

BY-LAW NUMBER 91-2023

OF

THE CORPORATION OF THE CITY OF BRANTFORD

By-law to amend By-law 70-2010, being a By-law to adopt various City of Brantford Policies and to create a Corporate Policy Manual, by amending Corporate Policy-46 (Film Policy)

WHEREAS Section 8 (1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, (the “Act”) provides that the powers of a municipality shall be interpreted broadly so as to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS, at its meeting of June 7, 2010, Council for the Corporation of the City of Brantford (“Council”) passed By-law 70-2010, being a By-law to adopt various policies of the City of Brantford and to create a Corporate Policy Manual, which policies are attached as Appendix “A” to By-law 70-2010;

AND WHEREAS Council, at its meeting held on April 25, 2023, adopted the recommendations set out in Report No. 2023-271 which recommended that Corporate Policy-46 (Film Policy) be amended;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BRANTFORD ENACTS AS FOLLOWS:

1. THAT By-law 70-2010 is hereby amended by amending Appendix “A” attached thereto by repealing Corporate Policy-46 (Film Policy) and replacing said policy with the new Corporate Policy-46 (Film Policy) attached hereto as Schedule “A”; and
2. THAT the Clerk be directed to update the Corporate Policy manual to reflect the amendment to said Policy approved herein.
3. THAT this By-law shall come into force effective immediately.

READ A FIRST TIME: April 25, 2023

READ A SECOND TIME: April 25, 2023

PASSED: April 25, 2023

Mayor

Clerk

SCHEDULE A



Policy Manual

Policy Number: Corporate-046

Subject: Film Policy

Policy Statement:

Purpose / 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 City of Brantford as a film-friendly city.
- To confirm that a Film Company has sufficient insurance coverage to protect the City from any possible claim or suit arising from the activities related to Production.
- To uphold the rights, safety and privacy of Brantford citizens and businesses and to ensure the security and preservation of public property.
- To ensure that costs incurred by the City of Brantford 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).

Policy Statement Details

The City of Brantford ("City") 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 City seeks to advance film projects in Brantford 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 City 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 City departments depending upon the scope of Production, the circumstances at the time of Application or Filming, and/or City resources available to support Production.

All commercial film, television and media production activity in Brantford must first be reported to and coordinated through the Film Liaison, as defined by the Policy. The City 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.

Policy Scope

This Policy governs Commercial Filming in Brantford. 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 projects, family photos, video and photo projects undertaken by the City or its designate, 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 City policies, by-laws, insurance requirements where applicable, and governing federal and provincial laws.

Related Policy Guidelines

1.0 Definitions

“Applicant” means a person or entity who has applied for a Firm Permit from the City. That person or entity has the authority to represent and bind the Film Company.

“Assurance Bond” is any form of damage deposit, performance bond, security deposit, or security payment related to Production in Brantford.

“Brantford” refers to the geographic area overseen by the City as well as the Brantford Municipal Airport.

“Business Day” means a day other than a Saturday, Sunday or any other day on which Brantford City Hall is not open for the transaction of domestic business during normal business hours, which are 08:30 to 16:30.

“City” refers to The Corporation of the City of Brantford.

“City Property” means City-owned and/or controlled property and facilities, including, but not limited to, aerodromes, buildings, museums, sports venues, natural pathways, streets, roads, parks, unique locations, furniture, fixtures, signs and signals, equipment, transit shelters, and vehicles.

“Commercial Filming” means filming activities intended to generate revenue, or those which may involve promoting a product, a service, an organization, a brand, an event or, in some cases, a person. When in question, the commercial nature of a Film Project will be determined at the discretion of the Film Liaison or designate.

“Coning” means the first activity or portion of Production, which commences on Location in Brantford, including but not limited to, the placement of cones, the arrival of Production vehicles, the occupation of roads or sidewalks, or any preparation work.

“ES” refers to Emergency Services involving any or all of the following: Brantford Police Service, Brantford Fire Department, Ontario Provincial Police, County of Brant Ambulance Services, and County of Brant Fire Department.

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

“Film Liaison” refers to the City staff responsible for overseeing and coordinating commercial film, television and media production activity in Brantford.

“Fee Schedule” means any set fees, charges, and costs, as approved by City Council or the Brantford Police Service Board from time to time, that are associated with Production. The Fee Schedule includes the City’s Fees and Charges By-law, all applicable City By-Laws, and established Brantford Police Service fees and charges.

“Film Permit” means the permit issued by the Film Liaison or designate to the Applicant granting permission for the Film Company to film on City Property.

“Film Permit Application” or “Application” is a City document or form, digital or otherwise, that is completed by an Applicant for the City 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 City.

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

“Film Project” means a Commercial Filming project.

“License Agreement” is a formal, binding agreement between the City and the Film Company outlining rights and requirements for the use of City Property and related filming activities.

“Location” means the space, site, location, or area where Production occurs.

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

“Production” means any planning, preparation, filming, wrap, and associated support activities undertaken by the Film Company in Brantford.

“Production Schedule” means the schedule for Production in Brantford, as described in the Application.

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

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

2.0 Filming Process

2.1 Film Permit and Support

2.1.1 A Film Permit is required for all Film Companies undertaking Production on City 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.

2.1.2 Before submitting a Film Permit Application, the Film Company will contact the Film Liaison to outline the scope, schedule, and

requirements related to Production. The Film Liaison may make general recommendations for Production. All discussions and information are to be considered part of the process of applying for a Film Permit.

- 2.1.3 The Application is subject to fees outlined in the Fee Schedule.
- 2.1.4 Applications must be made to the City at least five (5) business days in advance of Coning. If Right of Way activity permits, noise exemption permits, and/or other City approvals or spaces and services are required, Application and Right of Way applications must be made in the time frames directed in and as directed by applicable procedures and by-laws.
- 2.1.5 Planned dressing of City Property may require review and/or approval by the City prior to the issuance of the Film Permit. Planned activities on and dressings of publicly visible locations on private property shall also be reviewed with the Film Liaison. The Film Liaison will advise the Film Company of dressings or activities that may be potentially offensive or concerning to some local residents to help mitigate interruptions to filming.
- 2.1.6 Scheduling and use of City Property will be subject to already planned activities or arising urgent/emergency uses of or access to City Property within or in close proximity to the Location.
- 2.1.7 With the guidance of the Film Liaison, the Film Company may need to obtain additional approval for Production on or within the Location from the impacted/responsible City department(s) as well as local agencies, institutions, businesses, or individuals.
- 2.1.8 Film Companies must submit to the Film Liaison and/or the responsible City department(s) documentation proving that all necessary requirements, agreements (including Police paid duty offices, referred to as PDOs) and approvals are in place. Applications are reviewed and considered based on completeness and on requirements set forth in this Film Policy.
- 2.1.9 The City reserves the right to reject any Film Permit Application. The Application for or issuance of a Film Permit does not guarantee the availability of City Property for filming.
- 2.1.10 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.
- 2.1.11 The City reserves the right to revoke any Film Permit in the event that:
 - 2.1.11.1 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;

- 2.1.11.2 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,
- 2.1.11.3 The Film Liaison determines, in their sole discretion, that there has been substantial deviation from the Application.
- 2.1.12 Revocation of the Film Permit is effective immediately upon Written Notice to the Applicant or other designated Film Company representative(s). The City will not be held responsible for any costs to the Film Company due to the withdrawal or revocation of permission.
- 2.1.13 The City reserves the right to limit the issuance of Film Permits for environmentally, economically, or culturally sensitive areas of Brantford; areas that experience repeated film activity; or areas that may be sensitive to disruptions for any reason.
- 2.1.14 The City may consult with community groups about Production and the nature of the Film Project where appropriate and in its sole discretion.
- 2.1.15 Outstanding costs from previous Film Projects owed to the City by the Film Company or its producers must be settled before the issuance of the Film Permit. Unpaid costs for such previous or any current Film Projects may result in the delay, denial or revocation of the Film Permit.
- 2.1.16 The City reserves the right to refuse to allow filming or the issuance of a Film Permit to an Applicant, Film Company, or associated business that has failed in the past to adhere to the guidelines outlined in the Film Policy.
- 2.1.17 The Film Company agrees that the images and footage gathered during Production will be used only for the purposes described within the Application, and other City agreements and associated permit applications. The Film Company will also ensure all pertinent approvals have been obtained for such footage and images.
- 2.1.18 The Film Company is subject to all applicable Federal, Provincial, and municipal legislation and regulations, including City by-laws and policies, wherever Production takes place.
- 2.1.19 The Film Company must keep a copy of the Film Permit and any other applicable permits and approvals on Location at all times.

2.2 Costs and Compensation

- 2.2.1 Fees for the Film Permit are determined in the Fee Schedule. Additional fees and charges may apply in accordance with Fee Schedule. Fees may require payment to the City by the Film Company before the issuance of the Film Permit, as determined by the Film Liaison or the responsible City department(s).
- 2.2.2 Based on the scope of Production, the City will determine what City 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 City staff may provide cost estimates of the necessary support services to the Film Company. If the City has the capacity to provide the necessary support services to the Film Company, and the Film Company chooses to use the City's services, the costs of the said City support shall be the responsibility of the Film Company. In cases where services have been deemed necessary by the Film Liaison or designate City staff, but are not provided by the City, the Film Company is required to secure the services of third party service providers, and to pay the service provider directly.

- 2.2.3 The City 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.
- 2.2.4 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.
- 2.2.5 Costs associated with the use of City 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.
- 2.2.6 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 City. Any such impacts or delays may necessitate the rebooking of City Property (subject to availability) and the revision of City permits (subject to City approval) for any rescheduled Production.
- 2.2.7 The City does not compensate individuals or businesses for disruption due to Production on City 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 City will be referred to the Film Company for resolution. As is often common practice, the Film Company may negotiate with the affected parties and ask that evidence be produced of legitimate costs and sales records corresponding to similar periods to those affected by Production.
 - 2.2.7.1 Should the City receive a claim for lost profits, business interruption, or other similar claim, the Film Company will

indemnify and hold harmless the City for any such claim in accordance with the indemnification requirements set out in this Film Policy.

- 2.2.8 The Film Company will also be responsible for all efforts, activities, and costs required for the safe planning, setup, 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.
- 2.2.9 At the conclusion of filming, the Film Company is responsible for the costs and work to restore all City Property exterior and interior building finishes and fixtures, as well as turf and paved surfaces, to their original condition as at the time of Coning.
- 2.2.10 Assurance Bonds may be required depending on the complexity and scope of the project. Assurance Bonds must be paid before the issuance of the Film Permit. Assurance bonds received will be deposited by the City, and returned only when all conditions have been fulfilled, and all costs including cleanup, settlement of all invoices, and associated charges and claims are determined and settled.
- 2.2.11 Support from the Film Liaison or other City 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 City departments may be subject to additional staff and resource costs owed to the City in accordance with the Fee Schedule. The City will notify the Film Company of such potential costs in advance to allow the choice of whether or not to proceed.

3.0 Filming Guidelines

3.1 Production Schedule and Changes to Schedule

- 3.1.1 Production will occur between the hours of 07:00 and 22:59, with no excessive noise generated at any time, unless a Noise Exemption permit from the City is obtained or where permitted by municipal by-law. This includes the movement of Production vehicles.
- 3.1.2 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 Fee Schedule.

3.2 Right of Way (Road Occupancy, Closures, and Traffic Stops)

- 3.2.1 Interference with pedestrian and/or vehicular traffic must be accompanied with the proper permitting and approvals, such as adherence to the Right of Way Activity policy, as amended from time to time. Any impact also must accommodate ES vehicle

access, Waste collection access, emergency maintenance (e.g. broken water main, broken utility poles, fallen electrical wires, and such) and safe maintenance (e.g. snow, ice, trees, tree limbs, and such) as directed by the City.

- 3.2.2 The Film Company must ensure that residents, owners, customers, delivery agents, contractors, City 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.
- 3.2.3 When approved in advance by the City, the Film Company can arrange to cover, erect, alter, remove, reinstall, deploy, or create street signs or lights, parking signs, detour and traffic notification signs, and traffic signals or signs. Unless otherwise approved by the City, these services must be completed by City crews. Associated costs will be the sole responsibility of the Film Company. Closed roads and sidewalks may only be reopened when it is safe to do so as determined by the City in advance and/or following a City inspection on site. This includes, but is not limited to, restoring surfaces, traffic signage and signals, and street lights as well as removing snow, ice, waste, and set decorations prior to reopening. Paid Duty Officers required for any Right of Way activity are to remain on Location at the cost of the Film Company until the road can be reopened safely.

3.3 Parking of Production/Crew Vehicles

- 3.3.1 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.
- 3.3.2 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.
- 3.3.3 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.
- 3.3.4 Relocating vehicles for the purpose of Production by towing is not permitted.

3.4 Notification

- 3.4.1 Using a City template, the Film Company will distribute a Notification Letter to affected residents, businesses, and business associations prior to Coning as advised by the Film Liaison. The Notification Letter must be approved in advance by the City and describe the activities and impacts of Production. The reverse of the same page will contain the City's Code of Conduct for Film and Television Cast and Crew. Upon completion of distribution, the Film Company will confirm completion via Written Notice to the Film Liaison.
- 3.4.2 The approval of affected residents and businesses may be requested by the Film Liaison prior to a Film Permit being issued. This may relate to filming between 11 pm and 7 am; in neighbourhoods and areas that experience frequent Film Projects; or in environmentally, economically, or culturally sensitive areas. It will be the responsibility of the Film Company to obtain such approval using the proper processes. The circumstances of each case will be considered by the Film Liaison which will identify the necessary approval process that may include, but is not necessarily limited to requirements for photo-evidence of notification delivery, signatures, forms, and/or special accommodations.
- 3.4.3 For Production greatly impacting public activities (e.g. multiple road closures), as determined by the Film Liaison, the Film Company (at its expense) may be required to place an advertisement or notice as directed and approved by the Film Liaison prior to the start of Coning in local or online media determined by the Film Liaison. Such a notification will inform the community of the upcoming Production Schedule, its impact on traffic and other details affecting the community.
- 3.4.4 The Film Company will provide Written Notice to the Film Liaison of any feedback from the community in response to the Notification Letter and any public postings, including from local or regional media.
- 3.4.5 When Production impacts the public, the Film Liaison or City staff designate will notify members of Brantford City Council and other key stakeholders, as well as arrange notice to be featured on the City's website in advance of Production. When requested by Written Notice from the Film Company, the City will respect Film Company confidentiality in filming notifications.

3.5 Monitoring

- 3.5.1 The Film Liaison may oversee the activities of the Film Company and will act as the primary City contact for the Film Company. The Film Liaison or another appropriate City staff member may monitor the Film Company on Location.
- 3.5.2 When approved and available, a City employee may be made available after Business Day hours for on-site or on-call support at the expense of the Film Company.

3.6 Set Location, Set Decoration, Props and Costumes

- 3.6.1 Covering, removing, or altering (including painting surfaces, anchoring vehicles or items; and/or structural changes) any aspect of City Property will require written approval from the City and may require City staff support.
- 3.6.2 Any requested adjustments to mechanical, HVAC or electrical systems (e.g. turn off to reduce ambient noise) must be identified during the Application process.
- 3.6.3 The City recommends the use of the Bulk Water Fill Station operating 24/7 at 10 Earl Avenue for supplying water. If required, access to fire hydrants for supplying water must be requested in the Application and is subject to fees as outlined in the Fee Schedule. The use of fire hydrants for electrical grounding is prohibited.
- 3.6.4 If Production involves mock police or military vehicles or uniforms, or prop weapons appearing during filming on any City Property, approval from the Brantford Police Service or a designate may be required prior to the issuance of the Film Permit.
- 3.6.5 Cast and crew involved in Production at the Location(s) noted on the Film Permit will not trespass on private property, unless otherwise authorized in writing from the property owner(s).
- 3.6.6 Cast and crews are prohibited from removing, trimming or cutting of vegetation or trees unless written approval is provided by the Film Liaison, a designate of the appropriate City department, or affected private property owner(s).
- 3.6.7 A designated film location professional must be present on Location and accessible to the Film Liaison or designated City department at all times during preparation, filming, and striking/take-down.
- 3.6.8 Requests to fly flags from other countries on any City Property may be considered as part of the Application process. Permission may be granted at the discretion of the City, and may require appropriate posting and public notification.
- 3.6.9 The Film Company must disclose the presence of non-service animals on set. Approval for non-service animals to be present on Location may be required by the City.

3.7 Stunts, Explosives and Special Effects

- 3.7.1 Explosives and special effects are regulated under the authority of the Ontario Fire Code and the Explosives Act.
- 3.7.2 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 the course of 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.

- 3.7.3 Combustible materials must not be accumulated in or around a film Location in such quantity as to create a fire hazard.
- 3.7.4 The City may prohibit or limit the use of materials that may impact soil, groundwater, storm water, or other sensitive environmental elements. Usage of such materials may require special preventive and clean-up arrangements with the Film Company being responsible for associated costs and coordination.

3.8 Noise, Light and Other Environmental Conditions

- 3.8.1 The community should be free from any negative environmental conditions resulting from Production. These conditions include but are not limited to spillover lighting, exhaust fumes or noise that will affect their ability to enjoy their property, or conduct their business or daily routines. The Film Company may need to make special arrangements for any such impact.
- 3.8.2 The Film Company and all aspects of Production must comply with the City's Noise Control By-Law and any applicable amendments, and any other legislation governing noise.
- 3.8.3 Lighting for the Production must be oriented away from residences, unless prior approval from the impacted residents has been received by the Film Company. Lighting and any modifications to street lights or traffic lights must not interfere with the safe movement of traffic or pedestrians. Production lighting illuminating areas on, across, or near roads or sidewalks open to vehicle or pedestrian traffic may require a photometric plan and/or a Right of Way permit.
- 3.8.4 Any generators within 100 metres of occupied residences or active businesses or institutions must ensure the sound of its operation is as quiet as that of a fine-tuned smaller passenger automobile internal combustion engine idling. Generators may not be placed within fifteen (15) metres of such locations without the approval of affected residents, businesses, or institutions.
- 3.8.5 Idling of vehicles is not permitted with the exception of Production vehicles required to keep heating or refrigeration operational, and only as approved by the City and in accordance with the Film Policy.
- 3.8.6 Exhaust from generators, vehicles, and equipment must not negatively impact local residents, businesses, or institutions.

3.9 Unmanned Air Vehicles (UAV)

- 3.9.1 For the use of drones, remote control aircrafts or unmanned air vehicles (UAVs) for commercial purposes, the Applicant must provide the following to the Film Liaison to accompany the Application:
 - 3.9.1.1 Insurance, as set out by the City;
 - 3.9.1.2 Proof of the device/vehicle's registration with Transport Canada;

- 3.9.1.3 Proof of the pilot/operator's license with Transport Canada; and,
 - 3.9.1.4 A flight plan, if required by the City or Transport Canada.
- 3.9.2 Any Film Company planning to use a drone on a film may be requested to organize a meeting with Emergency Services to discuss the details of the proposed flight.
- 3.9.3 The Film Company must notify area residents and businesses of planned drone, aircraft, and UAV uses in the Notification Letter.
- 3.9.4 The Film Company must ensure that all related activities comply with Federal and Provincial laws and copies of all necessary documentation identified above are on hand at all times.

3.10 Insurance and Indemnification

- 3.10.1 A Film Permit will not be issued if the Film Company has not provided proof of insurance that is satisfactory to the City. The Film Company may be required to enter into a City License Agreement or City Location Agreement to comply with the insurance requirements.
- 3.10.2 The Film Company will provide an active corporate search satisfactory to the City's needs when entering into any legal agreement with the City. If this cannot be produced, the City will conduct a corporate search for the Film Company at a cost to the Film Company.
- 3.10.3 The director responsible for the Film Liaison, the director or the General Manager of the City department responsible for the City Property, the City's Manager of Real Estate, the City Solicitor or the designates for these positions may execute the City License Agreement or City Location Agreement and related film agreements with the Film Company.

3.11 Dispute Resolution

- 3.11.1 Complaints received by the City will be forwarded to the Film Company for resolution.
- 3.11.2 In the event that the appropriate staff, the Film Liaison, the impacted City department, the Downtown Brantford Business Improvement Area, or the Film Company cannot come to a resolution or an issue before, during or after filming, the decision of the City of Brantford City Solicitor, or designate, shall be final and binding.

3.12 Code of Conduct

- 3.12.1 It is the responsibility of the Film Company to ensure that all representatives of Production, including cast, crew, other staff, contractors, and volunteers adhere to the City's Code of Conduct for Film and Television Cast and Crew.
- 3.12.2 Cast and crew shall observe designated smoking and vaping areas and always extinguish cigarettes and the like in appropriate

containers. As outlined in Brantford's Smoking – Clean Air By-law, there is no smoking of tobacco or cannabis and no vaping on City property.

3.13 Garbage, Recycling and Cleanup

3.13.1 On garbage and recycle pick-up days, the Film Company shall ensure that regular Waste set out for pick-up of affected businesses, institutions, and residents can be accessed by Waste collection contractors. This may require the Film Company granting access to Waste collection contractors to closed streets or arranging the transport and return of Waste receptacles, or some other means. All costs associated with proper Waste disposal will be the responsibility of the Film Company.

3.13.2 The Film Company will ensure that crew associated with Production will remove Waste from the Location, and any other site associated with Production, at the end of each filming day. The Film Company will ensure that all Waste removed from the Location is disposed of at the Mohawk Street Landfill site or another appropriate disposal facility. All costs associated with proper Waste disposal will be the responsibility of the Film Company. The Film Company may incur a disposal fee for any remaining Waste on Location after Production.

3.14 Health and Safety

3.14.1 The Film Company and Production cast, crew, other staff, contractors, and volunteers must adhere to the Ontario Ministry of Labour's Safety Guidelines for the Film & Television Industry of Ontario, as well as all other labour/occupational health and safety legislation and applicable laws. In the event of a public health crisis or declared emergency, federal, provincial and local health and/or emergency directives must be followed and the Film Company will be responsible for any impact to filming plans, schedules, operations, and costs.

3.14.2 The Brant County Health Unit (BCHU) may need to be consulted regarding catered food service.

3.14.3 Interior safety signs in buildings (e.g., fire, exit signs) must not be covered, unless expressly agreed to in writing by the facility manager, the Brantford Fire Department (or the County of Brant Fire Department for activities at the Brantford Municipal Airport) or designate.

3.14.4 All generators and electrical hookups must be approved by the Electrical Safety Authority, a licensed Electrician or Electrical Engineer recognized by the City, or an authorized City designate. Locates for electrical grounding on City Property must be identified in the related City permit application(s).

3.14.5 All cables, similar items and tripping channels must be channeled or otherwise mitigated to avoid injury.

3.15 Legacy Projects / Givebacks

3.15.1 Brantford is a film-friendly community. The City recognizes the economic advantages associated with Film Project activity locally and will strive to support the unique needs of every Film Company. Many past Film Companies have given back to the community in more tangible and long-term ways through legacy projects related to their Production to demonstrate a commitment to enhancing relationships with leaders, businesses, and residents in our community. The Film Company is invited to consider supporting a legacy project in Brantford. The Film Liaison can identify prospective Brantford legacy projects based on any size budget.

3.16 Local Sourcing

3.16.1 The Film Company is encouraged to make every effort to support local businesses and services during Production in Brantford, such as casual employment of cast and crew, food catering, overnight stays, rentals, supplies, etc. Location professionals are also encouraged to direct cast and crew when not involved in Production to visit local businesses and restaurant. The Film Liaison can assist the Film Company with sourcing local suppliers of goods and services, as appropriate.

3.17 Credits and Marketing Visuals

3.17.1 With Written Approval from the City, the Film Company may provide a screen credit to the City on the final film/video.

3.17.2 The City requests that the Film Company share approved images and video footage of local Production and scenes for the City to use when promoting Brantford as a film-friendly destination after the public release of the project.

3.17.3 City staff or a designate will be permitted to take behind the scenes photos of the setup and location to showcase Brantford. The photos will be used by the City for promoting Brantford as a film destination. Photos will not be used or shared outside the City until the time of release of the Film Project.

3.18 Environmental Sustainability

The City of Brantford encourages all Film Companies to consider lessening their environmental impact on the community, and the environment as a whole while filming in Brantford. The Film Liaison can help the Film Company leverage local resources to limit its overall impact on the environment.

3.19 Related Legislation and By-Laws

Film Permits will be issued only in accordance with applicable City By-laws and Provincial Legislation as amended from time to time, including but not limited to:

- Fees and Charges By-Law
- Public Works-023: Right of Way Activity

- By-law 182-2002: By-Law to Regulate Parking
- Chapter 206: Dogs – Other Animals
- Chapter 420: Parks – Avenues – Boulevards – Drives – Regulation – Control
- Chapter 440: Garbage – Collection – Removal
- Chapter 442: Garbage – Disposal Sites
- Chapter 537: Firearms – Gun – Discharge
- Chapter 554: Noise Control
- Chapter 556: Public Nuisance
- Chapter 570: Smoking – Clean Air Bylaw
- Chapter 614: Operations – On City Roads
- Ontario Fire Code
- Ontario Explosives Act
- Ontario Health Protection and Promotion Act
- Ontario Building Code

The City's By-Laws can be accessed through the City's website at: <https://www.brantford.ca/Modules/Bylaws/Bylaw/Search>. If you would like further information regarding the City's By-Laws, please contact the City Clerk at 519-759-4150.

Date of Enactment: December 18, 2019	Related by By-law Number/ Staff Report Number: 191-219 / 2019-456, 2021-05, 2023-03
Review Date: April 18, 2023 Amendment Dates: March 23, 2021; April 18, 2023	Department Responsible for Review: Economic Development, Tourism and Cultural Initiatives
Date of Next Review: 2026	Applicable Legislation/ Legislative Authority: