SUBJECT: By-Law and Policy To Regulate Location Filming in the City of Hamilton (PED09219) (City Wide)

RECOMMENDATION:

(a) That the by-law to regulate location filming in the City of Hamilton attached as Appendix A to Report PED09219 be enacted by City Council.

(b) That the Director of Economic Development and Real Estate be authorized to apply to the Senior Regional Judge for approval of set fines for offences under the above-noted by-law when it has been enacted.

(c) That the Policy for Filming on City Streets and Property, which will be repealed when the above-noted by-law is enacted, be replaced by the new Filming Policy attached as Appendix B to Report PED09219.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The Hamilton Film and Television Office (Film Liaison Office) has been operating for approximately 10 years with a Filming Policy, adopted by Regional Council on June 20, 2000.
As location filming in Hamilton has become more prevalent, the need to regulate this activity by means of a by-law has become more evident. The proposed by-law and modified policy (Appendix B to Report PED09219) have been drawn up for the purpose of ensuring adequate control of location filming so that the safety and comfort of residents, business people and motorists are addressed.

BACKGROUND:

The City of Hamilton’s Filming Policy was adopted by Regional Council on June 20, 2000 as part of the ‘Reel Choices Film Guide’. This policy provided instructions and guidelines to facilitate commercial filming on public property within the Region of Hamilton-Wentworth.

The Filming Policy deals with:

- Issuance of Permits
- Notification (of City staff and the public)
- Consideration and Disruption of Residents, Occupants and Businesses
- Traffic, Parking and Related Issues
- Special Effects and Stunts
- Acceptability and Conduct
- Insurance Requirements and Safety

The only amendments to this policy over the ensuing years have been to correct names and titles as required (i.e. Hamilton Film Liaison Office changed to Hamilton Film and Television Office).

Filming in Hamilton has become increasingly prevalent: from 1999 with 35 productions shooting in Hamilton to 2007 with 106 productions shooting here. In 2008, the City experienced a slow down in filming due to economic factors outside of our control, but it is not expected to last.

ANALYSIS/RATIONALE:

Staff from the Film and Television Office met extensively with the Legal Services Division to formulate the by-law and guidelines and with the Business Improvement Area (BIA) representatives to address their needs and issues regarding filming within their boundaries. Changes have been made, particularly with respect to the guidelines to accommodate their concerns.

Items contained in the guidelines are more detailed in scope and more readily changeable as circumstances and issues in the community arise. Whenever the need is warranted, these changes will be forwarded to Committee and Council for approval.
ALTERNATIVES FOR CONSIDERATION:

Maintain or enhance the existing Filming Policy, approved by Regional Council June 20, 2000. These alternatives fail to address location filming on private property and there would continue to be no enforcement available for a failure to comply.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A

Staffing: The by-law regularizes processes already undertaken by the Hamilton Film and Television Office and will not require additional resources.

The by-law will be enforced by the Parking and By-Law Services Division. Although the ability to enforce when there is a failure to comply is considered important to ensure compliance, it is not anticipated that significant enforcement resources will be required.

Legal: The by-law authorizes the issuance or refusal of permits for all location filming in Hamilton. If its provisions are not followed, then enforcement and fines upon conviction are possible.

POLICIES AFFECTING PROPOSAL:

Section 40 of the by-law addresses changes to other by-laws and policies required to align these by-laws and policies with it and the modified Filming Policy, namely, changes to the following:

- Policy for Special Event Planning
- By-law No. 95-125, The Cemeteries Operation By-law for the former City of Hamilton
- By-law No. 03-020, The Noise By-law
- By-law No. 01-219, The Parks By-law

RELEVANT CONSULTATION:

The by-law has been reviewed by all affected Departments:

Public Works: General Manager’s Office, Transit (HSR), Energy, Fleet and Facilities Division, Operations and Maintenance Division (Traffic Engineering and Operations, Administration, Cemeteries and Parks Maintenance)
Planning and Economic Development: Parking and By-Law Services Division
Hamilton Police Services
Community Services: Culture Division
Corporate Services: Legal Services Division in the preparation of the proposed By-law and Filming Policy.

As well, the Hamilton BIA Association was consulted on relevant portions of the by-law and policy.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Cultural industries are enhanced.

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

JN:db
Attachs. (2)
CITY OF HAMILTON

BY-LAW NO. __________

To Regulate Location Filming in the City of Hamilton

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5 through 7 of subsection 10(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the provision of any service or thing that it considers necessary or desirable for the public;

AND WHEREAS section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, authorizes the City of Hamilton to pass by-laws providing that a person who contravenes a by-law of the City of Hamilton passed under that Act is guilty of an offence;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, further authorizes the City of Hamilton, amongst other things, to delegate its authority, to provide for inspections and inspection orders and to impose fees or charges on persons for services or activities provided or done by or on behalf of it and for the use of its property including property under its control;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Definitions

1. In this By-law:

   (a) “business day” means a day on which the City’s administrative offices are open for business;
(b) “BDC” means the City of Hamilton’s Business Development Consultant of the Hamilton Film and Television Office or his or her designate;

(c) “City” means the municipality of the City of Hamilton or the geographic area of the City of Hamilton, as the context requires;

(c) “City premises” means land owned by the City and the buildings on it, but does not include a City road;

(c) “City road” means a road under the jurisdiction of the City;

(f) “Council” means the Council of the City of Hamilton;

(g) “Director” means the City of Hamilton’s Director of Economic Development or his or her designate;

(h) “filming event” means filming, videotaping, photography or any other form of visual recording for a feature film, television film, television program, documentary, commercial, music video, educational film or other purpose outside a studio or film laboratory, but does not include street interviews, newscasts, press conferences or visual recordings for personal purposes only;

(i) “film permit” means a permit issued under this By-law for a filming event;

(j) “Officer”

(i) means a Municipal Law Enforcement Officer appointed under any City by-law or any other person assigned or appointed to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law; and

(ii) includes, for the purposes of exercising any power of entry under this By-law, a police officer;
(k) “person” includes a natural person, an association, a corporation, a body politic or a partnership whether acting by themselves or by a servant, agent or employee and the heirs, executors, administrators, successors and assigns or other legal representative of such person; and

(l) “road” includes, but is not limited to, a common and public highway, street, avenue, alleyway, lane, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between lateral property lines thereof.

Prohibitions

2. No person shall undertake or permit the undertaking of a filming event without a valid film permit issued for the filming event.

3. No person shall participate in a filming event unless there is a film permit issued for the filming event.

Film Permit Application

4. A person who intends to undertake a filming event shall apply to the BDC for a film permit.

5. Every person who applies for a film permit shall make their application at least 10 business days in advance of the filming event, provided that an application for a filming event that involves a road closure, potentially hazardous activity or an activity requiring Council approval shall be made at least 30 business days in advance.

6. A person who applies for a film permit shall provide the BDC with:

   (a) the person’s name, signature, position, organization, municipal address, telephone number, fax number and e-mail address;
(b) the name, position, organization, municipal address, telephone number, fax number and e-mail address of a location supervisor, an individual who will carry out the responsibilities listed in section 18;

(c) the contact name, position, legal name, municipal address, telephone number, fax number and e-mail address of the individual or organization undertaking the filming event;

(d) the type and purpose of the filming event;

(e) the location of the filming event;

(f) the date(s) and day(s) of the week when the filming event is to be held and, if the filming event is postponed, an alternative date(s), day(s) of the week; and

(g) for each date of the filming event, the time that set-up will commence, the time that the filming event will commence, and the time the filming event will finish including clean-up time;

(h) any potentially hazardous activities associated with the filming event;

(i) any fee or charge to be paid in respect of this By-law or a film permit issued under it, including a fee or charge for a film permit; and

(j) any additional information, documentation, fee or charge for the purposes of administering this By-law as requested by the BDC.

7. In addition to complying with section 6, a person who applies for a film permit for a filming event using City premises or a City road shall provide the BDC with:

(a) the location on City premises or the City road(s) to be used for the filming event;

(b) evidence of insurance, satisfactory to the BDC;

(c) a signed release, satisfactory to the BDC, releasing the City from responsibility or liability in conjunction with the death or personal injury of any person or any
damage or loss of property caused by the filming event or by the operation of this By-law;

(d) a signed indemnity, satisfactory to the BDC, indemnifying and saving harmless the City from all claims of any type which may be brought against the City as a result of or in connection with the use of City premises or a City road by the applicant and the individual or organization undertaking the filming event specifically acknowledging that the City will not be responsible for any liability arising from the use with respect to advertising or any copyright or trademark infringements;

(e) an advance payment in the form of cash, a money order or a certified cheque in an amount equal to the anticipated City fees and charges for the filming event;

(f) a security deposit in the form of cash, a money order, a letter of credit or a certified cheque in an amount satisfactory to the BDC; and

(g) any licence, permit, approval, agreement or other type of permission required to use City premises or a City road in addition to a film permit.

8. Where a provision of any licence, permit, approval, agreement or other type of permission required to use City premises or a City road conflicts with a provision of this By-law, the provision of the licence, permit, approval, agreement or other type of permission prevails.

9. No person applying for a film permit shall knowingly provide false information to the BDC.

Issuance, Refusal or Revocation of Film Permit

10. The BDC shall not issue a film permit except upon receipt of a proper, completed application and payment of all fees and charges for the film permit, including payment under subsections 7(e) and (f) if required.
11. The BDC may issue a film permit, refuse to issue a film permit or may issue a film permit imposing conditions as a requirement of obtaining and continuing to hold it, including, but not limited to, conditions that:

(a) a notice setting out the location, date and time of the filming event, the name and number of this By-law, the telephone number of the Hamilton Film and Television Office and other information as required be delivered not less than 5 business days in advance of the filming event to all affected homes, businesses, institutions, Business Improvement Areas, business associations or neighbourhood groups as determined by the BDC; and a copy of such notice be provided to the BDC;

(b) reduce or eliminate the impact of the filming event on neighbouring premises; or

(c) responsible authorities, including but not limited to Hamilton Emergency Services - Fire, the Hamilton Police Service and the City’s Community Services Department (e.g. Culture Division), Planning Department (e.g. Building Services Division and Parking and By-law Services Division) and Public Works Department (e.g. Capital Planning and Implementation Division and Operations and Maintenance Division), be consulted and provide all necessary approvals for the filming event.

12. In considering the issue, refusal or issue with conditions of a film permit, the BDC may have regard to:

(a) whether or not, considering past filming events, the filming event is likely to be carried out in compliance with the film permit and this By-law;

(b) a conflict with previously scheduled activity for which the City has issued a licence, permit, approval or other type of permission;

(c) the disruption of City work of any type;
(d) whether or not the filming event may result in damage to the City's assets, including but not limited to cultural and heritage resources;

(e) the disruption of traffic or public transit;

(f) the response of the Hamilton Police Service to the application;

(g) whether or not the filming event may result in a threat to public safety or conflict with City by-laws or policies;

(h) the number and frequency of past filming events at the same location.

13. In addition to considering subsections 12(a) to (h) inclusive, in considering the issue, refusal or issue with conditions of a film permit for a filming event using City premises or a City road, the BDC:

(a) will request and have regard to comments from the City Department, Division or Section responsible for the City premises or City road; and

(b) may have regard to whether or not the filming event involves anything that:

   (i) is derogatory to or exploitative, directly or indirectly, of any person or groups of persons;

   (ii) may, in light of prevailing community standards, cause offence;

   (iii) has violent or sexual content.

14. At any time after a film permit has been issued by the BDC, the BDC may revoke the film permit or impose a condition on the film permit upon giving verbal notice, in person or over the telephone, or written notice by regular mail, fax or e-mail to the person who applied for the film permit or the location supervisor.

General – All Film Permits

15. Sections 16 to 20 inclusive apply to all film permits.

16. The BDC may modify the time period prescribed for submitting an application for a film permit set out in section 9 or for the delivery of a notice set o
17. The person who applied for the film permit and the organization undertaking the filming event as identified in the film permit shall comply with any conditions imposed under section 10 and shall ensure that the location supervisor complies with section 18.

18. While a filming event is underway, the location supervisor shall:

(a) be present at the filming event;

(b) produce the filming permit to the BDC, an Officer or any police officer on his or her demand;

(c) ensure that there is a minimum of disruption to businesses, residents and institutions during the filming event;

(d) ensure proper site security and safety;

(e) ensure that waste generated by the filming event is dealt with in accordance with the City’s Solid Waste Management By-law and, to the greatest extent possible, ensure compliance with the City’s target of recycling 65% of all waste;

(f) advise the BDC of the name, position, organization, municipal address, telephone number, fax number and e-mail address of the location supervisor, should there be any change in this information as identified in the film permit.

19. The person who applied for the film permit, the organization undertaking the filming event as identified in the film permit, the location supervisor and the participants in the filming event shall not do or permit to be done anything that may:

(a) constitute a nuisance;

(b) cause injury to the occupants of neighbouring premises;

(c) constitute a breach of any by-law, statute, order or regulation of any municipal, provincial, federal or other competent authority, including those pertaining to filming, special events, parks, cemeteries, fees, charges, work within a road, signs, traffic, parking, noise, pyrotechnics, alcohol, firearms, building and smoking and including the “Ontario Traffic Manual, Book 7” and “The Section
21 Health and Safety Advisory Committee Safety Guidelines for the Film and Television Industry in Ontario”.

20. A film permit:

(a) shall not be transferable from one person to another, from one filming event to another, from one date and time to another nor from one location to another without the written permission of the BDC; and

(b) shall expire when the filming event finishes as indicated on the film permit.

General – Film Permits for using City Premises or a City Road

21. Sections 22 to 28 inclusive apply to film permits for a filming event using City premises or a City road.

22. (a) The BDC may use the advance payment and the security deposit for a film permit to pay for City fees and charges or for City damages, costs or expenses for the filming event.

(b) If the City fees and charges and the City damages, costs or expenses are more than the amount of the advance payment and security deposit provided, the BDC will invoice the difference.

(c) If the City fees and the City damages, costs or expenses are less than the amount of the advance payment and security deposit provided, the BDC will return the difference.

23. The BDC may deliver an invoice under subsection 22(b) by regular mail or fax to the person who applied for the film permit or the organization undertaking the filming as identified in the film permit and they shall pay within 15 business days of the date of mailing or faxing.

24. The person who applied for the film permit, the organization undertaking the filming event as identified in the film permit and the location supervisor shall not make or
permit to be made any alterations to City premises without the prior written approval of the BDC.

25. The person who applied for the film permit and the organization undertaking the filming event as identified in the film permit shall ensure that the location supervisor complies with section 24 of this By-law.

26. The location supervisor shall clean up and restore City premises or a City road immediately following the finish of the filming event.

27. The City and any utility may enter at any time to carry out their services or activities on City premises or City roads during a filming event.

28. The person who applied for the film permit, the organization undertaking the filming event as identified in the film permit and the location supervisor shall not permit:

(a) anything that:

   (i) may, directly or indirectly, injure the name or reputation of the City; or

   (ii) would be refused approval or classified as an adult sex film by the Ontario Film Review Board; or

(b) a product resulting from the filming event to be included in any project that:

   (i) may, directly or indirectly, injure the name or reputation of the City; or

   (ii) would be refused approval or classified as an adult sex film by the Ontario Film Review Board.

Administration and Enforcement

29. The Director and BDC are authorized to administer this By-law, including the authority to impose conditions on a permit as necessary to ensure compliance with this By-law and to prescribe the format and content of any forms or other documents required under this By-law.
30. The City’s Director of Parking and By-law Services is authorized to enforce this By-law and may assign or appoint Officers to enforce this By-law.

31. Fees or charges referred to under this By-law, including a fee or charge for a film permit, shall be as set and approved by Council from time to time and, unless otherwise specified, the person who applied for the film permit or the organization undertaking the filming event shall pay all fees or charges.

32. Unpaid fees or charges set and approved under section 31 constitute a debt to the City and may be added to tax roll and collected in the same manner as municipal taxes.

33. An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

   (a) this By-law;
   (b) a condition of a film permit; or
   (c) an order made under s. 431 of the Municipal Act, 2001 in respect of this By-law.

34. For the purposes of an inspection under section 33, an Officer may:

   (a) require the production for inspection of documents or things relevant to the inspection;
   (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
   (c) require information from any person concerning a matter related to the inspection; or
   (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

35. An inspection order made under section 34 may be served by giving verbal notice, in person or over the telephone, or written notice by regular mail, fax or e-mail to the person who applied for the film permit or the location supervisor.
36. An Officer may, pursuant to an order under section 438 of the *Municipal Act, 2001*, undertake an inspection for a purpose described in section 33 and exercise powers described in section 34 where he or she has been prevented or is likely to be prevented from carrying out an inspection under sections 33 and 34, provided that:

(a) unless otherwise provided in the order, the conditions set out in section 435 of the *Municipal Act, 2001* apply; and

(b) in the case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier is given notice concerning the inspection in accordance with subsection 438(5) of the *Municipal Act, 2001*.

37. This By-law may be cited as the “Hamilton Film Permit By-law”.

38. If a court declares any provision of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force and effect.

Penalties

39. Every person who fails to comply with this By-law is, upon conviction, guilty of an offence and is liable to a fine of not more than:

(a) $5,000 for a first offence;
(b) $25,000 for a second offence; or
(c) $100,000 for a third or subsequent offence.
Amendments, Repeals and Enactment

40.(1) The “Policy for Filming on Streets and Property under the Jurisdiction of the City of Hamilton” is repealed.

(2) The “Policy for Special Event Planning” is amended by removing the word “Filming” from the list of Special Events.

(3) By-law No. 95-125, The Cemeteries Operation By-law for the former City of Hamilton, is amended as follows:

(a) The following new section is added after section 28 of Part B:

29. “filming event” means filming, videotaping, photography or any other form of visual recording for a feature film, television film, television program, documentary, commercial, music video, educational film or other purpose outside a studio or film laboratory, but does not include street interviews, newscasts, press conferences or visual recordings for personal purposes only;

(b) Section 26 of Part M is deleted and replaced with the following new section 26:

Filming 26. While in a cemetery, no person shall undertake or permit the undertaking of a filming event without a valid film permit issued for the filming event under the Hamilton Film Permit By-law.

(4) By-law No. 03-020, the Noise By-law, is amended by adding the words “or film permit” after each occurrence of “Special Event Permit” in subsection 12(2) including paragraph 12(2)(b).

(5) By-law No. 01-219, The Parks By-law, is amended as follows:

(a) The following new subsection is added after subsection (i) and before subsection (j):
(i.) “filming event” means filming, videotaping, photography or any other form of visual recording for a feature film, television film, television program, documentary, commercial, music video, educational film or other purpose outside a studio or film laboratory, but does not include street interviews, newscasts, press conferences or visual recordings for personal purposes only;

(b) Section 46 is deleted and replaced with the following new section 46:

Filming

46. While in a park, no person shall undertake or permit the undertaking of a filming event without a valid film permit issued for the filming event under the Hamilton Film Permit By-law.

(c) Section 56 is amended by deleting the words “Schedule “B” – Filming”.

(d) Schedule “B” is deleted.

41. This By-law comes into force on the day it is passed.

PASSED this day of , 200 .

Mayor

CLERK
City of Hamilton Filming Policy

The City of Hamilton recognizes the importance and significance of the film and television production industry to our community. We further recognize the direct and indirect economic benefits associated with this sector.

The Hamilton Film & Television Office (HFTO) was established to provide local support and guidance to the film and television community. This service includes the development of local initiatives and resources, which have become required standards of the industry. Since 1999, the HFTO has been a member of the Association of Film Commissioners International.

All film and television production activity in the City of Hamilton must be reported to and coordinated through the HFTO, Economic Development and Real Estate Division. This includes all requests for filming, whether on public or private property.

Filming in Hamilton is governed by By-Law # ____, approved by City Council on _______. Additional guidelines are outlined in this companion document entitled “City of Hamilton Filming Policy”.

Purpose of Policy:

This Policy has been developed to provide specific guidelines for the assessment and co-ordination of commercial filming projects. In the event that there is a conflict, apparent or real, between this Policy and any City by-law, the City by-law takes precedence.

1. Applicability:

The following guidelines, which form the Policy, apply to all location filming which takes place in the City of Hamilton, except for current affairs and newscasts.

2. Projects for Consideration:

- Feature Films
- Television Films
- Television Network Programs/Series (including Reality Programming)
- Television Commercials (commercial, government, non-profit)
- Documentaries
- Educational Films
- Commercial Photography
- Other Projects as approved by Council

3. Notification:

♦ Community: The production company WILL notify affected residents, occupants and businesses in writing five business days in advance of filming. (Affected residents, occupants and businesses are those who are located in proximity to or in the impact zone of filming. Contact HFTO regarding the limits of notification.)

The following information WILL be included in the notification letter:

- production office name, address and phone number
- location manager’s name and cell phone number
- HFTO telephone number
• duration and location of filming
• planned special effects
• road and lane closures, sidewalk usage
• on and off-street parking
• Hamilton Film Permit By-law Number

A copy of all notification letters is to be filed with HFTO prior to commencement of filming. The HFTO reserves the right to modify notification letters to ensure that the information they contain is accurate and clear.

♦ **BIAs**: BIAs are recognized as important organizations in the City of Hamilton and their cooperation with filming events is very important. Each BIA has different issues and requirements which must be addressed. (Please request a copy of the BIA’s Film Production Policies from HFTO.) Although filming on public property falls under the jurisdiction of the City of Hamilton, BIA cooperation in all filming events within their boundaries will make each event run more smoothly. BIA boundaries and contact information is available on the City’s web site:


BIA executive directors or key contacts are to be notified in advance of the distribution of notification letters within their boundaries and a copy of the letter must be provided to the BIA. Please see above for requirements for the notification letter.

4. **Consideration of Local Residents/Occupants/Businesses**:

The local community should be free of negative environmental conditions resulting from filming. This includes (but is not limited to) spill-over lighting, exhaust fumes or noise that may affect their ability to enjoy their property or conduct their business.

♦ **Noise**: The Production Company will comply with the City’s Noise By-law.
♦ **Lighting**: Lighting for filming will be orientated away from neighbouring residences.
♦ **Generators**: All generators used on streets or in public areas will be equipped with silencing attachments unless otherwise approved.
♦ **Night Filming**: Filming will not proceed between 11 p.m. and 7 a.m. without proper notification to residents.

Exceptions to the above conditions will require, as appropriate in the circumstances, approval of affected residents/occupants/businesses, City of Hamilton staff and/or Council.

5. **Disruption of Residents/Occupants/Businesses**:

It is the Production Company’s responsibility to ensure that there is a minimum disruption to residents, occupants, businesses and City services where filming occurs. This includes providing for access to their properties by pedestrian and vehicular traffic.

Every effort must be made to ensure that people with special needs are not inconvenienced, for example, appropriate parking is available for vehicles displaying disabled parking permits.

6. **Parking**:

Parking in BIAs will be coordinated with the BIA, the HFTO and Hamilton Municipal Parking System. Parking of base camp or tech trucks on main commercial streets, particularly within BIAs, is prohibited.
Production Companies are encouraged to maximize parking in private and public lots before requesting street parking.

7. Complaints:

All complaints will be handled through the HFTO with copies provided to the ward councillors where appropriate.

8. Special Effects and Dangerous Filming Activities:

The use of guns, gun-fire, explosives, bomb mock-ups, flash power, detonators, flammable liquids/materials and the filming of dangerous stunts require notification of and approval from the appropriate authorities, including Hamilton Police Services and the Fire Department. Paid Duty Officers and Emergency Medical Services Personnel are required on set for the detonation of pyrotechnic special effects and dangerous situations. All costs associated with these filming activities, including any clean-up, are at the expense of the Production Company or applicant.

9. Conduct:

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

Smoking on set, particularly in public areas, is discouraged. Please ask cast and crew to smoke responsibly and dispose of cigarette butts carefully.

10. Safety:

The Production Company must adhere to all applicable statutes, regulations, by-laws, policies, manuals, guidelines and the like to ensure safety of the production cast and crew and the public including but not limited to:

♦ The Ontario Ministry of Transportation’s Manual of Uniform Traffic Control Devices for Temporary Work Sites

The Guidelines and the Manual are available from the respective Ministries and the HFTO.

11. Restrictions:

There are sensitive areas and/or properties in the City of Hamilton in which filming is restricted or prohibited. The appropriate City staff will consider decisions about the nature and extent of filming in or around heritage properties, on a case-by-case basis, subject to the approval of such staff and/or Council.

12. Funds Spent in the Community:

The HFTO tracks the dollars spent in the community, therefore we request that all Production Companies keep detailed records of funds spent in the community whether by the Production Company or by cast and crew members so that we can report (in aggregate terms only) to Council and our constituents about the wealth generated in the community.
May 2009