



# VILLAGE OF BELCARRA

*"Between Forest and Sea"*

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## **POLICY REQUIREMENTS FOR FILMING IN THE VILLAGE OF BELCARRA (COMMERCIAL AND NON-COMMERCIAL)**

The making of movies in the Vancouver area and specifically in Belcarra is very popular. Belcarra's waterfronts, parks and general ambience make it a favourite for location shots.

However, the needs of the film industry must be balanced against the impact of this industry's activities on Belcarra citizens. Where the two conflict, the Municipality has a responsibility to protect the well-being and interests of the residents. The Municipality must also recover its costs for all services rendered as well as earn a market rate of return on the use of municipal services by the filming industry.

It is the policy of the Village of Belcarra to accommodate the movie industry to the extent that our citizens are not unduly inconvenienced. The Village will neither encourage nor discourage such work within the municipal boundaries.

### **REQUIREMENTS**

1. A Village of Belcarra filming permit is required in order to film within the Municipality.
2. The film company will be required to obtain a Village of Belcarra business licence.
3. Village of Belcarra citizens shall not be unduly inconvenienced by prolonged loss of access to public areas or roadways, or by restricted parking fronting residents' homes.
4. The Municipality may require that the filming company provide in writing, notification to all affected residents, and describe filming activities taking place. Each vehicle belonging to the Applicant shall be parked in a legal manner and display proper identification on the dashboard including a contact telephone number. Parking in such a manner so as to obstruct access of emergency vehicles, or access to fire hydrants, driveways or public areas, will not be permitted.
5. Only Village of Belcarra municipal employees and emergency services shall be employed in the performance of those municipal duties necessary to permit the Applicant to carry out filming, e.g. traffic control, parking signage, etc. The charges for the time of the staff involved will be as set out in the Fees and Charges Bylaw.

**NOTE:**

There is a minimum four hour call-out for municipal staff — sufficient deposit will be taken to cover all anticipated costs prior to the filming permit being issued. Twenty-four hours' notice must be given of cancellation or rescheduling to receive any refund of these charges. This notice may only be received during regular business hours 9:00 a.m. to 4:00 p.m., Monday through Friday (excluding statutory holidays). Any refund with less than 24 hours' notice is at the discretion of the Municipal Administrative Officer.

6. Except if a Municipal staff person is hired as an 'extra' in an unidentifiable role for filming and paid directly by the Applicant, any hired municipal staff are under municipal jurisdiction at cost to the Applicant as noted in requirement #5 above.
7. While the Municipality will attempt to provide staff or equipment if it is surplus to Municipal needs or necessary for reasons of safety, the Municipality reserves the right to recall these resources without notice if the Municipality requires.
8. Applications for projects requiring Municipal staff or facilities, or requiring review must be completed and filed with the Municipal Administrative Officer or designate three (3) full business days in advance of the proposed filming. This will allow for processing through the various approval stages. Applications for projects not requiring Municipal staff, or facilities may be processed in a shorter time frame. Applications must be accompanied by all plans, indemnity agreements, insurance, notification of residents, and other statements or filings required by the Municipality.

**NOTE:**

The Municipality does not guarantee that applications can always be processed in three business days as other approvals, such as Council review, may be required. Only complete applications will be processed.

9. Prior to approval to film, sufficient deposit will be required to cover the anticipated costs of any Municipal facilities or services employed. Please refer to the Fees and Charges Bylaw for the hourly rates for filming if Municipal facilities, personnel, vehicles or other equipment are used. The following charges are also required:

**Application Fee:** This fee is required before the Municipal Administrative Officer or designate will review the application in order to determine staffing, equipment and location requirements and affected properties. This fee is non-refundable;

**Security Deposit:** As determined by the Municipal Administrative Officer or designate in consultation with appropriate Municipal staff and set-out in Schedule '1'. It is intended this sum will guarantee the clean-up of the site and compliance with the terms agreed to by the Municipality and the Applicant. This sum is refunded upon satisfactory performance or forfeited as damages for a breach of the agreement;

**Additional Sums:** May be required if the filming takes longer than projected: It is recommended that since filming must stop when the paid-for time has elapsed, the Applicant, if they are uncertain as to the length of filming, pay such additional amounts as may be required on the understanding that the Municipality will refund these if they are unused.

10. The Municipality defines rental time as being the time from when the Applicant begins moving equipment and personnel on to the site until every piece of equipment and personnel has left and the site is restored to its original condition, to the satisfaction of the Municipality. The clean-up of the municipal facilities and equipment is the sole responsibility of the Applicant.
11. Entry on Municipal property (excluding streets and parks) for viewing potential site locations, should, wherever possible, be cleared in advance with the Municipal Administrative Officer or designate who will contact, and receive, the prior permission or rejection.
12. If filming is being done in a regional park, or in an area in the immediate vicinity of a park, approval from the park authority and two copies of a plan showing the areas to be used including parking for any vehicles or trailers used by the film company is required at the time of application.
13. The film company is not to change dates, location or filming times or the type of scene to be filmed as set-out in the application without first consulting the Municipal Administrative Officer or designate, who will in turn notify the appropriate Municipal staff. Staffing, equipment and facilities previously agreed to may no longer be available on the revised date. Charges will be in accordance with requirement clause 5 and the Fees and Charges Bylaw.
14. Only Municipal staff are in charge of and permitted to operate Municipal vehicles and equipment.
15. The Applicant shall pay all charges for insurance deductible amounts or similar fees including WorkSafeBC claims and any related charges (e.g. legal fees and administrative time for processing) in the event of any insurance claim for municipal staff, vehicles, facilities and equipment regardless of whether the claim arises from the Municipality's own actions or those of its staff associated with the filming activity. The Applicant is also responsible for any increases in premiums from WorkSafeBC or any insurance company providing coverage to the Municipality where such increase is attributable to accidents arising from these filming operations.
16. The Municipality requires at least \$3 million public liability and property damage insurance. The Applicant shall provide an insurance certificate naming the Municipality as an additional insured and containing a cross liability clause. The insurance certificate and the indemnity agreement (Schedule '2') must accompany the application to film (Schedule '1') and both must be acceptable to the Municipality.

17. The Municipality must be provided on Schedule '1' with a full description of the scene(s) to be filmed in order to ensure that adequate insurance is in place and that the event conforms to municipal bylaws or regulations. Authorization to proceed shall be at the sole discretion of the Municipality. While the Municipality discourages the filming of special effects and stunts, review and approval will be undertaken on a case-by-case basis.
18. Local television stations such as CBUT, BCTV, UTV, Rogers Cable, and the Knowledge Network are excluded from the notification, fee, deposit and permit requirements within this policy when filming for newscasts or community programming. These organizations are required to submit, and leave on file with the Municipality, a copy of proof of public liability insurance in the form and amount stated in clause 15.

The same organizations are required to follow all aspects of these requirements and policy when filming for commercials or television series episodes. The definition of whether the filming by these organizations is community programming or newscasts rather than commercials or series will be at the discretion of the Municipal Administrative Officer.
19. If the proposed filming is suspected of contravening any Municipal bylaws or regulations (such as the *Noise Bylaw*) or if otherwise deemed necessary by the Municipal Administrative Officer or designate, the application will be forwarded to the Municipal Council for review.

### **PENALTIES FOR VIOLATION OF POLICY**

1. Inspections of the filming location will be made by the Municipal Administrative Officer or designate during filming to ensure requirements and permit conditions are adhered to.
2. Any violation of the above noted requirements or any aspect of the Belcarra filming policy may result in immediate cancellation of filming permits.
3. Re-issue of a permit that has been cancelled due to a violation will require approval by Municipal Council.

Licence: \_\_\_\_\_

Permit: \_\_\_\_\_

### SCHEDULE '1'

## COMMERCIAL AND NON-COMMERCIAL APPLICATION FOR FILMING PERMIT

ONLY APPLICATIONS THAT ARE COMPLETE WILL BE PROCESSED

Date Initial Application Fee Paid: \_\_\_\_\_

Date Completed Application Filed: \_\_\_\_\_

Applicant

**Public Works:** Approved \_\_\_\_\_  
Denied \_\_\_\_\_

Business Address

**SVFD Fire Dept.:** Approved \_\_\_\_\_  
Denied \_\_\_\_\_

Phone Number

Person in Charge (include title)

Address

Phone Number

Dates of Filming

Hours of Filming

Location of Filming

Two Copies of Plan of Filming Location and Parking Configuration Attached? Yes \_\_\_ No \_\_\_

**A. Municipal Employees Required**

|              | <u>No.</u> | <u>Position</u> | <u>Date</u> | <u>Start Time</u> | <u>No. of Hours</u> | x | <u>Cost per Hour</u> | = | <u>Cost</u> |
|--------------|------------|-----------------|-------------|-------------------|---------------------|---|----------------------|---|-------------|
| Public Works | _____      | _____           | _____       | _____             | _____               |   | _____                | = | _____       |

TOTAL COST (A) = \_\_\_\_\_

**B. Municipal Equipment Required**

|              | <u>No.</u> | <u>Type</u> | <u>Date</u> | <u>Start Time</u> | <u>No. of Hours</u> | x | <u>Cost per Hour</u> | = | <u>Cost</u> |
|--------------|------------|-------------|-------------|-------------------|---------------------|---|----------------------|---|-------------|
| Public Works | _____      | _____       | _____       | _____             | _____               |   | _____                | = | _____       |
| Other        | _____      | _____       | _____       | _____             | _____               |   | _____                | = | _____       |

TOTAL COST (B) = \_\_\_\_\_

**C. Municipal Property Required**

| <u>Mark</u> | <u>Property</u>   | <u>Interior / Exterior</u> | <u>Start Time</u> | <u>No. of Days</u> | x | <u>Cost per Day</u> | = | <u>Cost</u> |
|-------------|-------------------|----------------------------|-------------------|--------------------|---|---------------------|---|-------------|
| _____       | Municipal Hall    | _____                      | _____             | _____              |   | _____               | = | _____       |
| _____       | Public Works Yard | _____                      | _____             | _____              |   | _____               | = | _____       |

TOTAL COST (C) = \_\_\_\_\_

Please detail extent of facility use (include attachments if necessary)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please detail Municipal Roads and Streets required (include attachments if necessary)

Multiple horizontal lines for detailing Municipal Roads and Streets required.

Please describe fully the scenes to be filmed – for review for insurance purposes (include attachments if necessary)

Multiple horizontal lines for describing scenes to be filmed.

D. **Subtotal (A, B, & C)** \$ \_\_\_\_\_

E. **Security Deposit** \$ \_\_\_\_\_

F. **Application Fee** \$ \_\_\_\_\_

**TOTAL FEES PAID AT FILING OF APPLICATION:** \$ \_\_\_\_\_

G. **Additional Fees (after any revised estimates or changes):** \$ \_\_\_\_\_

**TOTAL FEES PAID:** \$ \_\_\_\_\_

**PLEASE NOTE:**

- (1) Insurance (Public Liability and Property Damage) in the amount of at least \$3,000,000 or such additional sum as may be required by the Municipality must be held by the Applicant. (A copy of the policy must accompany this application, contain a cross liability clause and name the Municipality as an insured.)
- (2) An indemnity agreement in the form of Schedule '2', satisfactory to the Municipality shall accompany this application.
- (3) Estimated total fees payable for personnel, vehicles, buildings and land are shown in Schedule '1'. If this total is exceeded, the Applicant agrees to pay those additional charges as may be assessed by the Municipality according to the Fees and Charges Bylaw. The Applicant shall be responsible for the payment of all insurance deductibles, WorkSafeBC claims and any related charges (e.g. administrative time for processing) in the event of any accident claim for municipal staff, facilities, vehicles and equipment.
- (4) Any costs incurred by the Municipality due to cancellation of filming for any reason will be billed to the Applicant. This may include such costs as personnel who were called out for work attributable to the filming and the work is subsequently cancelled or rescheduled with less than 24 hours notice.

**BY SIGNING, THE APPLICANT AGREES TO ABIDE BY THE TERMS NOTED IN THIS PERMIT:**

APPLICANT: \_\_\_\_\_  
Company Name

DATE: \_\_\_\_\_

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



**FOR MUNICIPAL USE ONLY:**

- \_\_\_\_\_ Insurance certificate received
- \_\_\_\_\_ Insurance approved by the Municipal Administrative Officer
- \_\_\_\_\_ Indemnity agreement (Schedule '2') received
- \_\_\_\_\_ Indemnity agreement approved
- \_\_\_\_\_ Plan(s) showing specific locations of filming and parking received
- \_\_\_\_\_ Plan(s) approved
- \_\_\_\_\_ Staff time and charges approved
- \_\_\_\_\_ Municipal facilities to be used approved
- \_\_\_\_\_ Municipal equipment to be used approved
- \_\_\_\_\_ Application Fee and Deposits received
- \_\_\_\_\_ Security Deposit Fee received
- \_\_\_\_\_ Business Licence Fee approved

Total Fees Paid \$ \_\_\_\_\_

Permit Granted: Date: \_\_\_\_\_

\_\_\_\_\_  
Municipal Administrative Officer or Designate

**SCHEDULE '2'**

**INDEMNITY AGREEMENT**

\_\_\_\_\_ agrees to assume all liability of the *Village of Belcarra*, its officers, employees and agents to any person or property of whatsoever kind of nature which occurs as a result of its activities related to this permit: provided, however, that such liability did not arise as a result of negligence or willful misconduct of the *Village of Belcarra*.

Further, \_\_\_\_\_ agrees to indemnify, defend and save harmless the *Village of Belcarra*, its officers, employees and agents against any costs, claims, demands or liability brought or made on behalf of any person for damages, personal injury or property damage, whether caused by or arising out of any act or omission of the Applicant, its agents or employees, or the *Village of Belcarra* or its officers, employees or agents, or caused by arising out of the condition of any Municipality-owned or controlled real or personal property, and occurring during the period and as a result or in connection with the activities for which this Permit is issued, except to the proportionate extent that such costs, claims, or liability were caused by the *Village of Belcarra*.

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

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

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

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

\_\_\_\_\_  
Municipal Administrative Officer  
Accepted for the Village of Belcarra