

## CITY of NOVI CITY COUNCIL

Agenda Item 2  
October 6, 2008

**SUBJECT:** Consideration of (a) An Ordinance to amend Chapter 24, "Outdoor Gatherings" of the City of Novi Code 08-42.3, to provide new substantive regulations concerning requirements for filming permits within and throughout the city, and related fee resolution. **First Reading;** and (b) Zoning Ordinance Text Amendment 18.231, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, I-1, Light Industrial District and Article 23A, OST, Planned Office Service Technology District, to add provisions for motion picture, television, radio and photographic production facilities. **First Reading**

**SUBMITTING DEPARTMENT:** Community Development Department - Planning <sup>Becky</sup>

**CITY MANAGER APPROVAL:** 

### BACKGROUND INFORMATION:

In April, 2008, the State's legislature passed a revision in the Michigan Business Tax bill that allows tax credits for filmmakers and studios working in Michigan. The Michigan Film Credit allows a 40% refundable tax credit against Michigan Business Tax (MBT) liability for qualified film or digital media pre-production, production, and postproduction costs incurred in Michigan. While the production industry immediately took advantage of this tax credit and began filming throughout Michigan, many communities have found that they are without proper guidelines and policies that allow flexibility and meet the expectations of the filming industry.

The "Hollywood Novi" Venture Team was established to complete and recommend a series of ordinance and internal policy changes to allow and encourage motion picture and television filming activities in Novi. This Venture Team consists of employees from several departments: Becky Arold (Finance), Margi Karp-Opperer (Library), Richelle Leskun (Assessing), Tom Lindberg (Police), Barb McBeth (Community Development), and Tracie Ringle (Parks Recreation and Forestry) with Mike Evans (Fire) and Ara Topouzian (Economic Development) as team leaders.

The team met with Jeff Spilman, an entertainment attorney who is the managing partner of S3 Entertainment Group, LLC. Mr. Spilman consults with film producers and studios in order to do productions in Michigan. He was able to provide our team with insight into filming processes and how "Hollywood" operates when filming on location. Mr. Spilman applauded our efforts to establish policies and indicated that Novi will be desirable to the film industry for several reasons: access to major freeways and proximity to Detroit Metro Airport, wide streets, quality homes, upscale schools and a large city hall. Novi also has high quality hotel rooms that are desirable; these hotels may be able to be persuaded to offer special rates to the filming industry.

The group identified several points raised by Mr. Spilman as key to a successful start to film permitting activities in Novi, which were repeated themes again found in review of ordinances and policies from other communities (mostly in California) and in discussions with other representatives from the film and television industry:

- **One main contact person** from city who will assist navigating through city's policies and departmental approvals and who is responsive to phone calls and meeting requests (most important factor).
- Novi must have **clear and simple permits** that also outline location filming. Approval must be **administrative**, since the industry cannot wait until the next Council meeting in order to

- meet their schedules. A quick turnaround for standard permits is needed, but more elaborate filming (car chases/explosions) can take up to two weeks for preparations.
- A **permit review fee should be charged**. It was recommended that no more than a \$200-\$250 fee would be appropriate.
  - When filming industry submits information, **requests need to be specific** and detailed.
  - All **potential costs to the film company needs to be presented upfront**. (i.e. Overtime for police/fire).

In addition to the ordinance and code changes provided here, the Venture Team is working on a webpage to assist those interested in filming in Novi, providing the name and contact numbers for the city's primary contact person. The webpage will include the permit application, submittal guidelines, photographs of locations throughout Novi, and take advantage of the opportunity to promote the benefits and advantages to filming in Novi.

### Filming Permits

A draft "Filming Permit" ordinance provides standards for review and processing of applications that would allow temporary filming at any location in the City. A new section is proposed to be added to Chapter 24, Outdoor Gatherings, to facilitate the processing and review of permit applications.

A filming permit is required for any use of the public right of way, or on any public or private property, facility, or residence for broadcasting, taking or making any commercial motion picture, television, radio or photographic production, as defined by the ordinance. Exceptions are provided to the permitting requirements for current news productions, productions by the city's public, education or government access channels, and for productions within established studios (as provided in the zoning ordinance text amendment below).

The draft permitting ordinance provides for administrative approval to assist in the quick turn-around time the filming industry demands, provided the permit application is complete and the proposed filming activity meets the health and safety standards identified in the review by the police and fire departments, and other departments, as needed. The applicant will be asked to provide a sketch of the proposed filming area, the hours and number of days the activity will take place, and the number of people expected at the activity. The applicant will be responsible for notifying neighbors and businesses near the filming site, and maintaining access to roads, driveways and fire lanes. A quick turn-around time is proposed to be established for administrative reviews of permit applications: 4 days for regular permit review, 5 days for permits that require traffic control, and 7 days for permits that require road closures or include stunts or special effects.

### *Fees*

A fee of \$250 for the staff's time to review permit applications is proposed to be established. Property use fees are recommended to be established to compensate for the loss of use of city's property during that time, or for monitoring activities on private property or the public right of way. While a recently enacted State Law allows local governments to provide members of the film industry the use, free of charge, of any of the local governments' property for the purpose of producing a film, the local government may establish fees for such purposes to adequately cover the costs of the use of the city's property. Staff is therefore recommending the property use fees, depending on whether the activity takes place on public or private property, for consideration by the City Council. Additionally, a fee may be required for monitoring of the filming activities by the Police, Fire, DPW, Community Development or other departments, as determined by the city during the review of the permit. These fees are shown in the attached suggested fee resolution.

### *Bonds and Insurance*

As a condition of the issuance of a permit, the permittee shall furnish insurance to protect the city against claims for personal injury, wrongful death and property damage and to indemnify the city

for damage to city property that may arise out of the permittee's activities. A bond will also be required to insure compliance with the terms of the ordinance and, although the permittee is responsible for any restoration or repairs that are needed, the bond could be used to reimburse the city for any restoration or repair that would otherwise fall to the city. A hold-harmless agreement is also required to be signed by the applicant prior to the issuance of a permit.

Zoning Ordinance Amendments

Zoning Ordinance text amendments are proposed to address potential demand for permanent production facilities to be established in the City for motion picture and filming activities. The ordinance currently does not specify a location for production activities within buildings or for filming outside of buildings (backlots). The attached language is suggested to address the possible need for these types of facilities in Novi.

Indoor activities associated with Motion Picture, TV, Radio and Photographic Production are proposed to be a permitted use in the Light Industrial district since these activities may be comparable to the office, warehousing and light assembly activities that already take place in this district. If the Light Industrial property abuts residential then these uses would be permitted subject to special conditions. Staff is also proposing text that would allow these indoor activities in the OST district as a permitted land use. Standards for the Light Industrial district carry over to the General Industrial District, as well.

Since there may be a demand for activities outside of buildings, such as "studio backlots", staff suggests that this type of use could be permitted in the Light Industrial district only where the properties do not abut residential and subject to special conditions (Special Land Use) with appropriate screening of these outside activities. These outdoor activities would carry over to the General Industrial district, as well.

The Planning Commission held a public hearing on the Zoning Ordinance amendments on September 24, 2008 and recommended favorable consideration to the City Council. While no public hearing is required for the "Filming Permit" changes to the City Code, the Commission reviewed the draft code changes for this section, as well, and provided additional comment regarding bonding and insurance requirements, as noted in the attached draft Planning Commission minutes.

A draft strike-through version of the proposed amendments to the Zoning Ordinance and City Code are attached for review and First Reading.

**RECOMMENDED ACTION:** Approval of (a) An Ordinance to amend Chapter 24, "Outdoor Gatherings" of the City of Novi Code 08-42.3, to provide new substantive regulations concerning requirements for filming permits within and throughout the city, and related fee resolution. **First Reading;** and (b) Zoning Ordinance Text Amendment 18.231, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, I-1, Light Industrial District and Article 23A, OST, Planned Office Service Technology District, to add provisions for motion picture, television, radio and photographic production facilities. **First Reading**

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

**RESOLUTION ESTABLISHING FEES FOR  
MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION (FILMING  
PERMIT) REVIEW, PROPERTY USE, AND MONITORING,**

WHEREAS, the City Council has determined that the fees and charges set forth in Schedule A, attached hereto and incorporated herein, are sufficient to defray the costs to the City of the performance of necessary acts and services in connection with the review and issuance of a permit for film production, including the cost of employee time, materials, and equipment necessary for performing such review and issuance, and also to defray the costs to the City for the staff time required to monitor the production activity and to compensate the City for the use of public property and its unavailability for ordinary and usual purposes resulting from production activity; and

WHEREAS, the City Council has determined that the review fees set forth in Schedule A, shall be waived for charitable and nonprofit organizations that qualify under Section 501(c)(3) of the United States Internal Revenue Code: and

WHEREAS, the City Council has determined that the review fees and the property use fees shall be waived for the following:

- Productions conducted by a cable television company operating under a franchise granted by the city which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two motor vehicles;
- Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly; and
- Student filming productions directed or produced by a person currently enrolled in courses related to the production; and

WHEREAS, the City Council has determined that, under certain circumstances, the City Manager or his/her designee may deem it necessary to provide monitoring activities by City personnel (e.g., for additional police, code enforcement, fire, DPW, and other City services) for the purpose of protecting, assisting and regulating the proposed activity. The cost of providing such additional services shall be paid in advance to the City by the applicant, as provided/coordinated through the City Manager or his/her designee.

***NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:***

The City Council of the City of Novi hereby adopts the new permit processing fees, property use fees and monitoring fees, as attached hereto in Schedule A, effective October 20, 2008.

Vote: Ayes  
Nays  
Absent  
Abstain

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Maryanne Cornelius, City Clerk

I, Maryanne Cornelius, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Novi City Council at a regular meeting held on Monday, October 20, 2008.

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Maryanne Cornelius, City Clerk

## SCHEDULE A

### FEES FOR MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION (FILMING PERMIT), PROCESSING FEE AND DAILY PROPERTY USE FEE

#### FEE SCHEDULE:

##### **Permit Application Fee (non-refundable):**

Motion Picture, Television, or Video on Private Property	\$	250.00
Motion Picture, Television, or Video on Public Property		750.00

Still photography on Private Property	\$	75.00
Still photography on Public Property		175.00

Additional fee for expedited processing if less than normal processing time is required (Late applications processed at the discretion of the City Manager or his/her designee)	\$	150.00
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##### **Daily Public Property Use Fee (From Prep to Clean-up Time)**

Motion Picture, Television, or Video – per day	\$	1,000 – 2,000.00*
Public Property Location Holding – per day		75.00

##### **Extended Hours of Permitted Filming Activity (Public or Private Property)**

Any film permitted activity beyond 7 a.m. to 7 p.m., Monday through Saturday OR driving scenes on major, minor or neighborhood roads requiring special barricades, noticing, and/or public safety personnel (hourly rates for staff time to be calculated and charged separately).	\$	75.00
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##### **Security Deposit**

A refundable security deposit may be required to cover any unanticipated City staff costs, clean-up costs, refund fees to user groups affected by the film permit activities, and/or other expenses not included/anticipated in the initial film permit fee calculation.	\$	Varies
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##### **Staff Costs**

Monitoring fee for additional police, fire, ordinance enforcement, public works, recreation & parks, or other staff as determined by the City Manager or his/her designee; Fee will be estimated based on hours needed and scheduled.	\$	Varies**
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\* Fee could vary depending upon actual property used and the impact on regularly scheduled events.

\*\* Staff time to be based on most current City overtime rate schedule and calculated and paid in advance of film permit activities.

**DRAFT  
CITY CODE AMENDMENTS  
FOR FILMING PERMITS  
STRIKE-THROUGH VERSION  
FIRST READING**

STATE OF MICHIGAN  
COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 08-\_\_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 24, "OUTDOOR GATHERINGS" OF THE CITY OF NOVI CODE, TO PROVIDE NEW SUBSTANTIVE REGULATIONS CONCERNING REQUIREMENTS FOR FILMING PERMITS WITHIN AND THROUGHOUT THE CITY.

**THE CITY OF NOVI ORDAINS:**

**PART I**

That Chapter 24, "Outdoor Gatherings" shall be amended to Change its title to "Outdoor Gatherings and Filming Permits."

**PART II**

That Chapter 24, "Outdoor Gatherings," Section 24-2, Definition, shall be amended to add a definition of "Motion picture, television, radio and photographic production" to read as follows:

*Motion picture, television, radio and photographic production* means all activity attendant to broadcasting, staging or shooting (video taping or filming or digital recording) commercial motion pictures, television shows, programs or commercials, and to the taking of single or multiple photographs for sale or use for a commercial purpose where the photographer sets up stationary equipment on public or private property or the public right-of-way in any one (1) location for longer than five consecutive minutes.

**PART III**

That Chapter 24, "Outdoor Gatherings" shall be amended to add Article III, "Permit for motion picture, television, radio and photographic production," as Sections 24-26 to 24-36, and to change the title to Article II to "Permit for Outdoor Assembly," such articles to read as follows:



## **ARTICLE II. PERMIT FOR OUTDOOR ASSEMBLY**

Sections 24-16 through 24-25

[Unchanged]

## **ARTICLE III PERMIT FOR MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION (FILMING PERMIT)**

### **Sec. 24-26. Required.**

No person shall use any public right-of-way, or any public or private property, facility or residence for the purpose of producing, broadcasting, taking or making any commercial motion picture, television, radio or photographic production as defined in Section 24-2 unless he/she shall have first made application for and obtained, as prescribed in this article, a permit for each instance.

The provisions of this chapter shall not apply to the following:

- (1) Current news productions, which includes reporters, photographers or camera persons in the employment of a newspaper, news service, broadcasting station or similar entity engaged in the broadcasting of news events.
- (2) Productions which are conducted by the city's public, education and government access organizations, or by or at the direction of the city.
- (3) Productions which are conducted within legally established commercial motion picture/television/radio/ photography studios.
- (4) Video or multimedia broadcast or transmission of a live performance within a live entertainment venue on large-screen monitors (i.e., jumbotrons).
- (5) Video or multimedia broadcast on the Internet.

### **Sec. 24-27. Application--Filing.**

Any person desiring a permit to conduct motion picture, television, radio and photographic production activities under the provisions of this chapter shall make application on the appropriate form provided by the City Manager or his/her designee, or by furnishing the required information in person or by first class mail, facsimile, or the internet to the City Manager or his/her designee. The form must be signed and accompanied by all required fees, deposits, hold harmless agreement and insurance certificate required by this chapter before it will be processed. If the application satisfies the criteria of this chapter, the permit shall be issued within four (4) working days of submittal, or within five (5) working days of submittal if the activity requires traffic control in excess of three (3) minutes, or within seven (7) working days of submittal if activities require road closures, or include stunts or special effects.

**Sec. 24-28. Same--Contents.**

The applicant for a permit required by this article shall supply the following information on the application:

- (1) The name, mailing address and phone number of the person making the application, along with the name and contact information for the location manager. Where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors or members;
- (2) The address, legal description and proof of ownership of the site at which the proposed activity is to be conducted. Where ownership is not vested in the prospective permittee, he or she shall submit an affidavit from the owner indicating the owner's consent to the use of the site for the proposed activity;
- (3) A statement of the kind, character, and type of proposed motion picture, television, radio and photographic production;
- (4) The dates and hours during which the proposed motion picture, television, radio and photographic production is to be conducted;
- (5) An estimate of the maximum number of attendants expected at the motion picture, television, radio and photographic production for each day it is conducted;
- (6) Each application shall be accompanied by a fee, as follows:
  - a. A processing fee in an amount established by resolution of the City Council to reimburse the city for the staff time required to evaluate the application and establish conditions of approval. The processing fee shall be waived for charitable and nonprofit organizations which qualify under Section 501(c)(3) of the United States Internal Revenue Code. The processing fee is non-refundable.
  - b. A daily property use fee in an amount established by resolution of the City Council to compensate the city for the use of public property and its unavailability for ordinary and usual purposes resulting from the filming activity.
  - c. A monitoring fee to reimburse the city for staff time required to monitor the filming activity, and for reasonable costs for other city services or equipment approved for use during such activities, in an amount as determined at the time of the city's review of permit application.
  - d. The processing fee and the property use fee shall be waived for the following:
    1. Productions conducted by a cable television company operating under a franchise granted by the city which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two motor vehicles;
    2. Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly; and
    3. Student filming – productions directed or produced by a person currently enrolled in courses related to the production.

**Sec. 24-29. Same--Accompanying plans.**

Each application for a permit required by this article shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

- (1) The size or area of the property to be used, including a sketch of the filming site showing placement of work trucks, location of production vehicles,
- (2) Sketch of the "base camp" if any, showing any off-street locations for crew parking, honeywagon, catering, and non-essential production vehicles;
- (3) Traffic control plan of the exact filming location, listing roads or lanes to be closed, if any;
- (4) Description of the duration of the proposed activity and daily hours of operation.
- (5) Facilities for cleanup and waste disposal;
- (6) Letter of notification and signatures from businesses/neighborhoods impacted by filming; and
- (7) Insurance and bonding arrangements.

**Sec. 24-30. Same--Investigation.**

Filming Permit: Upon receipt by the City Manager or his/her designee, copies of the application for a permit required by this article shall be forwarded to the Police Chief, Fire Chief, Community Development Department, and to such other appropriate public officials as the City Manager or his/her designee deems necessary. Such officers, departments and officials shall review and investigate matters relevant to the application and within four (4) days of receipt thereof shall report their findings and recommendations to the City Manager or his/her designee.

**Sec. 24-31. Prerequisites to issuance.**

In processing an application for a filming permit required by this article the city shall, at a minimum, require the following:

- (1) Security personnel. The permittee shall employ at his own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the location of the filming activity and for the preservation of order and protection of property in and around the site of the filming activity. No permit shall be issued unless the Police Chief or his/her designee is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the assembly.
- (2) Notification. The permittee or his/her/its designee shall notify affected residents, occupants and businesses, in advance of filming, and as instructed by the City Manager or his/her designee, of the duration and location of filming activities, including information about planned special effects, road and lane closures, "no parking" requests, sidewalk usage and the time that any barricades will be placed on the street.
- (3) Access. Production vehicles may not block parking lot access drives, fire hydrants, or be parked in fire lanes, and must allow a minimum of 20 feet of

clearance between vehicles parked on either side of the road for emergency response vehicles to pass.

- (4) Base camps. Base camps may not be located on a public street. Only the necessary production vehicles (i.e. grip and light truck) may be parked on a public street, if necessary, at the filming location. Crew parking, honeywagon, catering, and other non-essential production vehicles shall be at a predetermined location.
- (5) Outdoor filming. For production activities taking place outside of buildings, and that are expected to attract more than 200 attendants, the provisions of this article related to Outdoor Assembly shall also apply.
- (6) Insurance. As a condition of issuing such a Filming Permit, the permittee shall furnish insurance in an amount to be determined by the City Manager but in no event in an amount less than one million dollars (\$1,000,000.00) to protect the city against claims of third persons for personal injury, wrongful death and property damage and to indemnify the city for damage to the city property arising out of the permittee's activities. An additional minimum of five million dollars (\$5,000,000.00) of such general liability insurance coverage shall be required in the event motor vehicles, aircraft, helicopters, explosives or pyrotechnics are used in the activity. Such insurance shall be evidenced by the standard General Special Endorsement Form or the Certificate of Insurance (Public Liability) form provided by the City Manager or his/her designee. The applicant shall also submit verification that adequate worker's compensation insurance coverage is maintained.
- (7) Bonding. Before the issuance of a permit, the permittee shall deposit a sum of money in cash, in an amount of five hundred dollars (\$500.00) or in any higher amount determined by the City Manager or his/her designee to be reasonably required under the circumstances. The bond shall be in a form approved by the City Attorney, conditioned upon the permittee's faithful compliance with all of the terms and provisions of this chapter and all applicable provisions of state or local law, and which shall indemnify the city, its agents, officers, and employees and the City Council against any and all loss, injury or damage whatever arising out of or in any way connected with the filming activity and which shall indemnify the owners of property adjoining the filming site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the filming activity.
- (8) Fire protection. The permittee shall at his/her own expense take adequate steps as determined by the Fire Chief to ensure fire protection.
- (9) Hold Harmless Agreement. The permittee shall execute a hold harmless agreement as provided by the city prior to the issuance of any permit.
- (10) Other conditions. Prior to the issuance of a permit, the city may impose any other conditions reasonably calculated to protect the health, safety, welfare and property of attendants or of citizens of the city.

#### **Section 24-32. Findings.**

In processing an application for a permit required by this article, the City Manager, or his/her designee, shall issue a permit as provided for in this chapter when,

from a consideration of the application and from such other information as may be otherwise obtained, he/she finds that:

- (1) The conduct of such activity will not unduly interfere with traffic or pedestrian movement or endanger public safety and that no streets will be completely closed to traffic for an unreasonable period of time. Adequate advance notice of any street closure shall be given in accordance with the provisions of Section 31-9 of the Code of the City of Novi.
- (2) The conduct of such activity will not unduly interfere with normal governmental or city operations, threaten to result in damage or detriment to public property, or result in the city incurring costs or expenditures in either money or personnel not reimbursed in advance by the applicant.
- (3) At the determination of the City Manager or his/her designee as well as the Novi Police, Fire and Community Development Departments, that the condition of such activity will not constitute a fire hazard or any other type of hazard and all property safety precautions will be taken as determined by the heads of the aforementioned departments or their designees.

The decision of the City Manager or his/her designee to issue, conditionally issue, or deny a permit shall be final unless appealed in writing within five working days of the decision by requesting a hearing before the City Council at the next available meeting. Where conditions are imposed as prerequisite to the issuance of a permit and where a permit is denied, notice thereof shall be mailed to the applicant by certified mail within five (5) days of such action. In the case of a permit denial, the reasons therefor shall be stated in the notice.

#### **Sec. 24-33. Grounds for denial.**

A filming permit, required by this article, may be denied if:

- (1) The applicant fails to comply with any or all requirements of this chapter, or with any or all conditions imposed pursuant to this chapter, or with any other applicable provision of state or local law;
- (2) The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document;

#### **Sec. 24-34. Contents, posting, transferability.**

A permit required by this article shall specify the name and address of the permittee, the kind and location of the filming activity, the maximum number of attendants permissible, the duration of the permit and any other conditions imposed pursuant to this chapter. It shall be posted in a conspicuous place upon the premises of the filming activity, and shall not be transferred to any other person or location.

#### **Sec. 24-35. Revocation.**

- (1) The City Manager or his/her designee may revoke a permit issued pursuant to this article whenever the permittee, his employee or agent fails, neglects or refuses to

fully comply with any and all provisions and requirements set forth in this chapter or with any and all provisions, regulations, ordinances, statutes, or other law incorporated by reference in this chapter.

- (2) A permit shall automatically be revoked if riotous conduct occurs at a filming location or if an assemblage exceeds one hundred and twenty-five (125) percent of the estimated attendance, as indicated on the application for a permit. In such instances the premises may be closed by the police department and the assembly disbursed.

#### **Sec. 24-36. Cost of Additional Services.**

If deemed necessary by the City Manager or his/her designee, additional police, code enforcement, fire, and other city services shall be provided for the purpose of protecting, assisting and regulating the proposed activity. The cost of providing such additional services shall be paid in advance to the city by the applicant. Any additional city services will be provided/coordinated through the City Manager or his/her designee.

#### **Section 24-37. Clean-up and Restoration.**

The applicant shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use, maintenance of the area, and the cleanup of trash and debris. The area used shall be cleaned of trash and debris within two hours of the completion of the activity or within such other time established in the permit to the city's satisfaction. The applicant shall be responsible for restoring any area damaged or disrupted before leaving the site. If the site is not repaired or restored to the city's satisfaction, the City Manager or his/her designee shall have the necessary restoration and/or repairs performed and the applicant shall reimburse the city for such work within ten days of completing filming. In the event the applicant fails to so reimburse the city, the city may secure its reimbursement from either a cash or surety bond which shall be posted with the city to ensure faithful performance of such restoration. Such faithful performance bond shall be filed at the time of the application in an amount of five hundred dollars (\$500.00) or in any higher amount determined by the City Manager or his/her designee to be reasonably required under the circumstances. The amount of the bond shall in no way limit the applicant's liability or responsibility for the costs of repairs or restoration in the event these costs exceed the bond amount.

#### **Section 24-38. Administrative Regulations.**

The City Manager or his/her designee is hereby authorized to promulgate and enforce administrative regulations in the implementation and enforcement of this chapter.

### **PART IV**

**Savings Clause.** That the amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing,

accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART V**

**Severability.** That should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**PART VI**

**Repealer.** All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART VII**

**Effective Date: Publication.** That the provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

**CERTIFICATION**

It is hereby certified that the foregoing Ordinance was adopted by the Novi City Council, Oakland County, Michigan, at a meeting of the Council duly called and held on the \_\_\_\_ day of \_\_\_\_\_, 2008.

**CITY OF NOVI**

By: \_\_\_\_\_  
Maryanne Cornelius, City Clerk

**ADOPTED:**

**EFFECTIVE:**

**PUBLISHED:**

**SUGGESTED RESOLUTION  
ESTABLISHING FEES**



**RESOLUTION ESTABLISHING FEES FOR  
MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION  
(FILMING PERMIT)REVIEW, PROPERTY USE, AND MONITORING,**

WHEREAS, the City Council has determined that the fees and charges set forth in Schedule A, attached hereto and incorporated herein, are sufficient to defray the costs to the City of the performance of necessary acts and services in connection with the review and issuance of a permit for film production, including the cost of employee time, materials, and equipment necessary for performing such review and issuance, and also to defray the costs to the City for the staff time required to monitor the production activity and to compensate the City for the use of public property and its unavailability for ordinary and usual purposes resulting from production activity; and

WHEREAS, the City Council has determined that the review fees set forth in Schedule A, shall be waived for charitable and nonprofit organizations that qualify under Section 501(c)(3) of the United States Internal Revenue Code: and

WHEREAS, the City Council has determined that the review fees and the property use fees shall be waived for the following:

- Productions conducted by a cable television company operating under a franchise granted by the city which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two motor vehicles;
- Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly; and
- Student filming productions directed or produced by a person currently enrolled in courses related to the production; and

WHEREAS, the City Council has determined that, under certain circumstances, the City Manager or his/her designee may deem it necessary to provide monitoring activities by City personnel (e.g., for additional police, code enforcement, fire, DPW, and other City services) for the purpose of protecting, assisting and regulating the proposed activity. The cost of providing such additional services shall be paid in advance to the City by the applicant, as provided/coordinated through the City Manager or his/her designee.

***NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:***

The City Council of the City of Novi hereby adopts the new permit processing fees, property use fees and monitoring fees, as attached hereto in Schedule A, effective October 20, 2008.

Vote: Ayes  
Nays  
Absent  
Abstain

---

Maryanne Cornelius, City Clerk

I, Maryanne Cornelius, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Novi City Council at a regular meeting held on Monday, October 20, 2008.

---

Maryanne Cornelius, City Clerk

**SCHEDULE A**

**FEEES FOR  
MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION  
(FILMING PERMIT),  
PROCESSING FEE AND DAILY PROPERTY USE FEE**

PERMIT PROCESSING FEE: \$250.

DAILY PROPERTY USE FEE: \_\_\_\_\_?

MONITORING FEE FOR ADDITIONAL POLICE, CODE ENFORCEMENT, FIRE, DPW,  
OR OTHER CITY SERVICES: As determined by the City Manager or his/her designee  
during the course of permit review.

**BONDING AND INSURANCE REQUIREMENTS**

PERFORMANCE BOND: \$500.00 - Cash or Surety - (or in any higher amount  
determined by the City Manager or his/her designee to be reasonable required  
under the circumstances

INSURANCE: \$1,000,000 (except as described below)  
\$5,000,000 (in the event motor vehicles, aircraft, helicopters,  
explosives or pyrotechnics are used)

**DRAFT  
ZONING ORDINANCE AMENDMENTS  
STRIKE-THROUGH VERSION  
FIRST READING**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 08- 18 -231

**AN ORDINANCE TO AMEND APPENDIX A OF THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 97-18, AS AMENDED, KNOWN AS THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, I-1 LIGHT INDUSTRIAL DISTRICT AND ARTICLE 23A, OST PLANNED OFFICE SERVICE TECHNOLOGY DISTRICT TO ADD PROVISIONS FOR MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION FACILITIES.**

**THE CITY OF NOVI ORDAINS:**

**PART I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 19, I-1, Light Industrial and Article 23A, OST Planned Office Service Technology District, are hereby amended to read as follows:

**ARTICLE 19, Section 1902. Principal Uses Permitted, Subject to Special Conditions When Abutting a Residential District.**

The following uses shall be permitted as principal uses permitted. However, when such uses abut a single-family residential district, they shall be treated as special land uses subject to approval by the Planning Commission in accordance with the additional requirements of Section 2516.2(c) for special land uses, and subject to the public hearing requirements set forth and regulated in Section 3006 of this Ordinance and shall provide a noise analysis subject to the standards of Section 2519.10(c):

1. – 19 [Unchanged]

20. Motion picture, television, radio and photographic production facilities, including sound stages and broadcasting studios, provided that all activities are conducted within a totally enclosed building, with the exception of the following:
- a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.
  - b. Communication antenna towers and poles are subject to the standards of Section 2508.1.

**Sec. 1903. Principal Uses Permitted in Locations Not Abutting a Residential District and Subject to Special Conditions.**

The following uses shall be permitted where the proposed site does not abut a residentially zoned district, subject to approval by the Planning Commission in accordance with the additional requirements of Section 2516.2(c) for special land uses, and with the public hearing requirements set forth and regulated in Section 3006 of this Ordinance:

1.- 11. [unchanged]

12. Motion picture, television, radio and photographic production facilities when conducted outside of existing buildings, including backlots, when such outside activities are completely screened from view with an eight foot tall obscuring berm from all adjacent properties, subject to the following:
  - a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.
  - b. Communication antenna towers and poles are subject to the standards of Section 2508.1.

**Sec. 2301A. Principal Uses Permitted.**

In an OST, Planned Office Service Technology District no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. -6. [unchanged]

7. Motion picture, television, radio and photographic production facilities, including sound stages and broadcasting studios, provided that all activities are conducted within a totally enclosed building, subject to the following:
  - a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.
  - b. Communication antenna towers and poles are subject to the standards of Section 2508.1.
87. Accessory buildings and uses customarily and incidental to any of the above permitted uses provided they are integral to and necessary to such permitted uses.
98. Other uses similar to the above uses and subject to the same conditions noted.

**PART II. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**PART III. Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

**PART IV. Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**PART V. Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2008.

\_\_\_\_\_  
DAVID LANDRY – MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

1. Date of Public Hearing \_\_\_\_\_
2. Date of Adoption \_\_\_\_\_
3. Date of Publication of  
Notice of Adoption \_\_\_\_\_

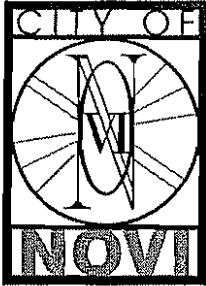
**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the  
\_\_\_\_\_ meeting of the Novi City Council held on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2008.

\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

**DRAFT PLANNING COMMISSION MINUTES  
PUBLIC HEARING  
ZONING ORDINANCE TEXT AMENDMENT**





# PLANNING COMMISSION

DRAFT COPY

CITY OF NOVI

Regular Meeting

Filming Industry Text Amendment 18.231 Excerpt

**Wednesday, September 24, 2008 | 7 PM**

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

## CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

## ROLL CALL

**Present:** Members Brian Burke, Victor Cassis, Andrew Gutman, Michael Lynch, Michael Meyer, Mark Pehrson, Wayne Wrobel

**Absent:** Member David Greco (excused), Brian Larson (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Mark Spencer, Planner; Kristen Kapelanski, Planner; Karen Reinowski, Planner; David Beschke, Landscape Architect; Lindon Ivezaj, Civil Engineer; Steve Dearing, Traffic Consultant; Doug Necci, Façade Consultant; Martha Holzheuer, Woodland Consultant; Kristin Kolb, City Attorney

## PUBLIC HEARINGS

### ZONING ORDINANCE TEXT AMENDMENT 18.231

The Public Hearing was opened for Planning Commission's recommendation to City Council for an ordinance to amend Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance, Article 19, I-1, Light Industrial District and Article 23A, OST, Planned Office Service Technology District, to add provisions for motion picture, television, radio and photographic production facilities.

Deputy Director of Community Development Barbara McBeth said that a Venture Team was developed to discuss the problems and issues associated with the policies and permits necessary for filming and production activities to take place in the City of Novi. This is a two-pronged issue. The Zoning Ordinance does not clearly define any zoning district where production activities can permanently take place within a building. There are also temporary outdoor and indoor activities where filming and production may take place.

The Planning Commission is asked to consider the text amendments for the Zoning Ordinance. These relate to the potential demand for permanent production facilities to be located in Novi, either within a building or outside a building – which is called a backlot. The team's recommendation was that the indoor activities associated with the motion picture, television, radio and photographic production could be permitted in the I-1 District, where comparable activities such as office, warehouse and light assembly already take place. If the site abuts a residential district, the use would be subject to special conditions. Staff also proposes that these indoor uses be allowed in the OST District as a permitted land use. The I-1 District's general uses carry over into the I-2 District.

Ms. McBeth said that the team proposes that studio backlots be considered as a permissible use subject to special conditions in the I-1 District, but only when those properties do not abut a residential district. They would be subject to special conditions, including appropriate screening of those outside activities. This I-1 District language also carries over into the I-2 District.

The Planning Commission is asked to make a recommendation on the text amendment for the Zoning Ordinance language. If the Planning Commission has comments on the Permitting Ordinance, which is a City Code change, Ms. McBeth offered to forward these comments to City Council as well.

No one from the audience wished to speak and no correspondence was received so Chair Pehrson closed the Public Hearing.

Member Cassis asked what provisions were in the language that would prohibit noise associated with shootings, or fire, etc. Ms. McBeth responded that these issues were addressed in the Permitting Ordinance; if someone wanted to use a street for a car chase, or they wanted to use pyrotechniques, they will need to apply for these requests on the application for a permit. These activities allow for additional staff time for the review of this kind of request. There will likely be a main City liaison who will be the permitting officer for filming activities. The filming industry can contact that person to learn more about the application process and discuss his or her project. This City contact will distribute the

information to the appropriate departments – Police, Fire, Community Development, DPW, etc.

The Permitting Ordinance also has provisions for bonding and insurance. There is a minimum of one million dollars of insurance for regular, standard building activities. Special things like car chases or pyrotechniques could require additional insurance.

Ms. McBeth said the Light Industrial Districts can house a television studio, editing suite, or something related to filming, on a permanent basis. The Permitting Ordinance provides for a particular temporary activity to take place anywhere within the City.

Member Wrobel asked whether the Applicant would have to pay for the additional police and fire personnel to be available and provide site safety. Ms. McBeth responded that this would be the case; this proposal recommends a fee resolution that includes a nominal fee for the permit review, and monitoring fees for police, fire, DPW, code enforcement, or whoever needs to be present for the activity.

Member Gutman thought this was a great amendment.

Moved by Member Gutman, seconded by Member Burke:

**ROLL CALL VOTE ON TEXT AMENDMENT 18.231 POSITIVE RECOMMENDATION MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER BURKE:**

**In the matter of Zoning Ordinance Text Amendment 18.231 relating to the addition of provisions for motion picture, television, radio and photographic production facilities in the I-1 and OST Districts, motion to send a positive recommendation to City Council. *Motion carried 7-0.***

**ACT AUTHORIZING  
LOCAL UNITS OF GOVERNMENT  
TO PROVIDE FREE USE  
OF GOVERNMENT PROPERTY  
FOR FILM PRODUCTION**

1 of 4 DOCUMENTS

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CHAPTER 123 LOCAL GOVERNMENTAL AFFAIRS  
LOCAL GOVERNMENT FILMING LOCATION ACCESS ACT

**Go to the Michigan Code Archive Directory**

*MCLS prec § 123.1191 (2008)*

MCL § 123.1191

Preceding § 123.1191

AN ACT to authorize local units of government to provide free use of local government property for film production.

**HISTORY:** Act 84, 2008, p --; imd eff April 8, 2008.

2 of 4 DOCUMENTS

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CHAPTER 123 LOCAL GOVERNMENTAL AFFAIRS  
LOCAL GOVERNMENT FILMING LOCATION ACCESS ACT

**Go to the Michigan Code Archive Directory**

*MCLS § 123.1191 (2008)*

MCL § 123.1191

§ 123.1191. Short title.

Sec. 1. This act shall be known and may be cited as the "local government filming location access act".

**HISTORY:** Act 84, 2008, p --; imd eff April 8, 2008.

Pub Acts 2008, No. 84, § 1, imd eff April 8, 2008.

3 of 4 DOCUMENTS

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CHAPTER 123 LOCAL GOVERNMENTAL AFFAIRS  
LOCAL GOVERNMENT FILMING LOCATION ACCESS ACT

**Go to the Michigan Code Archive Directory**

*MCLS § 123.1193 (2008)*

MCL § 123.1193

§ 123.1193. Definitions.

Sec. 3. As used in this act:

(a) "Film" means single media or multimedia entertainment content for distribution or exhibition to the general public by any means and media in any digital media format, film, or videotape, including, but not limited to, a motion picture, documentary, a television series, a television miniseries, a television special, interstitial television programming, long-form television, interactive television, music videos, interactive games, video games, commercials, internet programming, an internet video, a sound recording, a video, digital animation, or an interactive website.

(b) "Local unit of government" means a political subdivision of this state, including, but not limited to, a county, city, village, township, district, local authority, intergovernmental authority, or intergovernmental entity.

(c) "Michigan film office" or "film office" means the office created under chapter 2A of the Michigan strategic fund act, 1984 PA 270, MCL 125.2029 to 125.2029g.

(d) "Obscene matter or an obscene performance" means matter described in 1984 PA 343, MCL 752.361 to 752.374.

**HISTORY:** Act 84, 2008, p --; imd eff April 8, 2008.

Pub Acts 2008, No. 84, § 3, imd eff April 8, 2008.

4 of 4 DOCUMENTS

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CHAPTER 123 LOCAL GOVERNMENTAL AFFAIRS  
LOCAL GOVERNMENT FILMING LOCATION ACCESS ACT

**Go to the Michigan Code Archive Directory**

*MCLS § 123.1195 (2008)*

MCL § 123.1195

§ 123.1195. Use of property for production of film; authorization by local unit of government; exception; cooperation with Michigan film office.

Sec. 5. (1) Except as provided under subsection (2), a local unit of government may authorize a person engaged in the production of a film in this state to use, without charge, property owned by or under the control of the local unit of government for the purpose of producing a film under the terms and conditions established by the local unit of government. The economic and other benefits to the local unit of government and this state of film production located in the local unit of government or this state shall be considered the value received by the local unit of government and this state in exchange for the use of the property owned by or occupied by the local unit of government under this act.

(2) A local unit of government shall not authorize the use of property owned by or under the control of the local unit of government for the production of a film that includes obscene matter or an obscene performance or that requires that individually identifiable records be created and maintained for every performer as provided in *18 USC 2257*.

(3) A local unit of government shall cooperate with the Michigan film office by providing the film office with information about potential film locations within the local unit of government and the use of property owned by or under the control of the local unit of government.

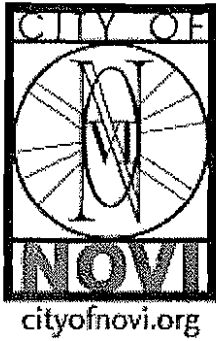
**HISTORY:** Act 84, 2008, p --; imd eff April 8, 2008.

Pub Acts 2008, No. 84, § 5, imd eff April 8, 2008.

**MEMO FROM COMMUNITY DEVELOPMENT  
ARTICLE REGARDING LOCAL FILMING  
POLICIES AND ORDINANCES FROM  
FERNDALE AND ROYAL OAK**



# MEMORANDUM



TO: BARBARA MCBETH, COMMUNITY DEVELOPMENT  
FROM: KRISTEN KAPELANSKI, PLANNER  
SUBJECT: FILMING PERMITS  
DATE: SEPTEMBER 25, 2008

---

Recently Royal Oak, Ferndale and Rochester have had major motion picture filming take place within their communities. These cities have a process in place to permit filming, as follows.

## Royal Oak

Film Permit applications in Royal Oak are handled by the Police Department. Individuals interested in filming must fill out the attached application. They will then be contacted by the lieutenant at the Police Department who acts as the liaison between the City and the individual(s) interested in filming. Based on this conversation(s), appropriate arrangements can be made to accommodate individuals wishing to film in the City. **Major** film projects are taken before the City Commission for their approval after a recommendation by the Police Department. The filming company must reimburse the City for any additional expenses incurred as a result of filming (i.e. overtime pay, etc.) Overall, the Police Department stressed that this was very discretionary and dealt with on a case by case basis. Specific arrangements are made for each project.

## Ferndale

Filming in Ferndale is permitted by way of a Special Event Permit. Individuals interested in filming must apply to the City Clerk for a Special Event Permit. This application is taken before the City Council for approval or denial. The City Council can impose reasonable conditions necessary to protect the health, safety and welfare of the community. The City Council also has the option of requiring the applicant to reimburse the City for all costs incurred as a result of the special event. There is a 60 day waiting period from the time of application until the permit can be issued. There is a 120 day waiting period from time of application until the permit can be issued for all events that will involve the participation of more than 500 people and utilize public right-of-way. The Special Event ordinance is attached.

### Rochester and Rochester Hills

A representative from the Rochester Area Film Office indicated that there is no filming ordinance in place at this time, but a webpage has been developed with policies and procedures for permitting activities. One main contact has been established and the communities strive to issue permits within 5 business days of a complete permit application. A film permit fee has been established along with the requirement that insurance policies be provided by the applicant. Excerpts from the Rochester Area Film Office are attached for reference.

## APPLICATION TO FILM OR VIDEOTAPE ON CITY STREET OR OTHER CITY PROPERTY

Application and Insurance must be provided three (3) days prior to event.

Applicant Name		Phone	
		Cell Phone	
Street Address	City	State	Zip
Production Company/Organization (if different from above)		Phone	
Street Address	City	State	Zip
Date(s) of Event		Time(s) of Event	
Location of Event			
Description of Event			
Impact on Traffic or Parking			
Impact on Adjacent or Other Properties			
Description of special equipment, vehicles, etc. involved in event		Number of Persons Involved (crew, etc.)	
Anticipated Need for City Services (e.g. – Police, Parks Maintenance, etc.)			
<p>The applicant acknowledges the following:</p> <ul style="list-style-type: none"> <li>• The applicant agrees to obtain and maintain a certification of insurance as described on the reverse side of this application demonstrating coverage throughout the approved period of the event. Should the insurance be cancelled without notice to the City, the applicant agrees to personally indemnify and hold the City of Royal Oak harmless and defend it against all demands, claims, causes of action or judgements and from all expenses that may be incurred in defending against the same, arising from any act, neglect or omission on the part of the applicant, its agents and/or employees, pursuant to this event.</li> <li>• The applicant agrees to obtain signed approval from any business or property owner specifically effected by the event.</li> <li>• The use of the City's name, seal, signage, equipment, or personnel is prohibited without the expressed consent of the City of Royal Oak.</li> <li>• The applicant agrees to reimburse the City of Royal Oak for the cost of any services provided by the City as a result of the event. The applicant understands that the City of Royal Oak shall determine and approve the need for such services. If the applicant anticipates the need for City services in advance of the event, the applicant shall notify the City and receive an estimated cost from the City prior to approval of the application.</li> </ul>			
Signature of Applicant		Date	

## INSURANCE CERTIFICATE REQUIREMENTS

- Comprehensive General Liability: \$1,000,000/occurrence (minimum)
- Excess Liability Umbrella: \$1,000,000/occurrence (minimum)

**Additional Insured** endorsement portion of the Certificate of Insurance must read exactly as follows:

"The City of Royal Oak, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers."

**Cancellation Notice** portion of the Certificate of Insurance must read exactly as follows:

"Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the Certificate Holder."

*Note – words in existing form language may be struck out to achieve the above requirement as indicated in the sample certificate.*

## USE OF CITY PARKING METERS

*Complete this section if the use of City parking meters will be required for this event*

Location of Parking Meters	Meter Identification Numbers
----------------------------	------------------------------

**Instructions:**

1. The applicant must complete payment for use of meters with the City Treasurer, located in City Hall.
2. The applicant must then provide proof of payment to the Royal Oak Police Traffic Sergeant or clerk.
3. The applicant must then post the appropriate bond with the Traffic Sergeant or clerk for use of necessary meter bags.
4. Following the event, the applicant must return meter bags to the Traffic Sergeant or clerk and retrieve the bond.

- *The Traffic Safety Division is located on the first floor of the Police station, adjacent to the lobby.*
- *The Traffic Sergeant may be reached at (248) 246-3508, the Traffic Clerk may be reached at (248) 246-3509*

## APPROVAL

Signature of Police Representative Approving Application	Date
Printed Name	Rank / Title
\$12. <sup>00</sup> Fee Paid on _____ Clerk _____ Cash or Check Payable to the City of Royal Oak only Established by Resolution on 6/13/05	

Applications are available at [www.ci.royal-oak.mi.us](http://www.ci.royal-oak.mi.us), or City Clerk's Office  
Return application and fee to Clerk's Office, 211 Williams, Royal Oak MI 48068

Denial of application may be appealed to the City Commission by making application for appeal to the City Manager.

**CERTIFICATE OF LIABILITY INSURANCE**

4/18/2006

<b>PRODUCER</b> Sample Insurance Agency, Inc. 123 N Main Street Royal Oak MI 48067-2619	This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.
<b>COMPANIES AFFORDING COVERAGE</b>	

<b>INSURED</b> ABC Company 321 S Main St Royal Oak MI 48067	<b>Company A</b> NORTHTOWN INSURANCE CO.
	<b>Company B</b>
	<b>Company C</b>
	<b>Company D</b>

**COVERAGES**  
This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (mm/dd/yy)	POLICY EXPIRATION DATE (mm/dd/yy)	LIMITS
A	<b>General Liability</b>	BND-JXXXX01-1231	00/00/0000	00/00/0000	Each Occurrence 1,000,000
	<input checked="" type="checkbox"/> Commercial General Liability				Damage to Rented Premises (ea occurrence) 100,000
	<input type="checkbox"/> Claims Made				Med Exp (Any one Person) 2,000
	<input checked="" type="checkbox"/> Occurrence				Personal & Adv Injury 1,000,000
	<input type="checkbox"/> Owner's & Contractors Prot				General Aggregate 1,000,000
					Products, Comp/Op Agg 1,000,000
	<b>Automobile Liability</b>				Combined Single Unit \$
	<input type="checkbox"/> Any Auto				Bodily Injury (per person) \$
	<input type="checkbox"/> All owned Autos				Bodily Injury (per accident) \$
	<input type="checkbox"/> Scheduled Autos				Property Damage \$
	<input type="checkbox"/> Hired Autos				
	<input type="checkbox"/> Non-Owned Autos				
	<b>Garage Liability</b>				Auto Only - Ea Accident \$
	<input type="checkbox"/> Any Auto				Other than Auto Only:
					Each Accident \$
					Aggregate \$
	<b>Excess Liability</b>				Each Occurrence
	<input type="checkbox"/> Umbrella Form				Aggregate
	<input type="checkbox"/> Other than Umbrella Form				\$
	<b>Workers Compensation and Employers' Liability</b>				WC Statutory
	The Proprietor / partners / executive officers are:				__ Limits __ Other
	__ INCL __ EXCL.				EL Each Accident \$
					EL Disease - Policy Limit \$
					EL Disease - Ea Employee \$
	<b>OTHER</b>				
	Liquor (if applicable WDC)	BPPXXXXXX	00/00/0000	00/00/0000	\$500,000
	Liquor -Sidewalk Cafes	BPPXXXXXX	00/00/0000	00/00/0000	\$300,000

SAMPLE

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / SPECIAL ITEMS**  
City of Royal Oak, including all elected & appointed officials, all employees & volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers are additional insureds.

<b>CERTIFICATE HOLDER</b> City of Royal Oak Attn: Chief of Police 211 Williams St Royal Oak MI 48068	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  AUTHORIZED REPRESENTATIVE <i>Josh Nowgethis</i>
--	--

Ferndale

Sec. 16-12. Use of public property for special events.

(a) *Definitions:*

*Special event* means an event including, but not limited to, an athletic event, carnival, celebration, display, fair, festival, film or video production, gathering, parade, performance or show, but excluding not-for-profit community activities, and residential block parties and residential block sales covered by existing city policies for such events. A "not-for-profit community activity" means an activity that does not require payment for admission, participation, or for any goods or services, and involves the participation of less than 100 people, and occurs within a single day at a city park.

*Person* means an individual, corporation, partnership, association and any other recognized legal entity.

(b) *Intent.* The intent of this section is to regulate the use of public streets, rights-of-way, parks, and resources, in order that they may be reasonably accessed and enjoyed by the general public and not be usurped by commercial or special interest groups to the exclusion of the public, while preserving the health, safety and welfare of the public, remaining fully consistent with the Michigan Constitution, Michigan law, Ferndale City Charter, and ordinances, so as to assure the enjoyment of the public at large, all without undue financial costs to the city or its residents.

(c) *Approval required.* In order to properly provide for traffic and crowd control, street and property maintenance, and the protection of the public health, safety and welfare, it shall be unlawful to participate in any special event upon any city street, park, or public area of the city unless such activity is granted approval by resolution of the city council.

(d) *Other permits.* The permit for a special event shall be in addition to any other permit required by any other governmental agency, by state law or local ordinance.

(e) *Expiration of permit.* A permit issued under the authority of this section shall expire not later than nine months from the date of approval and shall be nontransferable and nonassignable.

(f) *Exemptions.* Special events conducted solely by the City of Ferndale, Oakland County, State of Michigan, federal government, Ferndale School District or the Hazel Park School District shall be exempt from the permit requirements of this section.

(g) *Application.* The application for a permit to conduct a special event shall be made to the city clerk, in writing, by the person or persons in charge of or responsible therefor. Such application shall set forth the following information:

- (1) The name, address and telephone number of the person requesting the permit.
- (2) The name and address of the organization or group sponsoring the special event. A copy of the organization's articles of incorporation, partnership agreement, charter, or other organizing documents shall be attached to the application.

- (3) The name, address and telephone number of the person who will act as chairman of the special event and be responsible for the conduct thereof.
- (4) The purpose of the event and the estimated number of persons to attend.
- (5) The date the event is to be conducted and the hours it will commence and terminate each day.
- (6) The specific assembly and disbursal locations, and specific route plans to be used, if applicable.
- (7) Such other information as the city may deem reasonably necessary.
- (8) A certification that the statements in the application are true, accurate and complete.

(h) *Time lapse for application.* No approval shall be issued for a special event unless application is made not less than 60 days in advance of the date on which such special event is sought to be held. However, for any special event for which there is anticipated participation of 500 or more people which involves the use of any public right-of-way the application must be submitted 120 days in advance of the date on which the special event is sought to be held. In special instances, applications may be accepted with less notice, but these applications must be approved by the special events committee and the city council.

(i) *Considerations for issuance or denial.* If the city council finds that the special event is not to be held for any unlawful purpose and will not in any manner act so as to breach the public peace or unnecessarily interfere with the public use of the streets, sidewalks, parks and public areas, it shall grant the approval. Denial of approval shall be in writing, setting the reasons for such denial.

(j) *Restrictions.* The permit evidencing approval under this section may include certain reasonable time, place, and manner restrictions as a condition to granting such permit if such restrictions are reasonable and necessary for the protection of the public health, safety and welfare.

(k) *Payment of costs.* The city council shall adopt a policy which sets forth whether or not the special event must pay for city services and to what extent such city services must be paid by the person or entity responsible for the special event. Such policy shall have the full force and effect of this section, and any violation of the policy shall be deemed to be a violation of this section.

(l) *Penalty for violation:*

(1) A violation of this section or a violation of the conditions imposed in any permit granted by authority of this section shall be a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 and not less than \$100.00, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

(2) Any violation of or failure to comply with this section is hereby declared to be a nuisance per se and may be abated by any and all available means, including, without limitation, equitable relief by any court of competent jurisdiction. Any person violating this section shall pay the cost and expenses, including reasonable attorney fees, incurred by the city abating the nuisance.

(Ord. No. 872, § 1, 6-10-96; Ord. No. 903, Pt. I, 6-8-98)

Sec. 16-13. Unlawful interference in a special event.

(a) It shall be unlawful for any person to intentionally interfere with, impede, enter into, disrupt or to attempt to interfere with, to attempt to impede, to attempt to enter into or to attempt to disrupt any special event as defined in section 16-12 for purposes other than that for which the special event permit was issued without expressed permission of the permittee granted approval pursuant to section 16-12(c) or of an organization exempt pursuant to section 16-12(f).

(b) A violation of this section is a misdemeanor as described in section 16-12(l)(1).

(Ord. No. 898, Pt. I, 4-13-98)

Secs. 16-14--16-19. Reserved.



# Film Permit Process

The Rochester Area Film Office requires a film permit whether filming, video taping or photographing on **private property, city property or other public property, or filming within the city right-of-way**. The Film Office shall require the production company to have a copy of the permit on site at all times.

The first step in the process is to submit a Filming Inquiry Form and return it to the Film Office. Our film liaison, Ed Anzek, will contact you within one (1) business day of its receipt and guide you through the process, coordinating his efforts with both municipalities (Rochester Hills and/or Rochester), as well as any necessary fire or police services required. Every attempt will be made to issue permits within five (5) business days.

**The film permit fee is dependent on the city in which filming takes place.** Other fees may also apply.

The City of Rochester Hills and the City of Rochester require certain insurance policies for all businesses requesting a Film Permit.

Our Film Liaison will determine what other forms will be required for your shoot and may include, but not be limited to, a certificate of insurance, fire permit, indemnity and hold harmless agreement, location release form, parking plan, street closure plan.

Further instructions and guidelines are available by clicking the links on the right side of this page.

[Filming Inquiry Form](#)

[Keys to Filming Success](#)

ROCHESTER AREA  
FILM OFFICE  
1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
248.656.4660  
Ed Anzek, Film Liaison  
248.841.2572  
email

# Welcome

The Rochester area is consistently rated as one of the best places to live in the United States...and we think it's one of the best places to photograph or shoot a film or video. The area's many beautiful neighborhoods, traditional downtown and lifestyle center, cultural amenities and more than 1,000 acres of parkland provide a variety of visual backdrops for filming. Additionally, many automotive research and development facilities and

high-tech companies are located in the community that also provide unique visual opportunities. Please visit the Photo Gallery portion of this website to see for yourself.

Our community is film friendly, with a one-stop process facilitated by our shared Rochester Area Film Office and resulting in expedited plan reviews. All required Film Permits are reviewed within five (5) business days. Additional requirements may include fire or safety permits, a parking plan and indemnification to assure that public safety is protected. Our Film Liaison will guide you step-by-step. To kick off the process, visit the Permit Process page and submit a Filming Inquiry Form on-line.

Law enforcement and fire services are provided by Rochester Hills, Rochester and the Oakland County Sheriff's Department, and all have the capacity and flexibility to provide any and all necessary safety services required for filming locations. We all share a commitment to provide the best environment possible for filming productions.



September 22, 2008

## Metro Detroit cities cutting red tape for moviemakers

*BY GINA DAMRON  
FREE PRESS STAFF WRITER*

As film companies head to Michigan to make movies and get hefty tax breaks from the state, municipal leaders across metro Detroit are working to promote their communities and make it easier for film crews to shoot there.

Cities like Rochester Hills, Royal Oak and Ferndale have simplified or created new processes for getting permits to close streets, erect temporary structures and move forward with filmmaking.

In some cases, officials estimate these changes could shave up to a month off the time it takes to get certain permits by allowing administrators to issue them instead of making movie companies first go before a city council or commission.

Ferndale, Rochester and Rochester Hills are building Web sites to help market their communities to movie moguls while Redford Township is creating a promotional packet.

The movie industry has been drawn to Michigan by legislation approved in April that allows tax rebates worth up to 42% of studio production costs.

And cities hope to attract Hollywood dollars spent by crews to their restaurants, hotels and shops.

The Michigan Film Office estimates studios have spent \$400 million since April on hotel rooms, crew salaries, equipment and other location expenses.

The rebates apply to some of the expenditures, but that estimate does not include money spent at restaurants or retailers, said Anthony Wenson, the office's chief operating officer.

About a half-dozen movies are being filmed in the state.

"They came here because the incentives were offered to them," Jeff Spilman, managing director of S3 Entertainment Group, a Ferndale-based film production services company that consults with area cities. "Whether they come back depends on how we do things here."

Not all film crews have had a five-star experience, Spilman said.

Some have complained about being roadblocked by local officials and about misinformation over getting rebates from the state.

"It falls under the blanket term: film friendly," Spilman said. "Is Michigan film friendly?"

Officials in various metro Detroit cities are certainly attempting to make friends with Hollywood types.

Rochester Hills and Rochester announced last week that the two cities have created a Web site --

[www.filmrochesterarea.org](http://www.filmrochesterarea.org) -- and have designated one official to run the Rochester Area Film Office.

The Web site maps out the permit process, which the site says can be completed through the film office in as few as five business days -- without requiring filmmakers to go through the sometimes tedious process of going before the city councils.

The site also offers information about available space in the cities' office buildings and industrial and technology parks.

If "they're looking for a barbershop and a local bar and a church with a steeple and a high school and an office building, a contemporary office, a vintage office, I think we'll be able to be very competitive," Mayor Bryan Barnett said. "Part of it is letting people know what we have."

Like Rochester and Rochester Hills, Royal Oak also has bypassed requiring companies to go before its City Commission by letting crews work with its Police Department to get permits for street closures and related matters.

## Ferndale speeds process

Ferndale's new permit process, which will be in place soon, should help connect movie crews faster with what they need, such as police, fire or public works services, City Manager Robert Bruner said.

It is expected to trim as much as a month off the time it could take a film crew to secure permits, since crews won't have to wait to go before City Council or return for multiple permits.

"Prayers for Bobby" and "Youth in Revolt," a film starring Michael Cera who was in the critically acclaimed "Juno," have already filmed in Ferndale.

"It's a lot of fun, and it's very novel the first time," Bruner said. "The novelty might wear off."

Though movie sets across metro Detroit are garnering more attention -- by the municipalities, residents and the local news media -- the film industry isn't new to Michigan.

According to a list on the Michigan Film Office's Web site, more than 100 movies have filmed in the state since 1980, including "Transformers," released in 2007, "Grosse Pointe Blank" in 1997 and "Beverly Hills Cop" in 1984.

Janet Lockwood, director of the Michigan Film Office, said that as celebrities like Clint Eastwood, Drew Barrymore and Cuba Gooding Jr. show up in local neighborhoods, communities should be accommodating -- but not make too many concessions.

"The film companies are our guests," she said. "But they're also getting a 40% rebate."

## Business boom

And municipalities say they're reaping the rewards of the state's attempt to woo the industry. Royal Oak businesses saw a boom during the June filming of "Prayers for Bobby," a Lifetime movie starring Sigourney Weaver that is based on the true story of a mother who became a gay rights advocate after her gay son committed suicide.

Crews and onlookers flooded the city's restaurants and shops, said Mayor Jim Ellison.

"This has really come across us pretty quickly," Ellison said, adding that movie producers have so far

come to the city asking to film, rather than the city having to seek them. "We've been really lucky."

So has Redford Township, where a scene for "Prayers for Bobby" was filmed.

Township Supervisor R. Miles Handy II said he has met with film crews to discuss possible space for stage sets.

The township also is creating a marketing package that will tout what Handy said is one of Redford's biggest assets: Location.

"We can be in Ann Arbor in 30 minutes, we can be in downtown Detroit in 15-20 minutes," he said.

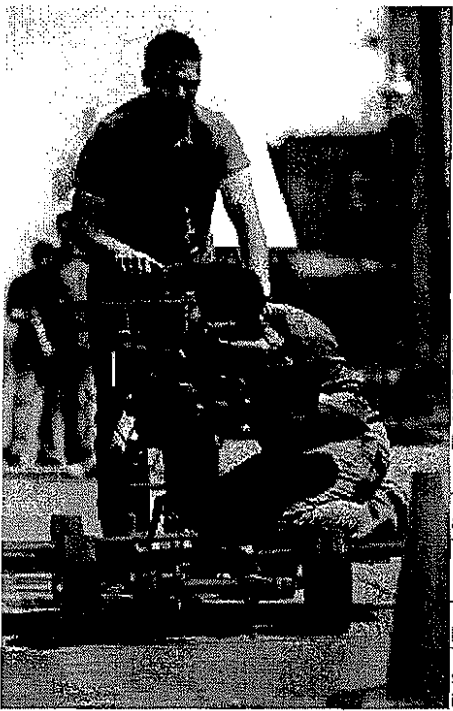
Stacey Hunter, who has lived in Redford Township for most of her 45 years, said she is excited about the township's efforts to bring in filmmakers.

"Redford is a bedroom community," Hunter said. "We're not going to make a ton of money off anything else."

Contact **GINA DAMRON** at 248-351-3293 or [gdamron@freepress.com](mailto:gdamron@freepress.com).

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**FILMING ARTICLES**



## Going Hollywood: How To Make Your Community Film Friendly

BY: MELINDA CLYNES, 6/19/2008

It's Friday afternoon on a normally sleepy Bloomfield Hills cul-de-sac lined with modest ranches and tri-levels with big, sloping yards. But today, 27 cars border the road. At the bottom of the street, adjacent to the neighborhood playground, are four RVs, a catering tent, a process trailer, a generator, three box trucks, three trailers – one with gold stars on the doors – and dozens of people milling around with headsets and walkie-talkies.

The entourage of people, vehicles and equipment will be here all weekend shooting scenes for an independent film, *The Job*, a dark, comedic thriller starring Patrick Flueger, [Ron Perlman](#), Taryn Manning and [Joe Pantoliano](#).

The film is one of the first productions to take advantage of Michigan's new film incentives package, and one of at least 22 approved by both the [Michigan Film Office](#) and the Treasury. The production spent a month filming in Detroit, but also in Bloomfield Hills, where one suburban neighborhood amiably dealt with congestion, late-night activity, and general hubbub in the name of healthy Michigan commerce.

### Hollywood apathy no more

But the skies weren't always so sunny or star-studded in the mitten state. In fact, past years have seen numerous films that were set in Metro Detroit, but actually filmed elsewhere, like the *Assault on Precinct 13* remake, Birmingham native [Mike Binder's](#) *The Upside Of Anger* and *The Crow* – even *Detroit Rock City*, which was primarily shot in Toronto. If a producer, director or star happened to have ties to the city, we might see more than our skyline (often filmed from Windsor, by the way), as was the case in *Transformers* or *8 Mile*.

But today, the tides are turning as Metro Detroit has a chance to become the next Toronto or Vancouver B.C., a place where producers of feature films, music videos, and television pilots flock for the cash back incentives – namely a 40 to 42 percent rebate on all Michigan expenditures.

Already productions are looking to the Mitten State as the place to shoot. Aside from the incentive package (which is, of course, a mighty big hook), Michigan boasts a wide range of geographies and settings. Need coastline? We're second only to Alaska. Looking for small town Americana? The state is blessed with some of the most photogenic downtowns around. Shooting a battle in the Sahara? Sleeping Bear Dunes has more sand than you can imagine. And though winters are long, we've got all four seasons on full display. From gritty urban mean streets to ivy-strewn college campuses, Michigan can stand-in for virtually any place a film production might require.

And Hollywood is starting to get it. *Whip It*, a rollerderby movie set to star Drew Barrymore and Ellen Page had already begun shooting in Austin, Texas when they caught wind of what Michigan had to offer and moved their production north. Now rumors of roller rinks being constructed outside Ann Arbor and scouting expeditions in Ypsilanti are bouncing around the web.

Bob Brown a consultant to the Michigan Film Office and producer with Farmington-based [Charity Island Pictures](#), sees nothing but upside for the state. He talks of investment returns of 25 percent and soundstages moving into long empty auto warehouses in Ypsilanti and twentysomethings finally seeing a reason to stay in Michigan with a evangelist's zeal.

"With the stroke of a pen we've created a creative economy that didn't exist here before," Brown says. "In the 60 days that we've been on the books we have had \$200 million, brand new dollars, float into the state. We're the most aggressive in the country and it's working."

At a recent meeting with leaders in western Washtenaw County Brown explained how Bear Communications and a Wixom company that builds modular offices for construction sites were already fielding requests from film productions for two-way radios and costume trailers.

"Where else are you going to get a response like that?" Brown said at the meeting. "State investment in alternative energy companies or biotech will take years to realize. With the film industry it's almost immediate. They're ready to do business here now and if we do this right they'll keep coming."

So, with what is now the best film incentive package in the United States, how can Hollywood's attention on our state translate to booming business for local communities?



### Talk to me, baby

"The biggest thing communities and organizations can do is respond quickly and comprehensively to film industry requests," says Carolyn Artman, manager of [Film Detroit](#), an arm of the [Detroit Metro Convention & Visitors Bureau](#). A point person within city governments, visitor bureaus or chambers can serve as a liaison with film crews and help expedite approvals for filming while communicating with appropriate public departments, like police and fire.

"Sometimes it takes an act of city council to get a location approved," says Mark Adler, director of the nonprofit Michigan Film Alliance. "For a feature film it might be okay to drag out a week, but when commercial producers come from out of state, they don't have that kind of time."

Bob Brown points out that movies shoot all hours of the day and that communities should be savvy enough to assign a go-to guy for a visiting production company, a liaison producers can call any time of day to find what they need locally.

"The biggest learning curve for Michigan communities is responsiveness," Brown explains. "There's real world speed. There's business world speed. And then there's the entertainment industry speed, which is 'we need an answer right now'. Our sense of urgency is a thousand times greater than the real world because it costs us so much money to make a movie. 'I'll take a couple of days to get back to you' just doesn't work. You can take a couple minutes to get back to me but otherwise we're moving on."

Community film liaisons can also communicate with local businesses and residents when services are suspended or streets are blocked off. And they can connect with the Michigan Film Office and Film Detroit, alerting them to the resources their community has to offer.

Those film friendly resources, including hotels, property management companies, chauffeur services and caterers, can also be promoted on a website – along with the cool film locations of a particular community.

"Communities may want to get a task force together and do a website catering to the film industry, which might feature unique structures of a town," says Adler.

Websites can often be the first point of contact for producers looking for information and contacts. Kurt Tuffendsam, unit production manager/line producer for *The Job* used the Michigan Film Office online production guide. "Lots of our crew and vendors came from that list," says Tuffendsam.

### Resources and infrastructure

But while solid, speedy and friendly communications will help Michigan communities attract film business, our region also needs the resources, in terms of people and equipment, to meet Hollywood demands.

According to Adler, film crews look for production office space, serving as temporary headquarters, where they can easily put in phone lines and Wi-Fi. They may also need residential accommodations. Adler says that condo developments in Ferndale and Royal Oak have benefited from several film groups staying there. [Metromode recently wrote](#) about the impact this has had on the local apartment rental market.

But that means identifying property owners in your community who are flexible enough to grant three or four month leases instead of the traditional year-long commitment. Film crews may not stay long but the production company will rent large blocks of rooms and apartments for the duration of their stay.

Crews also need transportation and food. Dan Gearig of Ciao Catering in Grand Blanc is catering *The Job*, which is the sixth film his company has catered in Michigan. "It's great. It's real money that's helping people out," says Gearig. "This is real cash for chauffeurs, caterers, hotels, lots of people."

Production vehicles are yet another necessity but appear to be in short supply. The star trailer, process trailer and [honeywagons](#) for *The Job* came from Chicago.

Michigan's incentives helped to lure the production to town, but producers were dismayed by the additional cost of bringing equipment from out of town, which lessened the impact of the Michigan rebate.

And probably most importantly, an ample supply of skilled production people and of actors are also necessary. While *The Job* eventually found needed crew, it took longer than normal.





"The film package itself is great, but resources for crew were very limited. There were three or four productions trying to hire the same crew we were," says Tuffendsam, who ended up with a crew composed of 65 percent locals.

According to Tuffendsam, "The amount of crew that is local is not enough to support multiple productions at the same time."

Which dovetails with the incentive packages goals. Michigan communities, with unemployment rates higher than the rest of the country, have an opportunity to turn today's crew shortages into

tomorrow's job opportunities.

Access to local talent for "day players" is also important. *The Job* used nine local actors, which they acquired through [The IGroup](#). The film will also use 100 local extras.

Even with production challenges, Tuffendsam is positive about his Michigan film experience and says that he understood the film would encounter challenges because Michigan was not used to doing multiple feature films at the same time. "I would encourage others to come here, but also encourage those in the state to figure out a way to build the infrastructure. Films will benefit a lot more if they don't have to bring resources from out of town."

### Location, location, location

Michigan is clearly a good fit for almost any film with its quaint downtowns, rural countryside and big city skylines. With the incentives in place, and producers' curiosity piqued by cash incentives, a community's first and last step to luring film productions should be a proverbial polishing of the storefronts and washing of the windows. We've got the goods; let's make them sparkle.

Currently, Adler and his colleagues are working on a "Capture Main Street" project that will feature the unique architecture of every city in Michigan and help to attract more film projects to the region. Film Detroit notes "awesome architecture and urban grit," "lakes that can double for oceans" and "small town charm" for reasons to film in metro Detroit. And the Michigan Film Office showcases a gallery of Michigan photos that would make any producer's mouth water.

Producers and directors for *The Job* were attracted to Detroit's Albert Kahn buildings, and the 1930s and 1940s architecture. "We were concerned about the production, but the location hooked us," says Tuffendsam.

*The Job* filmed at a number of southeast Michigan locations, including the [Leeland Hotel](#) and the [Masonic Temple in Detroit](#), and spots in Highland Park and Bloomfield Hills. Film crews captured the mood of the main characters dancing at Nick's Gaslight in Detroit where a local band, the beekeepers, played music composed for the film.

Alexa Sheehan, second assistant director for *The Job* says that the rebates were a big part of them coming to Detroit, but so was the look and feel of our region. "The story fits very well into the city and the architecture and the people and the vibe. And that's a big part of the story telling," says Sheehan.

And now, it's time for us to tell our own stories about the cities we love to call home – whether plugging the chic of 1960s suburbia or the doom and mystic of urban back alleys.

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### **More films rumored to be shooting (or planning to shoot) in Michigan include:**

[Gran Torino](#) - directed by Clint Eastwood

[The Fifth Mafia](#) - starring Armand Assante, Joe Mantegna, and James Van Der Beek

[Whip It](#) - Directed by Drew Barrymore, starring Ellen Page (*Juno*)

[The Prince Of Motor City](#) - Television pilot inspired by Hamlet and set in the auto industry

[Youth In Revolt](#) - A Weinstein Co. production starring Michael Cera (*Juno*)

[Prayers for Bobby](#) - A Lifetime Network movie starring Sigourney Weaver (she lead Royal Oak's Gay Pride parade)

[The Bassmaster](#) - A Michigan production about the real life story of sport fisherman Bryan Kerchal

[The Flynn](#)s - A TV pilot shot by Mike Matthews, a Saginaw native, in Flint. Starring Melba Moore and T.K. Carter

[Red and Blue Marbles](#) - A science fiction flick starring Ruby Dee

[Right Angle](#) - written and directed by Michael Burke for Camelot Pictures (*Garden State*)

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***Melinda Clynes is a Detroit-area freelancer. Her last article for Metromode was Boutique Sweets.***

*Additional quotes and information provided by Jeff Meyers*

photos:

courtesy photo - O'Mara & Associates - shot by Joe Gall - Royal Oak

Carolyn Artman, manager of [Film Detroit](#)

Tools of the trade

Downtown Detroit from top of the Book Cadillac

***Photographs by Marvin Shaouni***

*Marvin Shaouni is the managing photographer for Metromode & Model D.*

# Square Footage

## Film industry needs stages, talent – and a fast pace

If you meet **Jeff Spilman**, you must remember one thing: His business moves at the speed of light. That's probably why he talks so fast. He's not trying to rush. He just has to talk to a lot of people.

As an entertainment attorney, Spilman is used to doing business in a rapid-fire fashion. And

**"Incentives will bring the film industry here, but the lure of the money won't keep it here."**

Jeff Spilman,  
S3 Entertainment  
Group LLC

he's trying to get Michiganders on the same track.

He is partnering with Michigan insurance and travel companies, with caterers and with educators, in hopes of making his mark on – and his fortune in – Michigan's film industry.

Spilman is the managing partner of S3 Entertainment Group LLC.

### SQUARE FOOTAGE Carol Marshall



He announced last week his intention to build a \$10 million to \$15 million sound stage in Michigan. But he's also trying to create momentum and build relationships with others interested in cashing in on film-related growth.

He and his business partners launched S3EG a few years ago, as Mississippi law makers were revamping that state's film industry incentives. Spilman began researching incentives around the country, and he and his partners even made recommendations to Mississippi, regarding the state's incentives and industry infrastructure.

"Fast forward two years, when Gov. Granholm signed into law the most comprehensive and generous film incentives

program in the country," Spilman said. "The thing is, the incentives will bring the film industry here, but the lure of the money won't keep it here."

The money he's talking about is the state's Michigan Filming Incentives package, which offers a tax credit for 40 percent of the costs of movie and television program productions.

So, having grown up in Michigan, he opened an office in Troy, where he now spends half his time (the other half is in Los Angeles).

"What we need is sound stages, equipment, cameras and lighting, natural locations and talent," Spilman said. Some of those things we have – like locations. But what Michigan doesn't have is sound stages and homegrown talent – creative and technical – with experience in feature films.



SPILLMAN

The pay-off will start to add up quickly, if Michigan businesses invest now in serving the film industry, he said.

"We have landed six clients in the last six weeks, and those production companies will use 3,500 hotel nights in the next year. They'll eat in restaurants and buy shoes and get haircuts and go to Starbucks," Spilman said. "That's just us and our clients. That's not counting anyone else who's doing the same thing we are."

One of the quirks of setting up these relationships, and doing so quickly, is that the speed of business is well outside the comfort zone for most Midwesterners.

"Everything needs to be done yesterday and I just got a call saying, 'We're not used to working that way,'" Spilman said. "But we have to get used to it, or the business will go to New York or to Mexico or to Louisiana or to Arizona."

■ Carol Marshall covers real estate. She can be reached at (248) 374-4920 or [carolm@mbusinessreview.com](mailto:carolm@mbusinessreview.com).