in any credits that are produced for the film and requests a copy of the film and/or film shoot.
- 4.13 The Applicant will seek a noise by-law exemption from the Township of Guelph/Eramosa for any film production activities that will be taking place

outside the regulations set out in the Township's noise by-law.

- 4.14 The Applicant shall always comply with this policy including all schedules hereto.

5. ROAD IMPACTS AND PARKING

- 5.1 The Film Company must ensure that residents, owners, customers, delivery agents, contractors, Township crews, and the like have in-person and vehicle access to places of residence and business impacted by Production (e.g. adjoining properties; properties downstream along one-way streets; properties near Production parking, etc.) unless otherwise agreed to in writing by the property owner, affected residents or businesses, and the Film Company.
- 5.2 Film Companies will observe designated parking areas. Unless otherwise authorized, all Production vehicles and support equipment will obey local parking and traffic regulations. A detailed parking plan may be required. All Production vehicles parked in designated areas on roads or in municipal lots must display the Film Permit.
- 5.3 Costs associated with parking and parking arrangements including fees and rentals as well as violations of permits, By-laws, and regulations (such as fines or towing) are the responsibility of the Film Company or the owner of the vehicle and/or equipment.
- 5.4 The Film Company must make every effort to ensure that parking for vehicles or persons displaying Provincial or municipally issued credentials, such as parking permits or permits or plates with persons with disabilities, is accommodated when impacted by Production. Costs and any related compensation for such displacements and accommodations will be the responsibility of the Film Company.
- 5.5 Relocating vehicles for the purpose of Production by towing is not permitted.
- 5.6 The Applicant must, at all times, comply with local regulations regarding parking in restricted areas or near fire hydrants unless otherwise specified by the Township or relevant municipal authority.
- 5.7 All vehicles must comply with appropriate traffic regulations unless permitted

otherwise by the Township of Guelph/Eramosa in writing.

5.8 The Applicant shall have Paid Duty Police Officers on site to direct traffic which is stopped for any length of time in any direction, for travel shots or road closures.

5.8.1 Through traffic may be stopped for no longer than three-minute intervals.

5.9 Adequate signage to guide motorists or the public around the site will be supplied, erected and maintained, as directed by the relevant municipal authority.

5.10 No permanent or temporary fixtures or road signs may be covered, removed or altered in any way without the written approval from the relevant municipal authority. Any required maintenance and the repair of any public roadway or property as a result of damage incurred from the Applicant will be at the expense of the Applicant.

5.11 Vehicular and pedestrian access to all properties must be always maintained unless permitted by the Township of Guelph/Eramosa in writing.

5.12 Any requested road closures for the purposes of conducting filming must be consulted with and approved by the Township's Director of Public Works as part of the Applicant's film permit.

6. INDEMNIFY AND SAVE HARMLESS

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

7. TERMINATION, REVOCATION AND REFUSAL

- 7.1 Despite the issuance of a permit, the Applicant shall ensure that it and its staff and agents comply with all applicable legislation and by-laws in addition to the conditions provided on the Film Permit. Failure to comply with such requirements may result in the revocation of the Film Permit, even if no specific terms on the Film Permit are breached. The Applicant must comply with all of the Township of Guelph/Eramosa and bylaws and those of the relevant member municipality where filming takes place.
- 7.2 The Township reserves the right to reject any film permit Application. The application for or issuance of a film permit does not guarantee the availability of Township Property for filming.
- 7.3 The Township reserves the right to revoke any Film Permit at any time for any of the following reasons:
1. The Film Liaison issued the Film Permit, in part or in whole, based upon information provided by the Applicant/Film Company which was false, incorrect or misleading at the time it was submitted, at the time the Film Permit was issued, or it becomes false, incorrect or misleading up to and including the last day of the Production Schedule;
 2. Any conditions of the Film Permit or any other Permits or Agreements issued by the City are not met, as determined in the sole discretion of the Film Liaison; or;
 3. The Film Liaison determines, in their sole discretion, that there has been substantial deviation from the Application.
 4. The Film Liaison deems that extenuating circumstances and/or inclement weather poses a safety risk to the applicant's ability to safely conduct filming on Township property.
- 7.4 Changes to the information contained in the Application or the Film Permit or in the scope of Production may require a new or an amended Film Permit at the discretion of the Film Liaison.

Schedules

See the attached Schedules, which form part of this Policy:

Schedule A – Fees and Charges

Schedule B – Important Contacts

Schedule C – Flow Chart

SCHEDULE A

FEES AND CHARGES

Fee for film production on Township of Guelph/Eramosa property:

Permit Fee: \$558.00

Security Deposit: \$3,000.00 for 1-3 days (Add \$1,000 for each additional day)

Staff Resources:

This deposit shall not be returned until all invoices, charges and claims have been cleared. Any structures, grounds, landscape features or artifacts damaged as a result of the activities of the film production will be restored to the condition that existed prior to the occurrence of the damage to the Township of Guelph/Eramosa's sole satisfaction. Where damage has occurred, a letter detailing the extent and cost of repair or restoration will be sent to the Applicant and a request for payment will be made. The Applicant may prefer to pay for the work and have the certified security deposit cheque returned. Should the Applicant refuse to pay for the damages outlined in the letter, the certified security deposit cheque will be cashed, and the subsequent repair undertaken by specialists supervised by the site. Any monies owing or remaining from the security deposit cheque will be processed accordingly. Where this is not possible, the Township of Guelph/Eramosa will be compensated. Appraisals and restoration work will only be undertaken by the specialists approved by the site supervisor. The Applicant and the Applicant's Insurer should be aware that some subject properties are historic sites, in some cases National Historic Sites, and are subject to a higher standard of care and preservation than may normally be the case.

The Township reserves the right to act with discretion the fees in accordance with the scope, crew size, and resources required from the Township.

SCHEDULE B

Important Contacts for Applicants

Emergencies - 911

Township of Guelph/Eramosa

Clerk's Department – for applications and information: (519) 856-9596 ext. 107 Fire Services – (519) 824-6590

Public Works – (519) 856-9596 ext. 120

By-law Enforcement – (519) 856-9596 ext. 121

Wellington County

O.P.P. Rockwood Detachment – (519) 856-1506 Solid Waste Services – (519) 837-2601

Groves Memorial Hospital, Fergus - (519) 843-2010

