

## **GUIDELINES FOR FILMING IN LITTLE ELM, TEXAS**

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## PURPOSE

The Guidelines contained in this policy are intended to create a program for promoting economic development, tourism, and marketing activity within Little Elm and the vicinity of the Town. The following Guidelines are also intended to protect the personal and property rights of Little Elm, Texas residents and businesses, and to promote the public health, safety, and welfare. The Director of Community Services or designee reserves the right to impose additional regulations in the interest of public health, safety, and welfare, or if otherwise deemed appropriate by the Director of Community Services or designee.

These Guidelines cover requests for commercial use of Town-owned property (including but not limited to streets, rights-of-way, parks, and/or public buildings), commercial use of private property which may affect adjacent public or private property, and the use of Town 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.

## TOWN CONTROL/DIRECTOR OF COMMUNITY SERVICES OR DESIGNEE AUTHORITY

The Director of Community Services or designee 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 Director of Community Services or designee 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 Town of Little Elm shall have exclusive authority to grant the Applicant the use of public streets, rights-of-way, parks and public buildings of the Town, as well as authority to regulate the hours of production and the general location of the production. The Town 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 Town 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 Town Manager.

## PERMIT REQUIREMENTS

Before filing an application for filming in Little Elm, the Office of Tourism and Business Development must be contacted to discuss the production's specific filming requirements and the feasibility of filming in Little Elm, TX.

Any commercial producer who desires to undertake a commercial production in Little Elm is required to complete and return the attached application for filming to the Office of Tourism and Business Development, within the time frames below:

- **Commercials or episodic television:** a minimum of three (3) 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.

**APPLICATON FEE**

A suggested application processing fee of \$25 should accompany each application for filming in Little Elm.

The Director of Community Services or designee may waive this fee upon proof of an organization’s non-profit status or for any other reason deemed appropriate by the Director of Community Services or designee.

**USE OF TOWN EQUIPMENT AND PERSONNEL**

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

The Director of Community Services or designee, in consultation with the Chief of Police and/or 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.

**USE OF TOWN-OWNED REAL ESTATE**

The Director of Community Services or designee may authorize the use of any street, right-of-way, park or public building, use of Little Elm, Texas name, trademark, or logo and/or use of Town equipment and/or personnel for commercial uses in motion picture production. In conjunction with these uses, the Director of Community Services or designee 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 Director of Community Services or designee.

The Applicant shall reimburse the Town for inconveniences when using public property. Below is the rate schedule the Town will follow unless you are utilizing a space with an already published price:

Activity:	Cost per calendar day:
Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area.	\$500
Partial, non-disruptive use of a public building, park, right-of-way, or public area.	\$250
Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking.	\$100
Partial closure or obstruction of public street or right-of-way, including parking lots and on-street parking.	\$25
Use of Town parking lots, parking areas, and Town streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles). Per designated area.	\$50

The Applicant acknowledges and agrees that the Town of Little Elm, 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 Town as well as control over the hours of production and the general location of the production. The Town reserves the full and absolute right to prohibit all filming or to order cessation of filming activity in order to promote the public health, safety and/or, welfare.

In order to leave the Town-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 Town requests such cleaning and/or sanitation services at any time. Upon such a request by the Town, the Applicant must obtain approval from the Town of the Applicant's arrangements for cleaning and/or sanitation services (which will not be unreasonably withheld). The Town may require such approval before use of the Town-owned property when Production Activity begins.

### **VEHICLES AND 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 Director of Community Services or designee. On-street parking or use of public parking lots is subject to Town approval.

The use of exterior lighting, power generators, or any other noise- or light-producing equipment requires on-site approval of the Director of Community Services or designee.

### **HOURS OF FILMING**

Unless explicitly written permission has been obtained from the Director of Community Services or designee in advance, and affected property owners, tenants, and residents have been notified, filming will be limited to the following hours:

- Monday through Friday: 7 a.m. to 9 p.m.
- Saturday, Sunday, and holidays: 8 a.m. to 9 p.m.

### **NOTIFICATION OF NEIGHBORS**

The Applicant shall provide a short, written description, approved by the Director of Community Services or designee, of the schedule for the proposed production to the owners, tenants and residents of each property in the affected neighborhood(s). The Applicant, or his or her 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 Director of Community Services or designee, the Director of Community Services or designee may grant or deny the filming application.

### **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 Town of Little Elm 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.

**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 better than the original condition.

**HOLD HARMLESS AGREEMENT**

The Applicant shall sign the following Hold Harmless Agreement holding the Town 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 locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of The Town of Little Elm, Texas, and that I and my firm will indemnify and hold harmless the Town of Little Elm, Texas and its elected officials, officers, servants, employees, successors, agents, departments, and assigns from any and all losses, damages, expenses, costs, and/or 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 Town of Little Elm, Texas on behalf of the firm.*

\_\_\_\_\_ Date: \_\_\_\_\_

*Signature*

\_\_\_\_\_

*Printed Name*

\_\_\_\_\_

*Title*



TOWN OF LITTLE ELM 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 Town or County 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.

Applicant (production company representative):

\_\_\_\_\_ Date: \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name & Title*

Application approved by Town of Little Elm representative:

\_\_\_\_\_ Date: \_\_\_\_\_

*The "Guidelines for Filming in Little Elm, Texas" apply to all motion picture production in Little Elm.*

*The Office of Tourism and Business Development may require the applicant to acknowledge receipt of the Guidelines prior to approving this application.*