

RESOLUTION NO. 2144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, SUPPORTING THE FILM FRIENDLY TEXAS PROGRAM AND ESTABLISHING THE CITY OF TERRELL FILM FRIENDLY GUIDELINES.

WHEREAS, the Film Friendly Texas program, established in 2007, is a certification and marketing program administered by the Texas Film Commission and serves as an invaluable resource that helps position Texas as a premier destination for media production; and

WHEREAS, the media production industries of Texas stimulate local economies by creating jobs for Texas-based crew members and local residents as well as spurring on-site spending at local small businesses; and

WHEREAS, this type of economic development includes, but is not limited to, lodging, catering, transportation, location fees, construction supplies, local hires, and more; and

WHEREAS, the Texas Film Commission efficiently connects opportunities to its certified communities; and

WHEREAS, the City of Terrell, Texas desires to become a Certified Film Friendly City, to promote our unique location assets, talent, and customer services; and

WHEREAS, the adoption of the adoption of the City of Terrell Filming Guidelines will allow the City to work closely with the Film Friendly program and market Terrell to media production industries.

NOW THERE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS ENDORSES AND SUPPORTS THE FILM FRIENDLY TEXAS PROGRAM FOR ITS ECONOMIC AND CULTURAL CONTRIBUTIONS AND ESTABLISHES THE CITY OF TERRELL FILM FRIENDLY GUIDELINES.

SECTION 1. That the attached Exhibit "A" City of Terrell Film Friendly Guidelines are hereby approved.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED AND APPROVED by the City Council of the City of Terrell, on this 20th day of February, 2024.



RICK CARMONA, Mayor

ATTEST:



DAWN STEIL, City Secretary



FILMING GUIDELINES

TERRELL, TEXAS

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FILMING GUIDELINES

I. PURPOSE

The Guidelines contained in this policy is intended to create a program for promoting economic development activity within Terrell, Texas and the vicinity. The following Guidelines are also intended to protect the personal and property rights of Terrell, Texas residents and businesses, and to promote the public health, safety and welfare. The City Manager reserves the right to impose additional regulations in the interest of public health, safety and welfare, or if otherwise deemed appropriate by the City Manager.

These Guidelines cover requests for commercial use of City-owned property (including but not limited to streets, rights-of-ways, parks, and / or public buildings), commercial use of private property which may affect adjacent public or private property, and the use of City equipment and personnel in all types of motion picture production, including, but not limited to, feature films, television programs, commercials, music videos, and corporate films.

II. CITY CONTROL / CITY MANAGER AUTHORITY

The City Manager may authorize the use of any street, right-of-way, park, or public building, equipment or personnel for commercial uses in the filming or taping of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager may require that any or all of the conditions and / or remuneration herein and as specified on the application be met as a prerequisite to that use.

The Applicant agrees that the City of Terrell shall have exclusive authority to grant the Applicant the use of public streets, rights-of-ways, parks and public buildings of the City, as well as authority to regulate the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming in order to promote the public health, safety or welfare.

The Applicant shall allow City departments (e.g., Police, Fire, Building) to inspect all structures, property, devices and equipment to be used in connection with the filming and taping, as deemed appropriate by the City Manager.

III. PERMIT REQUIREMENTS

Before filing an application for filming in Terrell, the City Manager, or his designee, must be contacted to discuss the production's specific filming requirements and the feasibility of filming in Terrell, Texas.

Any commercial producer who desires to undertake a commercial production in Terrell is required to complete and return the attached application for filming to the City Manager, or his designee, within the time frames below:

- Commercials or episodic television – a minimum of two (2) business days prior to the commencement of filming or any substantial activity related to the project.

- Feature films – a minimum of five (5) business days prior to the commencement of filming or any substantial activity related to the project.

IV. APPLICATION FEE

An application processing fee of \$25.00 should accompany each application for filming in Terrell.

The City Manager may waive the fee upon proof of an organization's non-profit status or for any other reason deemed appropriate by the City Manager.

V. USE OF CITY EQUIPMENT & PERSONNEL

The Applicant shall pay for all costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether or not specifically requested by the production). Remuneration rates for the use of any City equipment, including police cars and fire equipment, will be established on a case-by-case basis as determined by the City Manager. The Applicant must pay all costs in full within ten (10) days after receipt of an invoice for said costs. The City Manager, may, at his / her discretion, require an advance deposit for all related City personnel and / or the use of City equipment.

The City Manager, in consultation with the Chief of Police and / or the Fire Chief, shall have the authority to stipulate additional fire or police requirements and level of staffing for same, at any time during a film project if it is determined to be in the best interest of public health, safety and welfare, which cost shall be borne entirely by the applicant.

Off-duty police officers and firefighters shall be paid by the production company at a rate no less than one and one-half times their hourly rate.

VI. USE OF CITY-OWNED REAL ESTATE

The City Manager may authorize the use of any street, right-of-way, park or public building, use of Terrell, Texas name, trademark or logo and / or use of City equipment and / or personnel for commercial uses in motion picture production. In conjunction with these uses, the City Manager may require that any or all of the conditions and / or remuneration as specified herein and on the application be met as a prerequisite to that use. A security or damage deposit may be required within the discretion of the City Manager.

The applicant shall reimburse the City for inconveniences when using public property. Following is the rate schedule:

Activity	Cost per calendar day
Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area	\$500.00
Partial, non-disruptive use of a public building, park, right-of-way, or public area	\$250.00
Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking	\$50.00

Partial closure or obstruction of public street or right-of-way, including parking lots and on-street parking	\$25.00
Use of city parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles)	\$50.00

The Applicant acknowledges and agrees that the City of Terrell, Texas, possesses and retains exclusive authority to grant the Applicant a revocable license for the use of its name, trademark, and logo, public streets, rights-of-way, parks and buildings of the City as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming in order to promote the public health, safety and / or welfare.

In order to leave the City-owned property in as good condition as when received, the Applicant is responsible for and must provide professional cleaning and / or sanitation services upon completion of work, if the City requests such cleaning and / or sanitation services at any time. Upon such a request by the City, the Applicant must obtain approval from the City of the Applicant's arrangements for cleaning and / or sanitation services (which will not be unreasonably withheld). The City may require such approval before use of the City-owned property for Production Activity begins.

VII. VEHICLES & EQUIPMENT

The Applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming, including proposed hours of use and proposed parking locations. Such locations will need to be specifically approved by the City Manager, or his designee. On-street parking or use of public parking lots is subject to City approval.

The use of exterior lighting, power generators, or any other noise- or light-producing equipment requires on-site approval of the City Manager, or his designee.

VIII. HOURS OF FILMING

Unless express written permission has been obtained from the City Manager in advance, and affected property owners, tenants and residents have been notified, filming will be limited to the following hours:

Monday through Friday – 7:00 a.m. to 9:00 p.m.

Saturday, Sunday, and holidays – 8:00 a.m. – 8:00 p.m.

IX. NOTIFICATION OF NEIGHBORS

The Applicant shall provide a short, written description, approved by the City Manager, or his designee, of the schedule for the proposed production to the owners tenants and residents of each property in the effected neighborhood(s). The Applicant, or his designee, shall make a good faith effort to notify each owner, tenant, and resident of all such property, and shall submit, as part of this application, a report noting owners, tenants and /or residents' comments, along with their signatures, addresses and phone numbers. Based upon this community feedback, and other appropriate factors considered by the City Manager, the City Manager may grant or deny the filming application.

X. CERTIFICATE OF INSURANCE

The Applicant shall attach a valid certificate of insurance, issued by a company authorized to conduct business in the state of Texas, naming the City of Terrell and its agents, officers, elected officials, employees, and assigns, as additional insured, in an amount not less than \$1,000,000 general liability, including bodily injury and property damage with a \$1,000,000 umbrella; and automobile liability (if applicable) in an amount not less than \$1,000,000 including bodily injury and property damage.

XI. DAMAGE TO PUBLIC OR PRIVATE PROPERTY

The Applicant shall pay in full, within ten (10) days of receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its original condition prior to the production, or to better than original condition.

XII. HOLD HARMLESS AGREEMENT

The Applicant shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

I certify that I represent the firm which will be performing the filming / taping at the location specified on the attached permit application. I further certify that I and my firm in accordance with the directions and specifications of the City of Terrell, Texas, and that I and my firm will indemnify and hold harmless the City of Terrell, Texas and its elected officials, officers, servants, employees, claims of every nature and kind arising out of or in connection with the filming / taping and other related activities engaged in pursuant to this Application

I further certify that the information provided on this application is true and correct to the best of my knowledge, and that I possess the authority to sign this and other contracts and agreements with the City of Terrell, Texas on behalf of the firm.

Signature

Date

Printed Name

Title



CITY OF TERRELL, TEXAS

APPLICATION FOR COMMERCIAL FILMING

Title of Project: _____

Type of Production: _____
(feature film, television series, commercial, music video, virtual reality, etc.)

Proposed Filming Locations (attach additional pages if necessary): _____

Date(s) of Prep, Filming & Wrap: _____

Primary Contact Name: _____

Cell Phone Number: _____

Email: _____

Location Manager (if different from Primary Contact) Name: _____

Cell Phone Number: _____

Email: _____

Name of Production Company: _____

Address: _____

City, State, Zip: _____

Website: _____

Has this production already been in contact with the Texas Film Commission? _____

if yes, who is your contact at the Texas Film Commission: _____

OR

Has this production already completed the Texas Film Commission's Texas Production Registration Form?

PRODUCTION: (attach additional sheets if necessary):

1.) Production schedule and activities, including stunts, pyrotechnics, special effects, aerial or drone photography, amplified sound or use of animals: (give dates and times, hours should include prep, holding of sets, wrap and rain dates, if potentially needed):

2.) Approximate number of persons involved with the production, including cast and crew:

3.) Anticipated need of City personnel, equipment or property:

4.) Public areas in which public access will be restricted during production:

5.) Describe alterations to public property:

6.) Number and type of production vehicles to be used and location(s) where vehicles will be parked:

7.) Location where crew will be fed, if not at filming location:

8.) Location where extras will be held, if not at filming location:

9.) Please attach map of anticipated street closure(s) or other public area use.

HOLD HARMLESS AGREEMENT:

The Applicant shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use: *I certify that I represent the firm which will be performing the filming / taping at the location specified on the attached permit application. I further certify that I and my firm in accordance with the directions and specifications of the City of Terrell, Texas, and that I and my firm will indemnify and hold harmless the City of Terrell, Texas and its elected officials, officers, servants, employees, claims of every nature and kind arising out of or in connection with the filming / taping and other related activities engaged in pursuant to this Application*

I further certify that the information provided on this application is true and correct to the best of my knowledge, and that I possess the authority to sign this and other contracts and agreements with the City of Terrell, Texas on behalf of the firm.

Signature

Date

Printed Name

Title

APPLICANT (PRODUCTION COMPANY REPRESENTATIVE)

Signature

Date

Printed Name & Title

APPLICATION APPROVED BY CITY OF TERRELL REPRESENTATIVE:

Signature

Date

Printed Name & Title

PRODUCTION COMPANY LETTERHEAD

SAMPLE #1 – MERCHANTS & BUSINESS DISTRICT

Date

Dear Neighbor:

My name is Joe Smith, and I am a Location Scout for the upcoming feature film, "THE MOVIE". Production will be taking place in Terrell beginning in October 20XX and continuing through November 20XX.

Some of our filming location are in your building's area and we want to inform you of our upcoming presence beginning Monday, November Xth. On this day as well as Monday, November Xth through Thursday November Xth we will be filming at the public library. Monday, November Xth through Thursday November Xth we will be filming exteriors on Main Street between 1st and 2nd Avenues. We will need to close the adjacent and surrounding streets to through traffic, while also utilizing "NO PARKING" measures with the help of the City of Terrell. We are going to have multiple City of Terrell police officers on hand during the production activity to help direct traffic and ensure public safety.

We apologize for any inconvenience that this may cause but thank you in advance for your cooperation. If you have any questions or concerns, please feel free to contact me at xxx-xxx-xxxx, or my colleague Emily Jones at xxx-xxx-xxxx.

Thank you,

Joe Smith
Location Scout

PRODUCTION COMPANY LETTERHEAD

SAMPLE #2 – RESIDENTIAL NEIGHBORHOOD

Date

Dear XX Street Neighbor:

We are presently filming the television show “TeeVee Show” in Terrell. One of our recurring locations is in your neighborhood and we wanted to inform you of our upcoming presence.

On Tuesday, November X, 20XX we will be filming a few scenes on XX Street that will require us to clear the street, as well as intermittently close the road to through traffic at short intervals throughout the day. We are currently working on alternative parking nearby for those we will be affecting the most and thank you in advance for your patience with that effort.

We understand that this may be an inconvenience to your everyday activities but ask for your cooperation during this short-term production activity. The support of the residents of Terrell is greatly appreciated and allows us to bring production activity to the community. If you have any questions or concerns, please contact us at xxx-xxx-xxxx or send an email to emailaddress@tv.com.

Thank you,

The Locations Department
TeeVee Show Productions

PRODUCTION COMPANY LETTERHEAD

SAMPLE #3 – RESIDENTIAL NEIGHBORHOOD, PRODUCTION TRUCK PARKING

Date

Dear XX Street Neighbor:

We are presently filming the television show “TeeVee Show” in Terrell. One of our recurring locations is in your neighborhood and we wanted to inform you of our upcoming presence.

On Tuesday, November X, 20XX we will be filming a few scenes nearby XX Street that will require us to clear that street, as well as intermittently close it down to through traffic for short term intervals throughout the day. We will also need to park some of our production trucks and vehicles on XX Street. We are currently working on alternative parking nearby for those we will be affecting the most and thank you in advance for your patience with that effort.

We understand that this may be an inconvenience to your everyday activities but ask for your cooperation during filming. The support of the residents of Terrell is greatly appreciated and allows us to bring production activity to the community. If you have any questions or concerns, please contact us at xxx-xxx-xxxx or send an email to emailaddress@tv.com

Thank you,

The Locations Department
TeeVee Show Productions



CITY OF TERRELL, TEXAS

NOTIFICATION OF PROPOSED FILMING & SIGNOFF REQUEST

The City of Terrell requires that all property owners / residents whose property is adjacent to the area sought to be closed must be notified and provided with a map of the area, which indicates all obstructions to be placed in the closure area. The notification must indicate by signature, whether the property owner / resident approves or disapproves of the proposed closure.

For additional information concerning the actual filming at this location, please contact:

(Film Company's Contact Name)

(Phone Number)

is applying for a FILMING PERMIT for the following film:

(Company Name)

The filming is scheduled for the following dates and times:

The filming will close or partially close the following streets:

The filming will consist of the following:

Property Owner / Resident

Please fill out this section completely as this information is used by the City of Terrell, Texas to determine whether or not the filming activities indicated above will be approved or denied

Approve Disapprove

Received Map: Yes No

Print Name & Title

Signature

Print Address

Phone Number

Choose One: Residence Business

Comments: _____

Street: _____

Block Number: _____

Received by City of Terrell (date): _____