

RESOLUTION NO. 05- 34

A RESOLUTION CONCERNING FILMING ON PROPERTY OWNED BY THE CITY OF FREDERICK.

Whereas, The City of Frederick (City) recognizes the importance of arts and culture as a component of economic development and overall quality of life for all Fredericktonians; and

Whereas, filming can be a viable economic development and tourism strategy since there is often significant local spending by film crews, cast, and visitors on hotels, restaurants, and businesses; and

Whereas, the City recognizes that filming on public property can impede normal residential and business activity; and

Whereas, the City seeks to establish policies and procedures for filming on property owned by The City of Frederick to ensure effective and coordinated services and limit the impact on the local community during filming.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FREDERICK, that

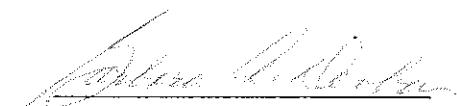
1. The City of Frederick Department of Economic Development (DED) shall be the primary contact and coordinating office for any and all requests for filming on property owned by The City of Frederick. DED shall work with other City departments to respond to film requests and coordinate communication and delivery of services between all City departments and the film applicant.
2. The applicant shall complete a standard application and pay a \$100 non-refundable application fee at the time the application is submitted.
3. DED shall be responsible for approving the application. Filming shall not commence until an Agreement is signed by the City and Applicant.
4. The Applicant shall be responsible for contracting with private construction, security and cleanup crews for the purpose of film staging, set building, road closures, security and public safety. A Set and Security Plan shall be created between the Applicant and the City and submitted in writing to the City for approval. The plan shall include recommendations for staffing levels of security and police for the duration of filming. The Applicant shall agree to indemnify and hold harmless the City. The proposed security plan shall be in writing and signed by both parties. Final approval of the security plan shall be at the sole discretion of the Chief of Police of the Frederick City Police Department.
5. The Applicant shall be responsible for any necessary building permits and fees and for compliance with all City laws.
6. In the event that City staff and/or services are requested, the City will require full monetary compensation for staff time, materials, equipment use and/or rental, and administrative/overhead fees. These costs will be determined on a case-by-case basis by

9-22-05 cc: DED; Parks, Parks (FYD); FIN.

the affected department's chief and/or his designee based on actual costs incurred by the City.

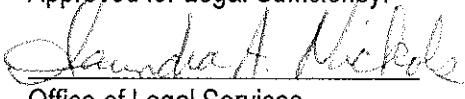
7. The City reserves the right to require an Applicant to utilize City staff and/or services in order to ensure public safety and/or the integrity of public property.
8. Filming that requires the closure of public roads will be reviewed on a case-by-case basis. The closure of a road or any part thereof shall require a traffic detour/closure/control plan to be submitted to and approved by the City Traffic Engineer. All applicable permits and fees shall be obtained and paid for by the Applicant.
9. Filming that requires the use of property owned by the City and/or the closure of public roads shall be limited to three (3) consecutive days (business and non-business days). Exceptions will be reviewed on a case-by-case basis and will require approval of the City's Board of Aldermen at least 30 days prior to filming.
10. The use of property owned by the City and closure of public roads for filming will be limited to three (3) times per year per location, in order to prevent excessive burden on particular areas and neighborhoods of the City. Exceptions will be reviewed on a case-by-case basis and will require approval of the City's Board of Aldermen at least 30 days prior to filming.
11. The City reserves the right to deny filming activities that exhibit the potential for excessive disruption of City operations, the use and enjoyment of City property, or for damage to City property or resources.
12. For protection against possible occurrence of damage to public property or of personal injury, the Applicant shall supply the City with a Certificate of Insurance, naming The City of Frederick as an additional insured, at a minimum amount of \$1,000,000 General Liability and Workers' Compensation coverage.
13. The City reserves the right to order the Applicant to immediately cease and desist all actions if the City determines that such action is necessary to protect the health, safety and welfare of any person or property. In the event that the Applicant fails to cease and desist production upon being duly notified, the City may take any reasonable action to effectuate the same.

ADOPTED AND APPROVED THIS 1st DAY OF September, 2005.

  
WITNESS

  
JENNIFER P. DOUGHERTY, Mayor

Approved for Legal Sufficiency:

  
Sandra A. Nichols  
Office of Legal Services