

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 371-2004

A By-law to provide for the issuing, revoking, and/or suspending of permits and for regulating and inspecting filming events within the City of Vaughan.

NOW THEREFORE, the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1.0 TITLE

This By-law shall be known as the “Filming Event By-law”.

2.0 DEFINITIONS

“**Person**” includes a natural individual, and their heirs, executors, administrators or other legal representatives, a corporation, partnership or other form of business association or a receiver or mortgagee in possession;

“**City**” means the Corporation of the City of Vaughan, in the Regional Municipality of York;

“**Filming Event**” means the creating, producing, recording or capturing of events on motion film with the intention of being presented;

“**Highway**” means a street or highway being a provincial highway or under the jurisdiction of the Regional Municipality of York, the City of Vaughan, or assumed by the City or being constructed under an agreement with the City;

“**Sidewalk**” includes all such parts of a highway as set aside by the City for the use of pedestrians or used by the general public for the passage of pedestrians;

“**Street**” means that part of a highway that is improved, designed or ordinarily used for vehicular traffic;

“**Chief Fire Official**” means the Chief of the Fire Department of the City of Vaughan or a person designated to act on his or her behalf;

“**Chief of Police**” means the Chief of the York Regional Police Department or a person designated to act on his or her behalf;

“**City Clerk**” means the Clerk of the City of Vaughan, as appointed under the authority of the *Municipal Act*, c.M.45, 1990, as amended;

“**Clerk’s Department**” means the Clerk’s Department of the City of Vaughan;

3.0 PROVISIONS

- (1) No person shall carry on, engage in, or conduct a filming event in the City of Vaughan without first having obtained a permit to do so.
- (2) Application for a Filming Event permit shall be made no less than three (3) days prior to the event.
- (3) Application for a Filming Event permit shall be made in person, on the prescribed forms at the Clerk’s Department and shall be accompanied by the following:

- a) An application fee of five hundred dollars (\$500.00);
 - b) A deposit of twenty-five hundred dollars (\$2,500.00);
 - c) A traffic control plan outlining the location and description of traffic control signs for both roads and pedestrian routes and parking areas for staff, crew, and production vehicles;
 - d) Confirmation, in writing, that the Chief of Police has been notified of the filming event and, where applicable, the appropriate pay duty Police Officers will be present during the event;
 - e) Confirmation, in writing, that the Chief Fire Official has been notified of the filming event and, where applicable, pay duty Fire Fighters will be present during the event;
 - f) A certificate of policy of insurance for general comprehensive liability in the amount of five million dollars (\$5,000,000.00) with the City of Vaughan named as additional insured;
 - g) Any other information as the City Clerk may require.
- (4) Filming in residential areas shall be restricted to the local hours of 7:00 a.m. and 11:00 p.m.
- (5) Notwithstanding Section 3.0 (4), an exemption may be granted by the City Clerk, provided that all the affected residents are notified in writing and subsequently give their written approval.
- (6) No filming event shall be permitted until all affected residences, as determined by the City Clerk, are notified in writing by the filming or production company as to the dates, times, duration, and nature of the filming event to take place. A copy of such notice shall be dated no less than 48 hours before the event and a copy of same shall be filed with the Clerk's Department at the time of application.
- (7) Every person who receives a permit or requires a permit shall ensure that:
- a) No person shall allow the area residents and/or businesses as prescribed in Section 3.0 (6) to be affected or interfered with by any product of the filming event such as, but not limited to, lighting and exhaust fumes;
 - b) All generators are equipped with silencing attachments;
 - c) Access for emergency response is provided and maintained at all times during the filming event;
 - d) All fire hydrants, private driveways, sidewalks, access ramps, and/or the regular flow of vehicular traffic is not impeded;
 - e) All filming personnel wear identification cards while on the filming location.

- (8) Every person who receives a permit or requires a permit under this By-law shall ensure that prior to departing the filming event location, all debris, refuse and equipment has been removed and the filming event location is restored to the condition it was prior to the filming event.
- (9) The applicant shall clearly identify their intent to use special effects involving such substance as guns, gunfire, explosives, bombs/mockups, flash powder and detonators.
- (10) This Section does not apply to current affairs and newscast programs.
- (11) Notwithstanding Section 3.0 (3)(a), the City Clerk may waive or reduce the fee where filming is being produced by students or non-profit groups.

4.0 **OFFENCES AND PENALTIES**

- (1) Every person who contravenes any provisions of this By-law and every director or officer of a corporation who concurs in such contravention by a corporation, is guilty of an offence and, upon conviction, is liable to a fine not exceeding twenty-five thousand dollars (\$25,000.00), or to imprisonment for a term not exceeding one (1) year, or to both;
- (2) Where a corporation is convicted of an offence under this By-law, the maximum penalty that may be imposed on the corporation is fifty thousand dollars (\$50,000.00), and not as provided in Section 4.0 (1).

5.0 **TERM**

This By-law shall come into effect on the 1st day of January, 2005 and shall remain in effect until it is amended or repealed.

READ a FIRST, SECOND and THIRD time and finally passed this 6th day of December, 2004.

Michael Di Biase, Mayor

J. D. Leach, City Clerk