

THE CORPORATION OF TOWNSHIP OF EAST GARAFRAXA

BY-LAW NUMBER 8-2016

BEING A BY-LAW TO REGULATE FILMING OR SPECIAL EVENTS IN THE TOWNSHIP

NOW THEREFORE, the Council of the Corporation of the Township of East Garafraxa hereby enacts as follows:

Definitions

1. In this By-law:
 - a. "Filming" means the activities required for the preparation or production of film cinematographic purposes outside a studio or film laboratory and includes the production of commercials and videos, but does not include current affairs, news casts, street interviews or home movies;
 - b. "Highway" means any public highway, road or street under the jurisdiction of the Township and shall include any bridge, sidewalk, boulevard, median, lane, alley, square or thoroughfare;
 - c. "Park" means any land owned or used by the Township as a public municipal park;
 - d. "Property" means any real property in the Township;
 - e. "Township" means the Corporation of the Township of East Garafraxa.

Approval Required

2. No person shall occupy any portion of a highway, property or park in the Township for filming purposes except in accordance with an approval issued pursuant to this By-law.

Application for Approval

3. Any person desiring to occupy a portion of highway, property or park for filming purposes shall apply for approval to the Clerk of the Township.

Permit Required

4. To obtain special event, or road occupancy permit, as applicable, the applicant shall agree to, or provide the following:
 - a. To comply with this By-law and any other by-laws of the Township;
 - b. To indemnify and save harmless the Township from any action, claim, damage or loss whatsoever and pay legal fees reasonably incurred by the Township arising from the issuance of the approval or the use of the highway, property or park;
 - c. To provide a certificate of insurance, satisfactory to the Township Solicitor, showing a comprehensive policy of public liability and property damage insurance for the filming event in respect to any one accident, against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property in a minimum amount of \$5,000,000.00;
 - d. To provide a \$5,000.00 security deposit or an amount satisfactory to the Township Treasurer to ensure that the highway, property or park is restored to the condition it was in prior to its use or occupation.
 - e. The applicant shall accept full responsibility for traffic control, crowd control, barricades, safety precautions and clean-up.
 - f. Shall be responsible for signage, notifying Emergency Management System, including OPP and residents of the closure and/or event. Proof from the Emergency Service and OPP acknowledging the event must be provided.

Revocation or Suspension of Approval for Non-Compliance

5. The Clerk may revoke or suspend the approval forthwith without notice if an applicant fails to comply with the provisions of this By-law, any agreement entered into pursuant to this By-law or any approval issued pursuant to this By-law.

Rights of Approval Holder

6. Despite any other by-law of the Township, where an approval has been issued under this By-law, the holder of it may use the highway, property or park or part of it named in the approval for the purposes and during the period specified in the approval, upon the terms and conditions set out in the approval and as contained any agreement entered into pursuant to this By-law.

Temporary Closure of Highways

- 7. The Township's Director of Public Works or designate may authorize the temporary closure of a highway, or portion of it, during the period specified in an approval issued pursuant to this By-law, and where a highway or portion of it has been temporarily closed under this section, no person shall use the highway or portion of it during the period of closure except for pedestrian traffic, emergency vehicles or under authority of the approval.

Penalties

- 8. Any person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine in such amount as provided for by s. 61 of the *Provincial Offences Act*.

General

- 9. The provisions of this By-law shall come into force and take effect upon its final passing.

BY-LAW READ A FIRST AND SECOND TIME THIS **8th** DAY OF **MARCH 2016**

BY-LAW READ A THIRD TIME AND PASSED THIS **8th** DAY OF **MARCH 2016**

Original Signed by Susan Stone

Original Signed by Guy Gardhouse

SUSAN M. STONE, CAO/CLERK-TREASURER

GUY GARHDOUSE, HEAD OF COUNCIL