

**Policy Title: Filming on City of Mississauga Property**

**Policy Number: 06-03-02**

Section:	<b>Public Relations</b>	Subsection:	<b>Promotion</b>
Effective Date:	<b>October 30, 2013</b>	Last Review Date:	<b>May, 2016</b>
Approved by: <b>Council</b>		Owner Division/Contact: <b>Manager, Film, Literary &amp; Digital Arts, Culture Operations Section, Culture Division, Community Services Department</b>	

## Policy Statement

The Corporation of the City of Mississauga recognizes the direct and indirect economic benefits to the community associated with filming and encourages film related projects within the City.

## Purpose

This policy outlines the requirements for the assessment and approval of Film Permits for filming on City Property and/or filming that impacts the public.

Pre-approval of projects ensures that property owned by the City and the rights, safety and privacy of the citizens of Mississauga are protected, while supporting the film industry.

## Legislative Authority

Film Permits will be issued only in accordance with applicable City by-laws and policies, including noise control, road closures, fireworks, vehicle idling and fees and charges.

## Scope

This policy applies to all commercial, independent and student filming which takes place on City Property, excluding newscasts.

## Exclusions

Filming for non-commercial purposes (e.g. weddings, sports and family or community events) does not require a Film Permit and is not subject to this policy.

A Film Permit is not required for filming on private property. However, the property owner and Production Company are responsible for determining the terms and conditions, including fees, related to the Production Company's use of the private property and must abide by all applicable Federal, Provincial and municipal legislation, including City by-laws and policies.

Park permits for professional photography and wedding ceremony needs in City parks or at City facilities are arranged through the City's Customer Service Centre and are not subject to this policy.

## Definitions

For the purposes of this policy:

"By-law", in relation to any by-law referenced in this policy, means the current by-law, as may be amended or the by-law's successor.

"City" means The Corporation of the City of Mississauga.

"City Property" means all City-owned and controlled properties and facilities, including but not limited to, Managed City Property; indoor and outdoor recreation fields; parkland; gardens; open space and boulevards; Highways; buildings and rooms; furniture; equipment and fixtures; vehicles; buses; and bus shelters.

"Film Office" means the section within the Culture Division, Community Services Department, responsible for managing film.

"Film Permit" (Permit) means a permit, issued by the Film Office in a form satisfactory to Legal Services, authorizing filming (including movies and television) on City Property.

"Film Permit Application" means an application, issued by the Film Office, for approval to conduct filming on City Property.

"Highway", as defined in the Municipal Act, 2001, means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.

"Managed City Property" means City Property that is subject to a lease and/or management and operations agreement.

"Production Company" means an individual or organization permitted by the City or private property owners in Mississauga to conduct filming.

## Permit Issuance

A Film Permit is required for all commercial filming on City Property. Film Permits are approved and issued by the Film Office after review with other applicable departments/divisions and/or outside organizations, as determined by the Film Office.

The Production Company must keep a copy of the Film Permit on the film site at all times.

All Production Companies, regardless of location of filming, must abide by all applicable Federal, Provincial and municipal legislation, including City by-laws and policies.

**Application Required** The Production Company must submit a completed Film Permit Application to the Film Office within the stated time frame; otherwise a Film Permit may not be issued.

### **Application Review and Approval Process**

The Film Office, in consultation with other City staff, as appropriate, is responsible for approving Film Permit Applications as they relate to City Property, other than Highways. The Supervisor of Traffic Engineering and Operations, Transportation and Works Department or his/her designate in writing, is responsible for approving the Road Occupancy portion of Film Permit Applications as they relate to Highways.

Film Permit Applications are considered on a case-by-case basis and may involve consultation with the manager/supervisor of the City Property and/or other City staff as required. Any concerns are discussed and special requirements/approvals are identified (such as police/fire approval for certain special effects).

Issuance of Film Permits is subject to City Property availability. In addition, the City reserves the right to reject any Film Permit Application.

Film Permits for the Civic Centre executive offices, including Council Chambers, will be issued only with the approval of a majority of elected officials and the City Manager.

**Application Timelines** Applications must be made to the Film Office at least four business days in advance of filming activity. Special requests for Highway closures in excess of 24 hours will be handled by the Film Office, in consultation with the Transportation and Works Department.

### **Fees**

Fees for commercial filming are outlined in the General Fees and Charges By-law 240-12 and in the Transportation and Works Fees and Charges By-law 250-12.

The Production Company may be required to pay for the services of City staff when filming on City Property, as determined by the Film Office and the facility manager /supervisor, if applicable.

Emergency services personnel may be required for a project, as determined by the Film Office in consultation with emergency services departments. All costs associated with these requirements are the responsibility of the Production Company. Where services are not provided by the City, the Production Company is required to pay the service provider directly.

Fees must be paid in accordance with the terms and conditions outlined in the Permit.

## **Insurance Requirements**

Upon application for a Film Permit, each Production Company must present proof of insurance on the City Certificate of Insurance form available on the City's external website. No Permit will be issued without proof of valid insurance.

The form must be completed by a broker or insurer and sent to the Film Office at the address indicated on the form.

The limit of insurance required will be at the discretion of the Film Office, based on the level of risk of each filming project. Students producing films as part of their school curriculum may be covered under the school's insurance policy.

The applicant must, at their own expense, obtain and maintain insurance coverage and indemnify and save harmless the City, in accordance with the terms and conditions of the Film Permit.

## **Notice Requirements**

### **Notice to the Community**

The Production Company must notify affected residents and businesses, in writing and in advance of filming, as instructed by the Film Office. The notice will include information related to the project, such as the duration and location of filming, planned special effects, Highway closures, sidewalk usage and street parking restrictions. A copy of all notification letters must be on file with the Film Office and appropriate City departments. A sample notice letter is provided by the Film Office website and Production Companies are expected to follow it as closely as possible.

Letters of notification must be forwarded to the Film Office for review and approval before the letter is delivered by the Production Company to the neighbourhood(s) where filming is proposed to take place.

The Production Company must place signs in heavily trafficked public access areas to inform residents that the area is being used for filming and delays may occur. Any such delays must not exceed three minutes unless prior approval has been arranged.

### **Notice to Elected Officials and City Staff**

The Film Office will notify the Mayor, Members of Council and all members of the Leadership Team as soon as the Film Permit has been issued.

Copies of the Film Permit and/or information pertaining to the project will be forwarded by the Film Office to applicable City departments and external stakeholders (e.g. Peel Regional Police).

## Clean Up

Production Company crews are responsible for location clean up at the end of the day, with a minimum amount of noise and disruption. Upon completion of the shoot the Production Company must ensure that the area is returned to its original condition, unless otherwise approved by the Film Office and/or other arrangements have been made with the appropriate City department or facility manager/ supervisor, with notification to the Film Office. Failure to do so will result in billing to the Production Company.

Complaints will be forwarded to the location manager for resolution.

## Security Deposit

Security deposit amounts are based on the value of the City Property and extent of filming and are at the discretion of the Film Office. Security deposits related to the use of Highways are determined and managed by Transportation and Works.

Where deemed necessary by the Film Office or Transportation and Works, a certified cheque will be required from the applicant prior to Permit issuance. The security deposit will be retained until all conditions have been fulfilled, including clean up and all expenses, including costs of City staff, damage repair and additional time, have been paid in full.

## Impact on Residents, Occupants and Businesses

It is the Production Company's responsibility to ensure there is minimal inconvenience and impact caused to all residents, occupants, businesses and City staff where filming occurs.

### Approval of Affected Residents

Where the approval of affected residents or businesses (as determined by the Film Office and Traffic Operations) is required prior to a Film Permit being issued or prior to filming taking place, the Production Company is responsible for requesting approval. The request for approval must be in a form approved by the Film Office and must clearly state what the residents or businesses are being asked to approve, why their approval is being sought and that they have a right to object to the project taking place.

The approval must be by signature, noting the name and address of the resident or business owner, with 80 per cent approving and is required if any of the following conditions are occurring:

- Film activity has already occurred twice within the year on a residential street block
- Filming is occurring anytime on Sunday or a statutory holiday
- Overnight parking on public streets is requested
- Vehicles will be moved between 11:00p.m. And 7:00a.m.
- Outdoor filming activities, including set up and cleanup, between 11:00p.m. And 7:00a.m., and

- Outside equipment, such as high levels of lighting or generators, are oriented towards neighbouring properties.

In certain situations, (e.g. the use of pyrotechnics, large crowds, party scenes, excessive noise or light) on a film site outside of normal filming hours, 7:00a.m. – 11:00 p.m. Monday to Saturday, excluding statutory holidays, two assessments will be made. The first is to ensure 80% of the immediate surrounding occupied residences have agreed to the Production Company's request. If this is satisfied, the second assessment will be made to determine if the neighbourhoods on the periphery of the immediate surrounding occupied residences have also provided 80% agreement.

### **Restrictions on Hours/Days for Filming and Parking**

Permits will be authorized for filming and/or parking in residential areas between 7:00am – 11:00 p.m. Monday to Saturday (not including statutory holidays) only, unless approval of affected residents or businesses is acquired.

### **Restrictions on Number of Filming Projects**

Location filming in residential areas will be limited to two Film Permits per calendar year for each residential block unless the approval of at least 80 per cent of affected residents is obtained.

Notwithstanding the above limitation, the Director, Culture Division may elect to require that the Production Company seek approval of at least 80 per cent of the impacted residents for the first and subsequent Film Permit requests:

- (i) In areas where there are extenuating circumstances, and
- (ii) Where multiple issues and concerns have been brought forward to the film office by a number of residents in the past

The number of film projects in areas other than residential areas may also be limited as determined by the Film Office in consultation with applicable ward councillor(s).

### **Compensation for Disruption**

The City does not compensate individuals for disruption due to filming, nor will the City require a Production Company to do so, unless there is a legal requirement to provide compensation.

### **Code of Conduct**

It is the responsibility of the Production Company to ensure that their staff operate in a safe and professional manner in the course of their duties.

### **Production Vehicles**

#### **Identification of Production Vehicles**

All vehicles carrying equipment involved in the production will be issued a Location Filming

Vehicle Permission Card which must be prominently displayed. It is the responsibility of the Production Company to determine, in advance, the number of production vehicles requiring such a permit.

**Access to Premises**

Temporary Highway closures may be permitted in accordance with the Special Events Temporary Road Closure By-Law 51-06. However, the Production Company must ensure that residents, owners and customers have access to their respective premises and that there is pedestrian and vehicular access to adjoining properties.

**Parking**

The Production Company must make every effort to ensure that people displaying legitimate credentials such as accessible parking permits for persons with disabilities are accommodated.

**Traffic Stoppages**

Intermittent traffic stoppages, if permitted, will be limited to a maximum of three minutes unless otherwise stated on the Permit and must be conducted under the supervision of a paid duty police officer. The Production Company is responsible for arranging for and covering any charges related to, the City's Transportation and Works Department covering, altering, removing and/or reinstalling traffic or street signs as may be necessary.

**Traffic**

No interference with pedestrian or vehicular traffic is to occur without being noted on the Permit.

Every opportunity is to be taken to ensure that access, either vehicular or pedestrian, is not restricted to persons with disabilities.

Production vehicles must comply with appropriate traffic regulations unless stated otherwise on the Permit. All moving vehicles must comply with regulations governing traffic on City Property unless otherwise noted on the Permit.

Except where a Highway is closed for filming, where a moving vehicle is involved, the applicant shall adhere to the posted speed limits and to lawful conditions unless directed otherwise by a paid duty police officer.

**Parking and/or Standing**

In addition to all other relevant City By-laws and policies, production vehicles must comply with the Traffic By-Law, 555-00.

Relocating vehicles by towing to accommodate filming or parking will not be permitted.

## Emergency Services

Qualified emergency services personnel (police, fire, ambulance) may be required to be on site during filming involving, for example, special effects, stunts and/or detonation of pyrotechnics, as determined by the Film Office, in consultation with Mississauga Fire and Emergency Services (MFES) and/or Peel Regional Police.

The Production Company must advise MFES in advance, in writing, when the use of pyrotechnic devices, fireworks or flammable or combustible liquids or materials is being planned. The notice must provide details of how the materials will be used. MFES may impose conditions regarding the use of these materials. Any MFES conditions will be included as part of the Film Permit.

Paid duty police officers are required as determined by the Film Office for such items as permit compliance, intermittent traffic stoppages and traffic control and/or when required to direct pedestrian or vehicular traffic, including those instances involving City Property. Paid duty police officers are required for the detonation of pyrotechnic special effects. A blast analysis may be required and additional time is needed to arrange for this activity. A copy of the Film Permit is to be supplied to the paid duty police officer on duty.

## Compliance

Despite the issuance of a Film Permit, the Production Company will ensure that the company, its staff and agents comply with all applicable Federal, Provincial and municipal laws, including City by-laws and policies, 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.

## Revision History

Reference	Description
GC-0625-2005 – 2005 11 23	
GC-0591-2013 – 2013 10 30	
May, 2016	Scheduled review. No changes required