

THE CORPORATION OF THE TOWN OF GRIMSBY

BY-LAW NO. 26-45

A BY-LAW TO REGULATE LOCATION FILMING IN THE TOWN OF GRIMSBY

Whereas sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorize the Town of Grimsby to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5 through 7 of subsection 10(2) authorize by-laws respecting: the economic, social, and environmental well-being of the municipality; the health, safety, and well-being of Persons; and the provision of any service or thing that it considers necessary or desirable for the public;

And whereas section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes the Town of Grimsby to pass by-laws providing that a Person who contravenes a by-law of the Town of Grimsby passed under the *Act* is guilty of an offence;

And whereas *Municipal Act, 2001*, S.O. 2001, c. 25, further authorizes the Town of Grimsby, amongst other things, to delegate its authority, to provide for inspections and inspection orders and to impose fees or charges on Persons for services or activities provided or done by or on behalf of it and for the use of its property including property under its control;

Now therefore the Council of the Corporation of the Town of Grimsby enacts as follows:

Short Title

This By-law may be cited as the "Filming By-law".

1.0 Definitions

In this By-law:

"Applicant" means a Person who submits a Filming Request under this By-law;

"Business day" means a day on which the Town's administrative offices are open for business;

"Council" means the Council of the Town of Grimsby;

"Director" means the Town of Grimsby's Director of Community Services or his or her designate;

"Filming Event" means filming, videotaping, photography, or any other form of visual recording for a feature film, television film, television program, documentary, commercial, music video, educational film, or other purpose outside a studio or film laboratory, but does not include street interviews, newscasts, press conferences, or visual recordings for personal purposes only;

"Filming Request" means the application form prescribed by the Director by which a Person applies for a Film Permit and provides information about an intended Filming Event for the purpose of determining whether a permit is required and on what conditions;

"Film Permit" means a permit issued under this By-law for a Filming Event;

"Location Supervisor" means the individual identified by the applicant as the Person responsible for the on-site management of a Filming Event and the carrying out of the duties set out in this By-law and any Film Permit issued under it;

"Officer"

(a) means a Municipal Law Enforcement Officer appointed under Town By-law or any other Person assigned or appointed to administer or enforce this By-law

and includes a Person employed by the Town whose duties are to enforce this By-law; and

(b) includes, for the purposes of exercising any power of entry under this By-law, a police officer;

“Permit Holder” means the Person to whom a Film Permit or any other permit, licence, booking, or approval has been issued in respect of a Filming Event under this By-law;

“Person” includes a natural Person, an association, a corporation, a body politic, or a partnership whether acting by themselves or by a servant, agent, or employee and the heirs, executors, administrators, successors, and assigns or other legal representative of such Person;

“Procedure” means the Filming Procedure approved by the Director from time to time, including any schedules, forms, fees, and conditions established under it;

“Public Impact” means any effect of a Filming Event on Persons or property outside the immediate filming location, including but not limited to noise audible beyond the property line, on-street parking displacement, pedestrian or vehicular traffic disruption, the use of Town infrastructure or services, or activities visible from a Town Road or public space that may reasonably be expected to draw or disturb the public;

“Road” includes, but is not limited to, a common and public highway, street, avenue, alleyway, lane, parkway, driveway, square, place, bridge, viaduct, or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between lateral property lines thereof;

“Special Effect Pyrotechnics” or “SPX” has the same meaning as in the Town of Grimsby Fireworks By-law, as amended from time to time;

“Town” means the municipality of the Town of Grimsby or the geographic area of the Town of Grimsby, as the context requires;

“Town Premises” or “Town Lands” means land owned by the Town and the buildings on it but does not include a Town Road;

“Town Road” means a Road under the jurisdiction of the Town.

2.0 General

2.1 All Filming Events in the Town shall comply with all applicable federal, provincial, and municipal laws and regulations.

2.2 This By-law applies to any Filming Event that takes place on Town Premises, Town Lands, or a Town Road, or that takes place on private property and has a Public Impact.

2.3 Every Person who intends to undertake a Filming Event to which this By-law applies shall submit an online Filming Request to the Director, prior to commencing the Filming Event. The Director shall determine whether a Film Permit is required and shall notify the Applicant of the determination.

2.4 Notwithstanding section 3.2, a Filming Permit is not required where the Filming Event will take place on Town Premises or Town Lands and the Director determines that it is minor in nature as set out in the Procedure, will have no significant Public Impact, will not require the exclusive use of Town Premises or Town Lands, and will not involve Special Effect Pyrotechnics, fireworks, or special effects.

2.5 An exemption from the requirement to obtain a Film Permit under section 2.4 does not relieve any Person from the requirement to obtain any other licence, permit, approval, or booking required to use Town Premises or Town Lands, or to comply with any other applicable law.

2.6 The Director shall establish, and may from time to time amend, a Filming Procedure setting out the application process, timelines, conditions, fees, exemption categories, and other operational matters required to administer this By-law.

3.0 Prohibitions

3.1 No Person shall organize, conduct, or permit the undertaking of a Filming Event to which this By-law applies without first having submitted a Filming Request to the Director under section 2.3 and either:

- (a) obtained a valid Film Permit; or
- (b) received a determination from the Director that no Film Permit is required.

3.2 No Person shall fail to vacate an area of Town Premises, Town Lands, or a Town Road in favour of a Person holding a valid Film Permit, where the Film Permit grants the Permit Holder exclusive use of that area and the area is clearly identified or cordoned off.

3.3 No Person shall fail to produce or display a permit as required by this By-law.

3.4 No Person shall organize, conduct, or permit a Filming Event outside the hours permitted under the Town of Grimsby Noise By-law, as amended from time to time, unless an exemption has been granted under that By-law.

3.5 No Person shall organize, conduct, or permit a Filming Event in contravention of any term or condition of the Film Permit issued for that Filming Event.

3.6 No Person shall provide false, misleading, or incomplete information in a Filming Request, in any document submitted under this By-law, or in connection with a Film Permit.

4.0 Film Permit Application

4.1 Every Applicant shall submit a Filming Request within the timelines set out in the Procedure. The Director may refuse to consider, or may refuse to issue a Film Permit for a Filming Request that does not meet the applicable timeline.

4.2 The Director may refer a Filming Request to Council for approval prior to the issuance of a Film Permit where, in the Director's opinion, the Filming Event warrants Council consideration. Factors the Director may consider include, but are not limited to:

- (a) the closure of a Regional Road or the requirement for Regional approval;
- (b) the closure or prolonged closure of a Town Road, or other significant impact on the Town's Road network;
- (c) major Public Impact, including significant traffic disruption, displacement of residents or businesses, or sustained impact on a residential neighbourhood;
- (d) extended duration, including productions occupying a single location for a prolonged continuous period;
- (e) the size, scope, or sensitivity of the production; or
- (f) any other factor the Director considers relevant.

4.3 An Applicant shall provide all information, documentation, and supporting materials required by the Procedure, and any additional information the Director may require to determine whether a Film Permit should be issued and on what conditions.

5.0 Town Property Filming Requirements

5.1 In addition to the requirements of section 4, an Applicant for a Film Permit for a Filming Event on Town Premises, Town Lands, or a Town Road shall provide:

(a) evidence of commercial general liability insurance in an amount and form satisfactory to the Director, naming the Town as additional insured; and

(b) any additional information, documentation, fees, deposits, or supporting materials required by the Procedure.

5.2 Releases, indemnities, and acknowledgments as the Director considers necessary to protect the Town shall be included in the Film Permit, or in any other licence, permit, booking, or agreement issued in respect of the Filming Event, as applicable.

5.3 The issuance of a Film Permit does not exempt the Permit Holder from compliance with any other applicable by-law, regulation, or law, and the Permit Holder remains responsible for obtaining any other licence, permit, approval, or booking that may be required.

5.4 No Permit Holder, Location Supervisor, or participant in a Filming Event shall alter, damage, or permit the alteration or damage of Town Premises, Town Lands, or a Town Road without the prior written approval of the Director.

5.5 Where damage or alteration to Town Premises, Town Lands, or a Town Road occurs as a result of a Filming Event, the Permit Holder shall be liable for the cost of repair and restoration, which the Town may recover from any security deposit held under the Procedure, or by adding the costs to the tax roll under section 446 of the Municipal Act, 2001.

5.6 The Town and any utility may enter at any time to carry out their services or activities on Town Premises, Town Lands, or a Town Road during a Filming Event.

6.0 Issuance, Refusal or Revocation of Film Permit

6.1 The Director may issue a Film Permit, refuse to issue a Film Permit, or issue a Film Permit subject to conditions, in accordance with this By-law and the Procedure.

6.2 Without limiting section 6.1, the Director may refuse to issue, or impose conditions on, a Film Permit where the Director determines that the Filming Event, or any product resulting from it, involves content that:

- (a) may directly or indirectly injure the name or reputation of the Town;
- (b) is derogatory to or exploitative of any Person or group of Persons;
- (c) may cause offence in light of prevailing community standards; or
- (d) contains gratuitous violent or sexual content.

6.3 The Director may, at any time, revoke a Film Permit or amend the conditions of a Film Permit, in accordance with the Procedure.

7.0 General – All Film Permits

7.1 The Permit Holder is responsible for the conduct of the Location Supervisor and all participants in the Filming Event, and shall ensure their compliance with the applicable permit(s) and this By-law.

7.2 The Location Supervisor shall be present at the Filming Event and shall produce the Film Permit and any related permit to the Director or an Officer upon demand.

7.3 A Film Permit is not transferable to another Person, Filming Event, date, time, or location, except with the prior written approval of the Director, and expires at the end of the Filming Event as set out in the permit.

7.4 In addition to a Filming Permit a Facility, Park or Special Event Permit may also be required.

8.0 Administration and Enforcement

8.1 The Director is authorized to administer this By-law.

8.2 The Town's Director who oversees enforcement services is authorized to enforce this By-law and may assign or appoint Officers to enforce this By-law.

8.3 Fees or charges referred to under this By-law, including a fee or charge for a Film Permit, shall be as set and approved by Council from time to time and, unless otherwise specified, the Applicant or Permit Holder shall pay all fees or charges.

8.4 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether the following are being complied with:

- (a) this By-law;
- (b) a condition of a Film Permit; or
- (c) an Order made under this By-law.

8.5 For the purposes of an inspection under section 8.4, an Officer may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any Person concerning a matter related to the inspection; or
- (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purpose of inspection.

8.6 Upon request of the Owner an Officer shall produce proper identification.

8.7 The Order shall give reasonable particulars of why the land is in noncompliance with this By-law and shall provide the time for compliance of the Order. If the Order is not complied with within the time prescribed in the Order, the Town may take any steps necessary to enforce the Order and bring the land into compliance at the Owner's expense.

8.8 An Order may be served by being personally delivered, served by registered mail, posted on the land, prepaid mail service, regular paid mail service, facsimile transmission, or electronic mail transmission. When an Order is sent by electronic mail it will also be sent by regular paid mail. Where no building or structure exists, the Order may be affixed to a stake erected by the Officer on the land, and the Order shall be deemed to have been served at the time of posting on the land.

8.9 Where an Order is served in accordance with section 8.10 of this By-law the Order shall be deemed delivered on receipt of the Order by the addressee or on the fifth day following the date of mailing.

8.10 Where an Order has been issued and compliance has not been achieved within the required time period set out in the Order, the Town may, through its employees, agents or Persons acting on its behalf, enter upon the land to take the steps required to obtain compliance with the Order, and all expenses incurred shall be added to the tax roll and collected from the Owner in the same manner as municipal taxes.

8.11 An Officer is authorized to enforce an Order issued under section 8.8 of this By-law that has not been complied with by the Owner.

8.12 Where it is necessary for the Town to enforce an Order under the provisions of this By-law, an applicable Administrative Fee as determined by the Fees and

Charges By-law as amended from time to time shall be added to the tax roll and collected from the Owner in the same manner as municipal taxes.

8.13 Should a Court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed to be severed from this By-law.

9.0 Offences

9.1 No Person shall fail to comply with an Order issued under this By-law.

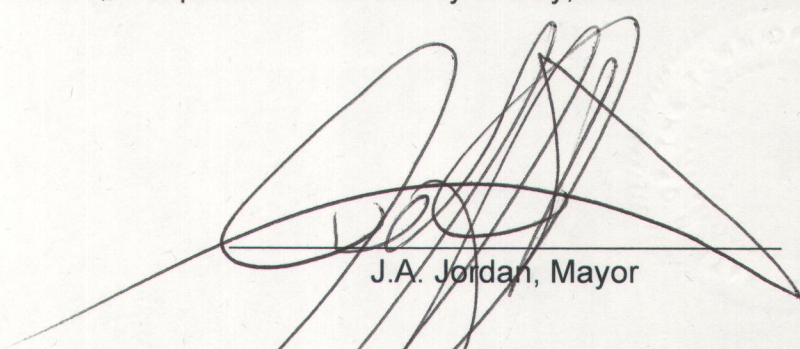
9.2 No Person shall hinder or obstruct an Officer appointed to enforce this By-law, nor shall any Person obstruct any employee or agent authorized to carry out work for the Town, specified in an Order issued hereunder.

9.3 Every Person who contravenes any provision of this By-law, is guilty of an offence and upon conviction is liable to the penalties prescribed under the *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended or the Town's Administrative Monetary Penalty By-law.

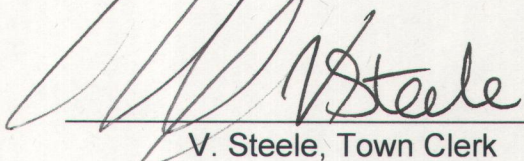
10.0 Amendments, Repeals and Enactment

10.1 This By-law comes into force on the day it is passed.

Read a first time, considered, and passed this 13th day of July, 2026.



J.A. Jordan, Mayor



V. Steele, Town Clerk