

Appendix F

FILMING/PHOTOGRAPHY GUIDELINES FOR KAHNAWÀ:KE



APPLICATION

The application form and the non-refundable \$150.00 application fee must be received by the Film Liaison prior to the proposed production, as per the following schedule: At least fifteen (15) business days prior if only 1 site is required; Twenty (20) business days prior if there are two (2) to five (5) sites required; or at least thirty (30) business days prior if there are more than five (5) sites required.

The Lands Unit approval team will review the length of the project, the filming schedule and the application in order to determine whether a Permit will be issued.

CONDITIONS FOR APPROVAL

Approval of any applications for a film or photography permit is conditional.

A suitable location site must be identified, and the Film Liaison may assist if required.

The production must:

- Be designed, constructed, operated, buffered, screened and maintained to be harmonious and appropriate with the existing or intended character of the vicinity. The location site must be served adequately by essential public facilities;
- Not be involved in any operation that will be detrimental to nearby persons, property or the general welfare of the community by reasons of excessive production of dust, fumes, illumination, noise, odors, smoke, traffic, vibration or any other unreasonable disturbance;
- Not unduly impede, obstruct or interfere with the operation of emergency vehicles or equipment, or adversely effect Kahnawà:ke's ability to perform community functions;
- Not increase the potential for flood damage to property or lead to additional public expense for flood protection, rescue or relief;
- Not negatively affect public health, safety, comfort, morals or general welfare of the residents of Kahnawà:ke or otherwise create a nuisance or nuisance-like situation.

Required documents/information to be given to the Film Liaison include:

- Signed Memorandum of Agreement upon approval of a Permit;
- Damage deposit cheque equal to one day's location fee and any other required fee(s);
- Copy of notification letter for area residents or businesses notifying of the production. Notification letters to be delivered at least 48 hours before filming begins;

- Resident or business notification signatures if disruptions are to occur (noise, street use, etc.);
- Private Landholder Agreement signatures if production takes place on private land(s);
- Insurance documents such as a certificate or policy, for public liability insurance coverage at a minimum of 2 million dollars (\$2,000,000). The Mohawk Council of Kahnawà:ke and the Lands Unit must be identified as insured and include a hold harmless agreement. The Lands Unit may request additional insurance if necessary;
- A site plan identifying the locations of any proposed structures;
- A traffic management plan and parking plan are required with submission of the application.

The Film Liaison may perform a background check at their discretion, will complete periodic inspections during the production, will ensure the community is notified of the production, and will be the primary contact at all times.

PERMITS

Permits are issued for use at one (1) site. Multiple sites will require a permit for each additional site and permit fees will also apply for each separate permit issued, however the Application Fee will only be charged for the first application. Permits have a specific time period for use and must be available/displayed at all times on the site. Five (5) business days' notice is required for any changes to a permit.

A permit may be terminated by the Lands Unit if agreements are not maintained, and the company will be required to pay location fees for the days used.

Production for more than two (2) days will require an appropriate acknowledgement of Kahnawà:ke in the film/photography credits.

TRAFFIC

The production company must obtain permission from the MCK Public Safety Unit before any filming is carried out on the following:

- On a roadway with consequent interruptions to traffic (using a proposed traffic management plan);
- For any stunts or special effects requiring traffic control or that may cause a safety concern or disruption to the community;
- For any traveling shots where camera vehicles are involved.

A traffic management plan must be included with any Filming/Photography Application for the full-time or part-time closure of any road. A temporary traffic stoppage may be acceptable for a maximum of three (3) minutes, every fifteen (15) minutes.

Appendix F

SAFETY AND SECURITY

Permit holders are responsible for any hazard identifications and risk controls necessary for staff, contractors, visitors, residents and others, to ensure safety of persons and property. All traffic plans, use of roads, use of camera vehicles, and parking plans will require approval from MCK Public Safety.

There is no parking allowed on pedestrian walkways and any vehicles or generators cannot be parked adjacent to air intake of surrounding residents or businesses.

ENVIRONMENTAL CONSIDERATIONS

All activities will consider the natural waterways, bodies of water, native vegetation, soils, wetlands or natural features of the area, production effects on wildlife, introduction of plant materials, weeds, lake weeds, and seeds.

Also considered are the number of visitors, effects on current or future public use of the areas, effects on plants, animals or sites of traditional, natural, sacred, scenic, aesthetic or historic importance to Kahnawà:ke.

Loud noises will not occur between 23h00 and 06h00. Production will only occur between 06h00 and 21h00 unless special approval is received from the Film Liaison.

Generators must have a silencing device attached and must be placed on asphalt. In the event that there is no asphalt in the area, they must be placed on top of a membrane.

INSPECTIONS

A site inspection will be completed on the selected site(s) prior to filming by the Film Liaison, the Kahnawà:ke Environment Protection Office (KEPO) and accompanied by a company representative. A final inspection upon completion of filming will also be done by the parties, with photos taken before and after.

Periodic inspections will be carried out at the location site(s) by the Film Liaison, Kahnawà:ke Peacekeeper designate and/or a KEPO Inspector, as required.

The Kahnawà:ke Fire Brigade, Kahnawà:ke Peacekeepers and/or the Health and Safety Manager of the Mohawk Council of Kahnawà:ke have the right to obtain technical specifications for sets/shelters and may inspect any facilities related to the production as described on the permit.

All public areas used in the production must be returned to the condition they were prior to the production. The Film Liaison, if requested, can approve area improvements.

The Film Liaison, KEPO and company representative will carry out a postproduction inspection and the damage deposit will be returned once the area is deemed satisfactory.

Any clean-up work required by the Lands Unit will use the damage fee as described in the next section. Community services such as the Kahnawà:ke Transfer Depot will not be used for any clean up by the production company.

FEE SCHEDULE

The cashier located in the MCK main building will receive payments and issue receipts, which must be provided to the Film Liaison for the file. An Invoice will be sent to the production company for Permit, Damage, Location, Cancellation and any Additional fees.

Application Fee: A \$150.00 application fee is required upon submission of applications. This fee is non-refundable.

Permit Fee: A \$500.00 permit fee is required for each application that is approved for a permit.

Damage Deposit: A \$500 damage deposit fee is required once a permit is approved. This is refundable once the postproduction inspection has been deemed satisfactory and all waste, signage, posters, flyers, parking signs and other items related to the production have been removed by the company.

If clean-up of a site is required by the Lands Unit, the damage deposit will be used to cover these costs and any remaining funds will be returned to the company after work is complete.

Location Fee: Location fees are based on a rate of \$500.00 per location used in the production. These fees are only refundable should a location end up not being used.

Cancellation Fee: Cancellation fees are equal to 30% of one day's location fee and are charged if cancellation occurs after the Memorandum of Agreement is signed.

Additional Fees: Additional fees relate to dressing and striking a set for which location fees are not applied. A rate of 10% of the location fee will be charged.

PRIVATE LANDHOLDER

An application and permit are required for any production on private lands.

Private landholders can contact the Lands Unit Film Liaison for an informational resource package which provides guidelines for community members when dealing with production companies.

USE OF COMMON LANDS

An application and permit are required for any production on common lands.

Where a production on privately held lands require the use of common land for ancillary services, consent from the Lands Unit is needed. Ancillary services may include: parking, meal services, storage, etc.