

## Filming Policies and Procedures

### SECTION 1 – FILMING APPLICATION

Production Companies applying for a [City Filming Permit](#) must:

- 1.1 Complete the [Online Filming Application](#);
- 1.2 Provide a detailed site plan and map of proposed filming location(s) and/or area(s) that indicates street occupancy, parking meter usage (including meter numbers), location of generator(s), lighting needs, interior and/or exterior location(s), etc.;
- 1.3 Provide a Filming Notification Letter per Section 4.2;
- 1.4 Poll the neighbourhood (per section 4.3 criteria) to further communicate filming activity and seek neighbourhood support;
- 1.5 Identify any motor vehicle changes (i.e. parking, intermittent traffic control or road closures);
- 1.6 Outline details related to special and/or sound effects;
- 1.7 Request an extension to the City's [Noise Bylaw](#) for filming between 10:00 pm and 7:00 am (subject to polling);
- 1.8 Remit to the City all filming fees and deposits prior to permit validation and filming activity.

*The City of New Westminster reserves the right to deny or limit any filming application.*

### SECTION 2 – MUNICIPAL CONTACTS

[Filming In New Westminster](#)

### SECTION 3 – DEFINITIONS

**Production Company, Film or Filming** – refers to any company responsible for the development and physical production of digital and cinematographic recordings, television and video for any commercial or film school purposes with the exception of news broadcasts.

**Film Coordinator** – refers to the City New Westminster employee responsible for coordinating and permitting all filming activity located in New Westminster.

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### SECTION 4 - FILMING POLICIES & PROCEDURES

**4.1 Film Application** - the film company must apply to and receive permission from the City to film in New Westminster. Permits are issued on a first-come, first-serve basis and the City retains the right to limit or refuse filming activity.

**4.2 Filming Notification** – the Production Company is required to write and circulate a Filming Notification Letter that outlines the scope and impacts of filming with a minimum of three business days notice for routine filming or ten business days for complex filming involving extraordinary special effects or significant traffic control measures. The Film Coordinator will approve the letter prior to distribution and determine circulation needs. The Filming Notification Letter shall include:

- Name of Production Company & Production
- Contact information of Production Company, Location Manager & Assistant Location Manager
- Contact information for the City Filming Coordinator & BC Film Commission
- Details of filming dates, times and details regarding changes to parking, traffic, noise and special effects (maps may be required as determined by the Film Coordinator)

**4.3 Polling** – 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. Merchant polling should be done during daytime business hours. Polling is required if a film application requests:

- I. Multiple filming days;
- II. Extensions to the [Noise Bylaw](#);
- III. Use of special effects or loud noises (exception: atmospheric smoke); and/or
- IV. Road Closures (exception: local traffic access and Intermittent Traffic Control is allowed without polling)

Polling results will be reviewed by the Filming Coordinator to determine if the filming application will be:

- a) Approved based on majority support;
- b) Amended to mitigate an impact(s) and approved based on majority support; or
- c) Declined base on non-majority support.

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In the event where polling is limited or restricted by secure access (i.e. apartment buildings), the Production Company will post Filming Notification Letters on all building entrances, and if applicable or reasonable, send a copy Filming Notification Letter to the building manager, strata committee, landlord and/or property management company. In the event were 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.

**4.4 Permit Issuance** – upon successful issuance of the filming permit, the Production Company shall notify the neighbourhood of the permit issuance and provide any updates since the filming notification letter. All filming permits involve the temporary use of property and do not affect the zoning category of a neighbourhood.

**4.5 Scope Change** – once a filming permit is approved and issued, the Film Coordinator must approve scope changes and may require a) an updated Filming Notification Letter, b) polling, or c) the cancellation of the existing permit and a submission of a new filming application.

**4.6 Special Effects** – the use of special effects requires a detailed written submission outlining the purpose, scope, risk and safety plan. Further, the Production Company representative(s) overseeing the special effect(s) must meet with applicable City, Province or Federal representatives (i.e. New Westminster Fire Services, ambulance, Provincial Gas Inspector, etc.) to review the effect and comply with any restrictions or needs imposed.

Special effects must comply with all applicable laws and permissions. The Production Company will incur all costs related to seeking permissions or implementation of special effects.

Police Services are required for special effects requiring traffic management (Section 3.7), for moving picture vehicles or when firearms and/or weapons are displayed or discharged.

Production Companies, based on the special effect, may be required to contract emergencies services to be on location during filming and/or comply with any restrictions imposed by any applicable authority (i.e. New Westminster Fire Services can impose restrictions or requirements for special effect involving fire or explosions).

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The use of artificial (chemical) snow must be approved, in writing, by the Filming Coordinator. The Production Company is required to provide evidence (i.e. WHMIS documentation) that the use of chemical snow is safe, biodegradable and will not adversely affect citizens, vegetation or property.

**4.7 Traffic Management** – New Westminister Police Services may be required for any permit that alters traffic patterns (i.e. Intermittent Traffic Control, parking and road closures). Restrictions, conditions and requirements for traffic management services and/or the number of police officers and vehicles will be determined by the Filming Coordinator and Police Services to ensure motor vehicle, crew and pedestrian safety. If agreed upon in advance, certified traffic control personnel provided by the production company may be used in place of police officers or required as an additional support to Police Officers. Complex or large scale road closures, at the City's direction, require a professional traffic management company to design a traffic manage plan, signage and/or supply certified personnel to ensure motor vehicle safety. Major streets may not be available for closure and/or subject to approval or restricted approval as determined by the City's Engineering Department. Local non-communing roads may have temporary restricted access as determined by the Film Coordinator and/or Police Services. Intermittent Traffic Control is defined as a maximum three minute traffic stoppage during each ten-minute period.

**4.8 Fees** – the Production Company will be required to pay all [film permit fees](#) and deposit(s) prior to filming. If the production company causes damage, consumes additional City services or does not meet permit conditions, deposits may be partly or fully withheld. Bonafide and insured post secondary student productions are exempt from filming fees but are subject to charges if they purchase municipal services (i.e. police services, signage, parking, etc.).

**4.9 Compensation** – residents or merchants seeking compensation for filming activity have two options:

- I. Merchants and the Production Company can proactively agree to the use of the filming "Compensation for Loss of Business" claim form to be submitted after the filming. The claim will identify legitimate proof of loss of revenues in comparison with past days of equal activity over the previous year. [Click here for an example Loss of Business Claim form](#) (source BC Film Commission).
- II. Prior to filming, the resident or merchant can negotiate compensation related to location fees, sale of goods or services, use of property, impact, etc. Compensation may be non-monetary.

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*The City expects reasonable compensation claims to be paid. The City is not responsible for negotiating or arbitrating any compensation request or disputes.*

**4.10 Complaints, Disputes & Appeals** – the Production Company shall be directly responsible for addressing and resolving all issues that arise as a result of filming. The Film Coordinator will assist communication between residents, merchants and Production Companies but will not negotiate on behalf of a stakeholder. In some situations, the Film Coordinator can impose fines or orders on a Production Company if conditions of the film permit are breached. If the resident or merchant is not satisfied with the resolution, they can contact the City's Parks and Recreation [Manager of Business Operations](#) and/or [Creative BC](#).

In the event that a satisfactory resolution is not achieved by the Production Company, Film Coordinator or Manager of Business Operations, the complainant may request a review by the Director of the Parks and Recreation. The Director will attempt to resolve the issue or if unsuccessful may bring it forward to City Council for consideration.

**4.11 Inspection** – the Filming Coordinator is permitted to randomly visit any location site to ensure the Production Company compliance with the filming permit. Noted violations of permit conditions may result in fines, orders and/or permit revocation.

**4.12 Insurance** – the Production Company must provide the City with proof of liability Insurance five days prior to filming. The following requirements must be satisfied:

- The Corporation of the City of New Westminster must be named as an additional insured on the Applicant's liability policy;
- The amount of the liability insurance shall not be less than \$5,000,000. The City reserves the right to change the amount of liability required;
- The insurance policy cannot be cancelled unless the City is notified in writing 30 days in advance;
- Cross Liability Endorsement will be provided.

Production Companies will insure and keep insured all production and/or set vehicles operated on public roads, with ICBC, for the duration of the filming permit. The Filming Coordinator, for any vehicles used in the film, may request proof of automobile insurance, with \$5,000,000 liability insurance.

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The production company, by means of the filming permit payment, shall accept the following hold harmless agreement clause referenced and printed on the back of the permit:

*The filming company identified on this permit, reverse side, in consideration of being permitted to enter onto, use, or occupy property or facilities belonging to or under the control of the City of New Westminster for the purposes of filming, does hereby agree to waive, release absolutely, indemnify and save harmless the City of New Westminster, its servants and agents from and against all claims, demands, awards, judgments, actions, causes of action and proceedings by whomsoever made or brought in respect of any personal or bodily injury (including death) to any person, and any loss of or damage to any property caused directly or indirectly by or as a result of filming by the film company identified on this permit, reverse side, or its servant, agents, contractor and their employees and sub-contractors, using entering onto, or occupying property belonging to or under the control of the City of New Westminster.*

**4.13 Events** – filming permits will not be issued on dates or locations that affect civic or community events and festival unless agreed to in writing.

**4.14 Parking** – the Filming Notification Letter and/or Polling communications will outline temporary changes to street parking. The film permit will identify sanctioned parking and temporary parking restrictions and will be communicated by means of City street signage. The Filming Coordinator will restrict street parking to essential filming vehicles and require all non-essential filming vehicles be located to non-street parking facilities. The Production Company may use shuttle vehicles to transport staff or equipment between the filming and parking locations. At the City's requirement, the Production Company will be required to provide traffic management measures, per section 4.7, to redirect motorists to alternative parking locations and ensure pedestrian and motor vehicle safety.

**4.15 Pedestrians Access** – Production Companies filming in commercial districts will be required to provide signage that indicates: a) filming is in progress, production company and location manager contact information, and b) local merchants are open for business. Further, the Production Company will provide staff to ensure pedestrian safety on location(s), answer questions and to temporarily restrict passage (maximum one minute) during active filming.

**4.16 Street Occupancy** – unless required for 'picture purposes', the Film Coordinator will restrict street occupancy to one side of the street for essential filming vehicle parking. Street occupancy is subject to traffic management needs per section 4.7 to ensure safety, redirect motorists to alternate routes or assist affected property owners to access their property. All vehicles must be legally parked and allow

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uninhibited access for emergency services (i.e. police, fire, ambulance, etc.). Street occupancy can also be assigned for picture purposes (i.e. filming, picture cars, cameras, equipment, etc.)

**4.17 Environment** - filming or any related activity within 15 meters of any river, stream, wetland or environmentally sensitive area is to be conducted in such a manner as to prevent any damage to waterways or vegetation. The City has the right to impose site specific filming restrictions for filming in or near environmentally sensitive areas. Certain areas, because of their environmental sensitivity, may be off limits to filming. Production Companies are not permitted to remove, alter, damage or prune City flora. Any flora damage will result in deductions against the company's performance deposit.

**4.18 Power** - the Production Company is required to secure a provincial electrical permit, prior to filming, for the operation of portable generators. Connection to the City's Electrical Services and/or BC Hydro or subsidiary requires a City or Provincial permit and a copy forwarded to the Filming Coordinator. Access to the City's electrical infrastructure (i.e. power poles, supply lines, etc.) requires permission from New Westminster Electrical Services.

**4.19 Property Alterations** – the Production Company is required to secure written permission from the property owner for any changes, conditions, charges and restoration requirements related to altering property for filming purposes. For public property, this permission is by means of the Film Coordinator. Alterations to properties governed by the City's [Heritage Register](#) will require approval by the City's [Heritage Planner](#). It is the Production Company and property owner's responsibility to comply with this need.

**4.20 Waste** – the Production Company shall dispose of all garbage and refuse from all filming locations including parking area(s). If arranged in advanced with the Filming Coordinator, waste disposal can be accommodated by the City for a fee.

**4.21 Washrooms** - the Production Company will provide and maintain temporary portable toilets for their filming activity.

**4.22 Animals** - the use of domestic or exotic animals in filming must be approved by the Filming Coordinator and comply with applicable laws or conditions imposed by the City's Animal Services Department or other authorities. Animal trainer(s) may be required.

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**4.23 Construction** – Production Companies are not permitted to use public property to construct sets without written permission from the Film Coordinator.

**4.24 Harassment** - the Filming Coordinator, if threatened, harassed or verbally and/or physically abused by a member of the film company or its agents and contractors has the ability to cancel the filming permit, at any time, without compensation or advance notice to the Production Company. Threats and violence from the public are deemed inappropriate and City staff will take necessary actions to ensure personnel safety.

**4.25 Fraser Cemetery** – use of the Fraser Cemetery for filming requires the approval of the Film Coordinator and Manager of Engineering Operations and are subject to all filming policies as well as the following specific terms and conditions:

- a) In addition to the film application process, the Production Company is required to identify cemetery filming activity, on a cemetery map, marked with the location of proposed filming, equipment, lighting, road use, stunts, special effects, parking, generator(s), camera locations and tents five days prior to filming activity.
- b) All cemetery filming applications require the submission of the story line and any filming requests that are morally questionable or depict the cemetery in a negative light will not be permitted.
- c) Parking within Fraser Cemetery will be severely restricted due to space limitations. Parking will be deferred to Richmond Street or alternative location.
- d) Filming companies, at their cost, must employ a City Cemetery liaison to assist, supervise and ensure filming compliance with City policies and/or other restrictions identified.
- e) No structures or objects will be placed on gravesites without prior approval from City staff.
- f) All filming personnel must be respectful of the gravesites and courteous to all cemetery visitors.
- g) Funerals and interments have precedence over filming. All filming activities must cease during interments and funerals and filming staff will be required to vacate the area.
- h) The City reserves the right to shut down, cancel or postpone Fraser Cemetery filming with little or no prior notice as cemetery business, functions and operations takes precedence and may occur with limited notice.
- i) Filming companies are prohibited from filming cemetery visitors, individual headstones, memorials or identification markers.



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- j) Filming will not be permitted on:
  - I. Statutory holidays,
  - II. Major holidays (i.e. Christmas Day, Boxing Day, Good Friday, Easter Monday, etc.)
  - III. Recognition days (i.e. Father's Day, Mother's Day, Remembrance Day, Canada Day, Valentine's Day, etc.).
- k) Motorized vehicles or heavy equipment will not be permitted to travel across gravesites without prior City authorization.
- l) The Production Company is not permitted to dig mock gravesites. If digging is required and an appropriate location is agreed upon, the digging will be provided by City with the costs charged to the Production Company.
- m) No amplified voice or music will be permitted without prior City approval.
- n) Public access to the cemetery, or a portion of it, may only be restricted in specific circumstances (i.e. night filming or outside cemetery public hours) and only with City approval. Otherwise, the public will have unrestricted cemetery access.
- o) Cemetery maintenance work will continue during filming unless previously arranged with the Production Company. Every effort will be made to balance mutual needs.
- p) Production Companies are solely responsible for the safety and security of their employees, equipment, vehicles and property.
- q) Upon completion of filming, the Production Company must return the Fraser Cemetery to its pre-filming condition. Any damage to the grounds, turf, monuments, trees, etc. will be the responsibility of the Production Company to repair to the City's satisfaction or deposit deductions may be imposed.
- r) All filming personnel must be respectful of the gravesites and courteous to all cemetery visitors (i.e. [Creative BC](#) & City of New Westminster [Code of Conduct for Cast and Crew](#).)
- s) Only a small and identified portion of the Fraser Cemetery site will be available for filming purposes. The majority of the 20-acre property will carry on with general cemetery daily operations.

### **4.26 City Hall** – the following additional terms and conditions are applicable when filming at City Hall:

- a) Preparation, filming and wrap will be scheduled, as much as possible, outside City Hall operational hours. If this is not an option, this preparation or wrap work may be conducted during City Hall operational hours as long as they do not impede City operations.
- b) Filming will only be considered during evenings, weekends and/or statutory holidays when it will not impact staff or public functions of City Hall.

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- c) The use of jail cells will be permitted on an availability basis. Due to the isolated location of jail cells, they may be utilized during City Hall operational hours if there is no impact on staff or public.
- d) Damage deposit deductions will be made in the event of damage to the facility and/or its furnishings or if City Hall is not returned to its original state and layout.
- e) A City Hall staff liaison, paid for by the Production Company, is required during prep, filming and wrap work to ensure property care, restoration and assist filming needs.
- f) The City Hall exterior or surrounding grounds are available for filming, during or after City Hall public hours, provided the filming does not affect public or staff access.
- g) City Hall will be 'rested' by approximately one month between film permits.

**4.27 City Hall Memorial Plaza** - the following additional terms and conditions are applicable when filming in Memorial Plaza:

- a) Filming must be respectful to the purpose and nature of Memorial Plaza (non-controversial or demeaning) and be approved in advance by the Film Coordinator and City Administrator.
- b) All filming personnel must be respectful of staff, visitors and the operational needs of City Hall or surrounding parkland.
- c) City functions, preplanned or short notice needs, will have priority over filming.
- d) No amplified voice or music will be permitted without prior Film Coordinator approval.
- e) Upon completion of filming, the Production Company must return Memorial Plaza to its pre-filming condition. Any damage to the grounds, turf, monuments, trees, etc. will be the responsibility of the Production Company to repair to the satisfaction of the City. A damage deposit to safeguard the care of the property will be collected.
- f) Filming will not be permitted on:
  - I. Statutory holidays
  - II. Major holidays (i.e. Christmas Day, Boxing Day, Good Friday, Easter Monday, etc.)
  - III. Recognition days (i.e. Father's Day, Mother's Day, Remembrance Day, etc.)

**4.28 Code of Conduct** – Production Companies and their personnel are expected to uphold the [BC Film Commissions Locations Best Practices](#) and the City's [Code of Conduct guidelines](#).

**4.29 Compliance** – The City retains the right to refuse or cancel a filming application or permit if the property owner or production company is non-compliant with any City policy, permit, bylaw, condition, license requirement, fire order, or further, is non-compliant with any other applicable laws, rules and regulations of all authorizing bodies (e.g. WorkSafe, *Motor Vehicle Act*, etc.).

**4.30 Unmanned Air Vehicle** - the use of Unmanned Air Vehicles (Drones) is subject to all applicable laws, rules and regulations including any City Policies or guidelines. Further, the use of Drones for filming purposes requires written permission from the Filming Coordinator, or other City staff, that outlines permitted use, limitations and requirements.