

**APPENDIX C**

**VILLAGE OF BALD HEAD ISLAND COMMERCIAL FILMING GUIDELINES,  
PERMIT APPLICATION AND FEE SCHEDULE**

**I. Permit required.**

A permit is required for any commercial filming activity taking place within the Village of Bald Head Island, whether on public or private property.

**II. Pre-production meeting required.**

Prior to submitting a permit application, a pre-production meeting is required between the village film liaison and the location manager. A list of all anticipated locations with tentative dates and an insurance certificate are required prior to the pre-production meeting. All applicants are required to maintain public liability insurance policies for filming on location within the village. The following policy amounts are required:

- General Liability Insurance           \$1,000,000
- Automobile Liability                   \$1,000,000
- Worker's Compensation  
and Employer's Liability               \$1,000,000

No permit applications will be accepted until the pre-production meeting has taken place.

Additionally, the applicant must pay the applicable non-refundable application fee as set forth in the current fee schedule in place at the time when the applicant submits a permit application, no portion of which will be returned under any circumstances. Additionally, upon submitting an application, the applicant will be required to provide the village a refundable performance bond to secure performance of all requirements and obligations herein, as set forth in the current fee schedule in place at the time when the applicant submits a permit application. The fee schedule may be amended from time to time by resolution of the village council. The refundable performance bond may be adjusted by the village manager, taking into account the scope of the project and the possible or actual impact of the project on the village.

**III. Application.**

Following the pre-production meeting, an application must be submitted on the village's standard form shall be in effect at the time and presented to the village film liaison for review no later than ten working days prior to the proposed project start date.

**IV. Required Notice.**

The applicant shall notify all businesses and property owners which may be affected by the filming activity no later than seven days prior to the proposed project start date. The notification shall include the location and duration of the proposed filming activities, a copy of the permit application, a cover letter from the applicant including contact information for the applicant, and specifics regarding lights, noise, and special effects. The businesses and property owners which must be notified shall be determined by the village film liaison accounting for the impact of the planned activity. A proposed list of those persons or businesses requiring notification for review must be forwarded to the village film liaison with the permit application. The list shall include the name and address of the businesses and property owners. Following the issuance of the notification, the applicant must provide the village film liaison with written confirmation that such notice was given.

Business and property owners shall have three days from the receipt of the notice to contact the village film liaison regarding any objections or concerns with the proposed film project. The applicant shall cooperate and assist the village film liaison in addressing any meritorious objections or concerns.

The village may deny or revoke permits where the applicant fails to comply with the notice requirements contained herein.

**V. Restrictions.**

Bald Head Island generally discourages filming during high tourist occupancy. The village manager may restrict filming in streets, neighborhoods, parks, or specific districts. Additionally, the village may impose such other conditions upon a permit as shall be deemed necessary. Applicants are urged to confer with the village film liaison before beginning location scouting. In the event of natural or civil disasters, the village may cancel or suspend all village issued commercial filming permits. In the event that evacuation of a street, neighborhood, or district is deemed necessary by the village, all outstanding permits for the affected area shall be indefinitely suspended. Such suspensions shall be lifted after the state of emergency proclamation or other evacuation order has been lifted, and following a safety evaluation conducted by the village, the applicant, and any applicable utility company.

**VI. Indemnification.**

The applicant shall indemnify, defend and hold harmless the village, its officers, agents, and employees from and against all claims, suits, actions, damages, liability, costs and expenses (including but not limited to its attorney's fees and expenses), and expenses for bodily or personal injury, loss of life or property or damage or other legal claim whatsoever arising from, or out of, any matter or occurrence concerning filming in the Village of Bald Head Island.

**VII. Traffic Control.**

Approval must be obtained from the village manager and the public safety chief prior to any film activity that would disrupt the normal flow of traffic on any village street. If needed, traffic control must be handled by the village's public safety officers, who shall be hired by the applicant at the applicant's sole expense.

Request for street closure or diverting of traffic should be made seven days prior to the start of activity to allow for the planning of alternative routes and proper signage. Such requests must be sent to the village manager and the public safety chief. All filming activity that involves the holding, delaying, or re-routing of traffic must be accompanied by at least one public safety officer.

**VIII. Explosives.**

Explosives, pyrotechnics, fire, or smoke-making machines shall not be used unless specifically approved by the village manager and the public safety chief.

**IX. Special Effects Hours.**

Special effects involving sirens, gunshots, speeding cars, or other loud noises are limited to the hours between 8:00 am to 11:00 pm.

**X. Lighting.**

Lighting for filming both during the day and at night, shall be oriented away from neighboring property whenever possible. Lighting at night during turtle nesting season, July through September, shall be shielded so as not to disturb turtle nesting.

**XI. Use of Public Right-of-Way.**

Residents or business owners may not charge the applicant for the use of the public right-of-way in front of their homes or businesses, nor prohibit its use.

**XII. Removal of Vegetation.**

Removal, cutting or trimming of vegetation in the public right-of-way or on village owned lands shall be prohibited unless specifically approved by the Village manager and any applicable home owner's association.

**XIII. Filming on Private Property.**

No filming shall take place on private property without the written consent of the property owner.

**XIV. Garbage Assistance.**

Whenever the project blocks or holds traffic on streets which are scheduled for garbage pickup, applicant shall move all trash containers to a location that is accessible to the sanitation vehicles. After the trash containers have been emptied, they shall be returned to their property owners by the applicant.

**XV. Parking and Equipment.**

All equipment and support vehicles not in immediate use shall be parked so as not to cause any interference to pedestrians or vehicular traffic, or to impede safe lines of vision at intersections. Vehicles or equipment used during the project must not block fire hydrants, driveways, or other access ways. **No internal combustion engine ("ICE") vehicles shall be brought on Island roads without first obtaining the requisite ICE permits.**

**XVI. Areas of Environmental Concern.**

Whenever a film set contains dirt, sod, plants, petroleum products, or other hazardous materials and is located near an environmentally sensitive area, the production company shall take such measures as deemed necessary to insure that such materials do not encroach, seep, or intrude into the environmentally sensitive area. There shall be no disturbance of primary dunes, beach vegetation, or beach groins. Driving motor vehicles upon the beach is prohibited pursuant to Village Ordinance Section 28-33.

**XVII. Daily Clean-Up.**

At the end of each day of shooting, the production company will clean and restore the site location, including public and private lands, to a clean and orderly condition. The village may grant an exception for filming activities that are more than one day in duration.

**XVIII. Removal of Sets.**

All sets, piling, fences, building materials, debris, equipment, and any other materials brought in or built by the applicant shall be removed within seven days after conclusion of filming. All public property shall be returned to its original condition.

**XIX. Expenses.**

The production company shall be responsible to the village and shall reimburse the village for any expenses, including employee overtime, which are directly attributable to the project.

**XX. Penalties.**

Failure to comply with the guidelines and conditions set forth herein, or the requirements of the specific permit may result in fines or suspension, modification or termination of any or all permits issued pursuant to Village Ordinance Section 32-255. The applicant shall be responsible to the village for any costs or expenses incurred as a result of the production company's or other person's failure to follow the ordinance or commercial filming guidelines.

**XXI. Fees.**

Application fees and fees for the use of village staff, equipment, or emergency apparatus shall be subject to the current fee schedule in place at time when the applicant submits a permit application. In addition, the village may charge the applicant a fee for any street closures, barricades, or for permitting the use of explosives or fireworks during filming.

**XXII. Duration, suspension, modification, and termination of permits.**

The village shall set effective dates during which a commercial film permit is valid. A permit shall expire at the end of those effective dates. Prior to or during the effective dates, the village may suspend, modify, or terminate any permit in the interest of public safety, environmental protection, or where filming activities cause a nuisance to village residents or property owners or impede the operation of government activity.

(Ord. No. 2012-0301, 3-16-12; Res. No. 2012-0401, 4-20-12)

## VILLAGE OF BALD HEAD ISLAND COMMERCIAL FILMING FEE SCHEDULE

1. **Non-refundable application fee**
  - a. \$1,500.00 (Application fee will not be refunded whether project occurs, application is withdrawn, or for any other reason)
2. **Refundable performance bond**
  - a. \$10,000.00
3. **Fee for use of Village staff**
  - a. [\$30 per hour per employee - 4 hour minium]
4. **Fee for use of Village equipment (including Public Safety vehicles)**
  - a. [\$40 for 4 hours or \$100 per day, whichever is less]
5. **Fee for use of Emergency Apparatus**
  - a. [\$200 per hour for Village fire truck or EMS vehicles]
  - b. [Fees for use of other emergency apparatus shall be determined on a case-by-case basis in the Village Manager or his designee's sole discretion]
6. **Street closure fee**
  - a. [\$300 per location]
7. **Barricade fee**
  - a. [\$100 per location]
8. **Explosive/fireworks fee**
  - a. [\$200 per day - Emergency Apparatus and Public Safety Officers and Staff may be required on site at the Village Manager or Public Safety Chief's discretion. The Applicant shall be required to pay the applicable fees for any such attendance separate from the Explosive/fireworks fee]

(Ord. No. 2012-0301, 3-16-12; Res. No. 2012-0401, 4-20-12)

**Commercial Filming Permit Application**

Applicant/Production Company:

Name of Film:

Contact Person:

Production Address:

City:

State:

Zip:

Office Phone No.:

Mobile Phone:

Fax No. :

Email Address:

Type of Filming (check all that apply):

Feature Film

TV Movie

TV Series

Commercial

Other

Location (name and address):

Film Date:

Hours:

Prep/wrap outside listed time? Yes No

(See page 2, "Additional Information".)

In case of inclement weather or other emergency, alternate date will be:

Describe scene:

Number in Cast:

Number in Crew:

Number of Extras:

Equipment Parking:

Base Camp:

Crew Parking:

Extras Parking:

Extras Holding:

Catering (including any vehicle parking):

Other On-Street Parking:

Street Closure Requested: If yes, where? (Please be as specific as possible.):\*

\*Public Safety Officers are required for all street closures.

Intermittent Traffic Control (ITC) and/or Pedestrian Traffic Control (PTC) requested? If yes, where?

(Please be specific as possible.)\*

\*Intermittent Traffic Control (ITC) may only be done in 2-3 minute intervals.

Public Safety Officers: # needed: Hours needed: a.m./p.m. to a.m./p.m.

Public Safety Cars: # needed: Hours needed: a.m./p.m. to a.m./p.m.

Special Equipment and Placement (generators, condors, etc.):

Special Effects (stunts, animals, gunfire, noise, etc.):

Special Requests (barricades, alteration to Village property, etc.)

Number of Internal Combustion Engine Vehicles needed:

\*ICE Permit required fro each ICE vehicle.

Moving to another location upon completion? Yes No

If yes, list location:

Additional information (include any prep and wrap activities, times, parking):

By signing below, the Applicant certifies that all information herein is true and accurate and, for valuable and sufficient consideration, agrees to indemnify, defend and hold harmless the Village, its officers, agents, and employees from and against all claims, suits, actions, damages, liability, costs and expenses (including but not limited to its attorney's fees and expenses) for bodily or personal injury, loss of life or property or damage, or other legal claim whatsoever arising from, or out of, any matter or occurrence concerning filming any film project in the Village of Bald Head Island.

Signature

Date

Name

Title

(Ord. No. 2012-0301, 3-16-2012)