



Filming Regulation Bylaw No. 8708

The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL PROVISIONS

1.1 Prohibitions

- 1.1.1 No person may use, or **affect the use of City property** for the purpose of **film production**, except in accordance with this bylaw and a **permit** issued pursuant to this bylaw.
- 1.1.2 The provisions of this bylaw do not apply to the professional or personal production of photography, or to audiovisual works produced exclusively for personal and private consumption, including photography or audiovisual works published on personal social media accounts.

1.2 Authorizations

- 1.2.1 The **General Manager, Community Services** or the **Film and Major Event Liaison** is authorized to issue **permits** and establish a fee structure to use, or affect the use of, **City property** for **film production**.
- 1.2.2 The **General Manager, Community Services** is authorized to negotiate and enter into **film agreements** with **applicants** to permit the use of, or to permit impact to the use of, **City property** for **film production**.

PART TWO: PERMITS

2.1 Permit Application & Issuance

- 2.1.1 Every **applicant** for a **permit** to use, or **affect the use of, City property** for **film production** must:
 - a) complete an application form in the form provided by, and containing such information as required by, the **Film and Major Event Liaison**;
 - b) deliver such application to the **Film and Major Event Liaison**, signed by the **applicant** or by an individual who has the legal authority to bind the **applicant**;

- c) deliver to the **Film and Major Event Liaison** written confirmation of insurance coverage in the form specified by the City and to the satisfaction of the **Film and Major Event Liaison**;
 - d) deliver to the **Film and Major Event Liaison** the application fee specified in the *Consolidated Fees Bylaw No. 8636*, as amended from time to time; and
 - e) deliver to the **Film and Major Event Liaison** the applicable administrative, and location fees specified in the *Consolidated Fees Bylaw No. 8636*, as amended from time to time.
- 2.1.2 If an **applicant** or **permit** holder intends to use and/or uses the services of **City** employees, RCMP employees, contractors provided by the **City**, and/or equipment, vehicles, materials and supplies provided by the **City** for the purpose of **film production**, the **applicant** or **permit** holder must deliver to the **Film and Major Event Liaison** the applicable fees specified in the *Consolidated Fees Bylaw No. 8636*, as amended from time to time.
- 2.1.3 If, upon reviewing an application, the **Film and Major Event Liaison** determines, in their sole discretion, that a **film agreement** is required for the proposed **film production**, the **applicant** must negotiate and enter into a **film agreement** with the City on terms and conditions satisfactory to the **General Manager, Community Services**.

PART THREE: OFFENCES, PENALTIES AND ENFORCEMENT

3.1 Any person who:

- a) violates or who causes or allows any of the provisions of this bylaw, or any **permit** issued under this bylaw, to be violated;
- b) fails to comply with any of the provisions of this bylaw, or any **permit** issued under this bylaw;
- c) neglects or refrains from doing anything required under the provisions of this bylaw, or any **permit** issued under this bylaw; or
- d) makes any false or misleading statement in connection with this bylaw, or any **permit** issued under this bylaw,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

3.2 Every permit holder must comply with the requirements of this, or any other bylaw of the City, which governs or regulates film production, must carry out the film

production for which the **permit** was issued in compliance with all applicable statutes, regulations, rules, codes and orders of all federal, provincial or municipal authorities having jurisdiction, and any person failing to comply with the requirements of this Section commits an offence and, upon conviction, is liable for the penalties specified.

- 3.3** In addition to Section 3.2 above, where the **City** has determined that a **permit** holder and/or a **film production** is in contravention of the **permit** conditions and/or any applicable municipal, provincial or federal legislation, the **General Manager, Community Services** or the **Film and Major Event Liaison** may suspend, revoke or cancel the applicable **permit**.

PART FOUR: INTERPRETATION

4.1 Definitions

4.1.1 In this bylaw, unless the context otherwise requires:

**AFFECT THE USE
OF CITY PROPERTY**

refers to **film production** occurring on or near **City property** that will impact the use of the **City property** by members of the public not affiliated with the **film production**.

APPLICANT

means a person applying for a **permit** to use, or **affect the use of, City property** for **film production**.

CITY

means the **City** of Richmond as a corporate entity.

CITY OF RICHMOND

means the **City** of Richmond as a geographic area.

CITY PROPERTY

means real or personal property, facilities or equipment owned, held by, leased, or in the possession of the **City**, including, without limitation, lands, roads, sidewalks, boulevards, buildings and vehicles.

COMMERCIAL

means an advertisement that is intended for widespread distribution, screening or showing.

COUNCIL

means the Council of the **City**.

FILM AGREEMENT

means an agreement between the **City** and an **applicant** to permit the use of **City property** for **film production** setting out the parties' respective rights and obligations, in the form and content as determined by the **General Manager, Community Services**.

**FILM AND MAJOR
EVENT LIASON**

means the person employed by the **City** in the position of Film and Major Event Liaison, and includes their designate.

FILM PRODUCTION

means the photographing, filming, creation and production of a **Commercial** or **Motion Picture** and includes all preparation activities, set-up, dismantling, removal or restoration activities in connection therewith.

**GENERAL MANAGER,
COMMUNITY SERVICES**

means the person appointed by **Council** to the position of General Manager of Community Services or those positions or persons designated by **Council** to act under this bylaw in the place of the general manager.

MOTION PICTURE

means a photoplay, film, movie or other audiovisual work produced by recording photographic images with cameras, or by creating images using animation techniques or visual effects, preserved on a recording medium and capable of being viewed with or without sound, but excludes a photoplay, film, movie or other audiovisual works produced exclusively for personal and private consumption.

PERMIT

means a permit issued pursuant to this bylaw, including:

- a) a film application accepted and signed by the **Film and Major Event Liaison** or designate,
- b) a student film application accepted and signed by the **Film and Major Event Liaison** or designate, or
- c) a fully signed **film agreement**.

PART FIVE: PREVIOUS BYLAW REPEAL

5.1 Filming Application and Fees Bylaw No. 8172 is repealed.

PART SIX: SEVERABILITY AND CITATION

6.1 If any part, section, sub-section, clause or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

6.2 This bylaw is cited as "Filming Regulation Bylaw No. 8708".

PART SEVEN: CONSOLIDATED FEES BYLAW

7.1 The *Consolidated Fees Bylaw No. 8636*, as may be amended from time to time, applies to this bylaw.

FIRST READING

FEB 13 2018

SECOND READING

FEB 13 2018

THIRD READING

FEB 13 2018

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
<i>[Signature]</i>
APPROVED for legality by Solicitor
<i>[Signature]</i>

MAYOR

CORPORATE OFFICER