

POLICY NUMBER: 95
POLICY TITLE: Filming
EFFECTIVE DATE:
APPROVAL:

Preamble

Valemount's mountains are a key-differentiating feature nestled between *the Rocky Mountains, the Monashee Mountains* and *the Cariboo Mountains* and they are extremely well positioned along Hwy 5 near Mount Robson Provincial Park and Jasper National Park. It is a landscape that attracts people to the community for outdoor adventure activities and eco-tourism experiences. Valemount has an attractive Mountain Bike Park, excellent diversity of trails, and world quality snowmobiling areas. Valemount residents value the community as a friendly, peaceful, quiet village, deeply connected to the history of the area.

1. Purpose:

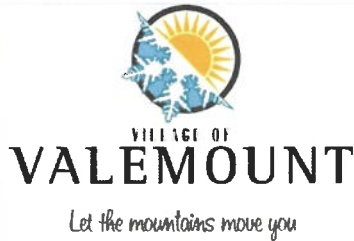
The Village of Valemount welcomes the film industry to its community, recognizing that filming within its boundaries can be both disruptive and bring economic benefits at the same time. To assist all parties and to recognize the unique benefits that can be afforded to our residents and our community through the film industry, the Village has established this Policy including Film Permit Requirements to provide direction and decision making for those considering filming in the Village.

2. Scope:

This policy applies to all filming that occurs within the municipal boundaries of the Village of Valemount.

3. Definitions:

- 3.1 Affected Households – primary residences and secondary suites within an area to be determined by the Village, depending upon the nature of the Filming Permit Application, as being affected or potentially affected by proposed filming.
- 3.2 Applicant/Permittee – the person or persons or corporation applying for and/or receiving a Filming Permit.
- 3.3 Chief Administrative Officer – CAO, or the person acting in that capacity in the absence of the CAO.
- 3.4 Filming – video, film and television recording undertaken for a commercial purpose.
- 3.5 Extraordinary Services – the provision of Municipal services outside of regular hours (dependent on position) or the need for the Municipality to hire a contractor to address issues related to Filming Activities which are not applied for by the Permittee or expected by the Municipality.
- 3.6 Fee – means the fees outlined in the Fees and Charges Bylaw, or as amended.

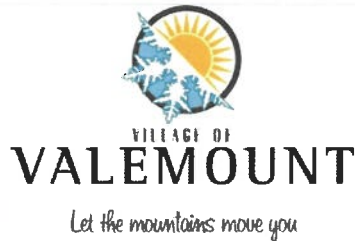


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- 3.7 Filming Activities – all outdoor human and mechanical activity related to Commercial Filming including all light, sound and the operation or parking of all vehicles, trucks and generators.
- 3.8 Filming Liaison – Economic Development Officer or designate by the Village to act as a liaison to Applicants and Permittees.
- 3.9 Filming Permit Application – the required application forms for a Filming Permit shall be in the form prescribed by the Village, or as amended.
- 3.10 Filming Permit – the document issued by the Municipality to the Applicant granting the conditional right for commercial filming in the Village of Valemount.
- 3.11 Municipal Facilities – includes public buildings (including all driveways, roadways, paths and lanes within or adjacent to the public building) including, but not limited to the Village building, Visitor Information Centre, public library, any community centre, art gallery, museum, exhibition and all other community facilities owned or controlled by the Village; and any real property upon which a public building is located that was acquired and held by the Village and managed by it for the use by the public.
- 3.12 Municipal Parks – includes public parks, playgrounds, squares, plaza, greens and other open spaces, including all driveways, roadways, paths, and lanes within or adjacent to the public parks, playgrounds, squares, greens and other open spaces under the custody, care and management of the Village.
- 3.13 Student Films – filming activities by students able to provide proof of registration in an accredited educational institution.
- 3.14 Village – means the Village of Valemount.
- 3.15 Village Property – parks, facilities, buildings, property, equipment, assets, streets, rights-of-ways and public places within the Village’s boundaries.

4. Policy Statement:

- 4.1 The Filming Liaison is responsible to administer the application of this Policy and the associated Film Permit Requirements.
- 4.2 It is the obligation of the Applicant to submit a Film Permit Application and Fee, and to comply with the Village’s Filming Policy.



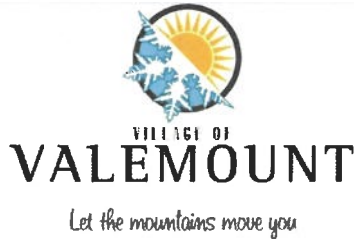
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- 4.3 The Village reserves the right to limit the number of Filming Activities in the municipality at any one time and/or the use of a specific location within the Village.
- 4.4 The Village reserves the right to approve or deny any requests for filming on Village Property.
- 4.5 Each Applicant must return all Village Property to the state or condition it was in prior to filming activity. The Village may require, at the cost of the Applicant, the attendance of Village personnel specified in the Fees and Charges Bylaw to ensure the appropriate use and/or security of Village Property.
- 4.6 The Applicant shall indemnify and hold harmless the Village of Valemount by authorized signatory to execute the Indemnification Agreement.
- 4.7 The Applicant is directly responsible to negotiate the terms of use for any private residential, commercial or industrial property directly with the owner.
- 4.8 Requirements for insurance and security deposits are identified in the Film Permit Requirements.
- 4.9 In recognition of the vital role that news media plays in informing the public, news media are exempt from this requirement.

5. Film Permit Requirements

The Village of Valemount endeavours to provide the film industry with reasonable access and use of the many features the Village has to offer for location filming. Our goal is to ensure the Village's requirements are clear and easily followed by providing these requirements and the associated application forms prescribed by the Village.

- 5.1 Complete the Film Permit Application and file it with the Filming Liaison at least twelve (12) working days in advance to allow for processing through the various approval stages. Permits received less than twelve (12) working days in advance of filming may be subject to a higher film application fee.
- 5.2 Applications will not be processed unless accompanied by written permission from the owner(s) of any private lands where the filming will take place.
- 5.3 A fee for each additional location is required if two or more locations are being requested by the Applicant. The fee amount is found in the Village's Fees and Charges Bylaw.

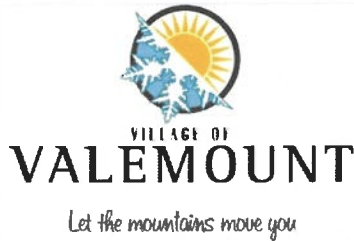


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- 5.4 All required fees and deposits are to be submitted a minimum of five (5) working days in advance of filming to allow for processing.
- 5.5 If granted, permission to film within the Municipality will be conveyed through the issuance of a Filming Permit issued by the Filming Liaison once all prerequisites of this policy are met.
- 5.6 If all requirements of this Policy have been met, along with any applicable administrative policies or procedures, Filming Permits may be granted directly by the Filming Liaison unless:
 - 5.6.1.1 A variance to allow for filming outside of the daytime filming hours is required, or
 - 5.6.1.2 Filming Activity is required repeatedly on non-consecutive days (for example a TV series or mini-series), or
 - 5.6.1.3 Filming Activity is for more than five (5) consecutive days, in which case will be at the discretion of the Filming Liaison.
- 5.7 A Permittee cannot change dates, locations, filming times or the types of scenes to be filmed as set-out in an approved application, without first consulting the Filming Liaison and obtaining the consent in writing from the Filming Liaison. Such consent may be conditional upon notification to all persons impacted and other terms that are appropriate in the circumstances.
- 5.8 Once a Filming Permit has been issued, subsequent changes in dates, times or location may result in cancellation of the existing permit, requiring the Applicant to re-apply with re-payment of the associated fees and deposits.
- 5.9 The Village reserves the right not to accept Film Permit Applications less than five (5) working days in advance of filming due to inadequate processing time.

Film Permit & Liability Insurance

- 5.10 The Film Permit Application fee is contained in the Village's Fees and Charges Bylaw and must be submitted with each Film Permit Application.
- 5.11 The Village will not review a Film Permit Application without payment of the Film Permit Application Fee.

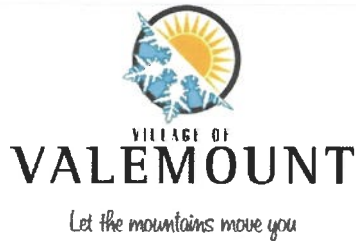


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- 5.12 The village requires a certified copy of the Applicant insurance Policy, evidencing a minimum of \$5,000,000 (five million dollars) general comprehensive liability insurance. The certificate shall name The Village of Valemount, as additional named insured and providing that the said policy shall not be cancelled, lapsed, or materially altered without 30 days' notice in writing. The certificate must be delivered to the Village of Valemount prior to issuance of a Film Permit.
- 5.13 The Village of Valemount reserves the right, solely at its discretion, to set higher insurance limits. This may be required depending on the type of activity planned during the course of filming (e.g. stunts, pyrotechnics and dangerous activities).
- 5.14 A Film Permit Deposit found in the Fees and Charges Bylaw will be required to cover any charges for operations, use of Municipal parks and Facilities lands, and staff involvement at the time of Film Permit Approval. If the production company causes damage to Village Property, uses additional Village services or does not meet permit conditions, deposits may be partly or fully withheld to recoup costs.

Street Use and Traffic Control

- 5.15 A Road Closure Plan must be submitted in the form prescribed by the Village for any request to close, or partially close a road and must be approved by the Public Works Superintendent.
- 5.16 When traffic cannot be effectively diverted onto other streets, traffic shall be stopped intermittently and for no longer than ten (10) continuous minutes – allowing queued traffic to clear before stopping traffic again. Subject only to exception granted in writing by the Filming Liaison, which may include terms and conditions required to be fulfilled by the Permittee including, but not limited to, advance public notice.
- 5.17 In most cases street parking can be provided for essential unit vehicles. Where off-street parking is available, the Applicant must use it for non-essential vehicles, e.g. crew parking. In locations where off-street parking is not available, the Applicant may be required to use a remote parking location. All vehicles must be legally parked and allow uninhibited access for emergency services (i.e. police, fire, ambulance, etc.).
- 5.18 Emergency vehicles shall have the absolute right-of-way and shall not be impeded for any reason.
- 5.19 Any request for use of Municipal fire hydrants must be included in a Filming Permit Application. All hydrants will be operated by Municipal employees only and fees in accordance with Fees and Charges Bylaw, as amended, will apply.



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Rental of Municipal Parks & Facilities

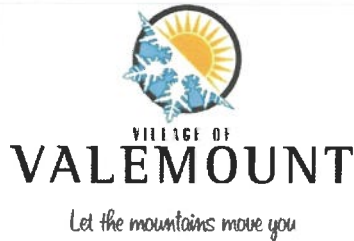
- 5.20 Rentals of Municipal Parks and Facilities, and other Municipal properties can be handled through the Filming Liaison. Rental fees can be found in the Fees and Charges Bylaw.

Notification

- 5.21 The Applicant shall notify affected property owners, businesses, residents and tenants as required by the Village in its approval in principle prior to filming. A copy of the notification letter shall be provided to the Filming Liaison for review before delivery to affected property owners, residents and tenants a minimum of 48 hours prior to filming. The Filming Liaison will specify the extents of the notification area based on their review of the proposed film activities.
- 5.22 The Applicant will be directly responsible for addressing any problems that residents in the affected area may have as a result of filming and are responsible for resolving them prior to filming.
- 5.23 Notification letters to property owners/occupants must include:
- a) Name of the Applicant
 - b) A description of the activity – mentioning use of parking, anticipated noise impacts, and any stunts, special effects or pyrotechnics
 - c) Date and time the Applicant will be working in the area
 - d) Name and telephone number of the Location Manager
 - e) Name and telephone number of on-site contact
 - f) Telephone number of Creative BC (if applicable)

Fire and RCMP Requirements

- 5.24 Productions involving activities, such as fire, explosives, detonators, guns, gunfire, flash powder, etc., will require special approval from Valemount Fire Department and RCMP.
- 5.25 Requests for pyrotechnic and dangerous activities may be required to be reviewed at a meeting between the Applicant and all approval authorities prior to the scheduled event.



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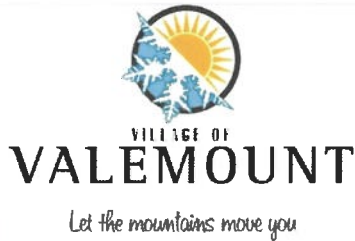
- 5.26 Open air burning for the purpose of providing special effects for filming will require the prior written authorization of the Valemount Fire Chief.
- 5.27 Any on-street filming including car chases, stunts or scenes involving weapons, must have received RCMP permission at least five (5) working days prior to filming.

Drone Usage

- 5.28 All drone operations must adhere to Transport Canada's restrictions and regulations for unmanned aerial vehicles (UAVs) as outlines in the Canadian Aviation Regulations (CARs) and any additional guidelines issued by Transport Canada.
- 5.29 Drone pilots must carry a valid drone pilot certificate and only fly drones that are marked and registered.
- 5.30 Drone pilots must carry liability insurance coverage sufficient to protect against potential damages or injuries resulting from drone operations. Proof of insurance must be provided prior to commencing any filming activities.
- 5.31 Drone pilots must conduct a thorough risk assessment before each flight, considering factors such as weather conditions, airspace restrictions, and potential hazards to ensure the safety of residents, properties, bystanders and crew.
- 5.32 Drone pilots must respect individual's privacy rights and obtain any necessary permissions or consents before capturing footage in private or sensitive locations.
- 5.33 Drone pilots must minimize their impact on the environment and wildlife during filming activities. Operations in environmentally sensitive area or protected habitats may be subject to additional restrictions or permitting requirements.
- 5.34 Drone pilots must have a comprehensive emergency response plan in place to address incidents such as drone malfunctions, collisions, or other emergencies.
- 5.35 Any data collected during drone operations, including aerial footage and imagery, must be handled and stored securely to protect against unauthorized access or use.

General Public, Businesses and Residents

- 5.36 The Applicant shall minimize any inconvenience to the general public, businesses and residents of the Village of Valemount as a result of filming activities.



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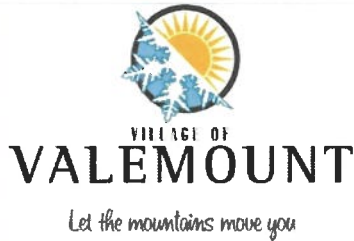
- 5.37 The Applicant shall ensure the Village of Valemount residents not be unduly inconvenienced by prolonged loss of access to public areas or roadways, or by restricted parking fronting residents' homes.
- 5.38 The Applicant shall ensure that businesses not be unduly impacted, and that impacts to businesses are managed, losses are minimized and compensation is provided where appropriate.
- 5.39 The Applicant shall ensure that the Village recovers all of its direct and indirect costs associated with Filming Activities and Village services and assets.
- 5.40 The Applicant shall ensure that Filming Activities fully observe the bylaws of the Village and protect the safety, well-being and interests of residents.
- 5.41 Production vehicles arriving on location in or near a residential neighbourhood shall not enter the area before the time stipulated on the permit.
- 5.42 Cast and Crew shall not trespass on residents' or merchants' properties. They must remain within the boundaries of the property that has been permitted for filming.

Noise & Hours of Work

- 5.43 Filming activities must be in compliance with the Noise Bylaw.
- 5.44 Where late night and early morning move-ins, move-outs or filming outside the hours defined in 5.43 and the Noise Control Exemption is required, the Applicant may apply for a Noise Control Exemption Application as prescribed by the Village. The permit may contain such terms and conditions (such as notification) as the Filming Liaison deems necessary. The fee for a Noise Control Exemption Permit is payable as outlined in the Fees and Charges Bylaw.
- 5.45 Filming will not be permitted during municipal special events and/or during construction periods in coinciding locations – to better ensure public safety and reduce disruption.

Student Films

- 5.46 The Village of Valemount welcomes Student Films. Student Films are considered as Applicants as referenced throughout this Filming Guideline and must comply with the following:

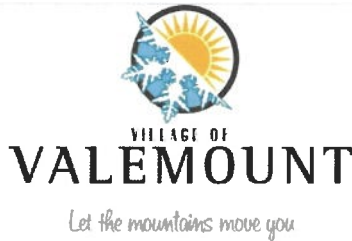


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- 5.46.1.1 All Student Films are subject to the Village of Valemount's Film Permit Requirements and applicable bylaws.
- 5.46.1.2 A completed Film Permit Application must be received at least twelve (12) working days in advance of the proposed film start date, along with the Student Film Fee found in the Fees and Charges Bylaw, for film school projects which meet the following criteria:
- a) The school is an accredited and recognized education institution.
 - b) The school must sign all legal documents and provide current insurance of no less than \$5,000,000.00 (five million dollars) general comprehensive liability insurance in place, with the Village of Valemount listed as an additional insured.
 - c) The project must be assigned by the instructor and be part of the curriculum.
 - d) All personnel working on the project are doing so without financial compensation.
 - e) The project is for academic use only, not to be used for commercial gain.

Other Conditions for Filming in the Village of Valemount

- 5.47 The name(s) and number(s) of person(s) in charge on the set shall be provided to the Filming Liaison.
- 5.48 If the Village deems it necessary, a Village staff representative shall be on site to ensure requirements and permit conditions are adhered to. The Applicant will be charged for staff time required as outlined in the Fees and Charges Bylaw.
- 5.49 Inspections of the filming location may be made by the Village prior to, during and after filming to ensure guideline and permit conditions are adhered to. Noted violations of permit conditions may result in fines, orders and/or permit revocation.
- 5.50 All time frames for approval are approximate and may change subject to staff availability for permit processing.
- 5.51 It is recognized that use of Village facilities, personnel, and equipment is dependent upon availability and may be withdrawn without notice or liability, which may further restrict filming activities.



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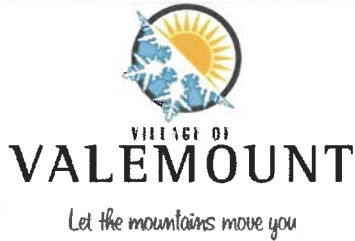
5.52 It is recognized that the use of Village personnel time will be subject to fees as outlined in the Fees and Charges Bylaw.

6. Conduct

- 6.1 All Federal, Provincial and Municipal regulations and bylaws including, but not limited to, cannabis, alcohol and food service regulations must be obeyed by the Applicant and by any independent contractors retained by the Applicant. The Village of Valemount reserves the right to report any failure to comply with the Policy and the Film Permit Requirements to Creative BC.
- 6.2 While working with the Municipality, all filming Permit Applicants/Permittees, including producers, directors, cast, crew members and anyone else working for or associated with an Applicant/Permittee, shall conduct themselves in accordance with the BC Motion Picture Industry Code of Conduct.
- 6.3 The Municipality may fine the Permittee for bylaw infractions and may revoke the Permit without notice and without payment of any damages if the Permittee does not comply with the terms and conditions of the Permit or with applicable enactments.
- 6.4 The Permittee must designate a Production Liaison to the Municipality who is responsible for all film company activities and must be on site for the duration of production. The representative is responsible for ensuring that all cast and crew are informed of, and abide by, the terms and conditions of the Permit and for correcting any deficiencies with compliance. A 24-hour contact number for the representative must be provided to the Village.

7. Granting of Approval

- 7.1 The Village of Valemount shall be guided in part by the following considerations when determining whether a Film Permit is approved:
 - 7.1.1.1 Film Permit Applications will be handled on a first-come-first-served basis. The Village reserves the right to limit the number of Film Companies operating in the Village at one time.
 - 7.1.1.2 The Village reserves the right to approve or deny any requests for filming on location involving Village property.



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7.1.1.3 The Village of Valemount reserves the right to deny applications which it views as detrimental to the safety and comfort of its citizens or that may negatively impact the environment.

8. Penalties for Guidelines & Condition Violations

- 8.1 The Village will notify the Applicant as soon as they become aware of circumstances that (a) do not comply with this Policy; and/or (b) are determined to be harmful, or cause disruption to individuals, businesses and/or the community; (c) or in any way jeopardize the safety and/or well-being of the public, and grant them a reasonable timeline to rectify depending on the nature and severity of the infraction. Failure to comply within the specified timeline may result in cancellation of filming permits.
- 8.2 A re-issuance of a permit that has been cancelled due to a violation will require a new Film Permit Application to be made, and is subject to the approval of the Filming Liaison.
- 8.3 The Village of Valemount may report any failure to comply with the above requirements to Creative BC.

Council Resolution No. Res #32/24 dated this 13th day of February 2024



Chief Administrative Officer