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Provincetown Town Hall
260 Commercial Street
Provincetown, MA 02657

Select Board

Policy Statement

2019-10-15

Film, Videography, Photography, and Droning Policy and Application

I. POLICY STATEMENT:

Film, Videography, Photography, and Droning companies and productions may be permitted to use property under the control of the Town of Provincetown for approved projects.

II. PURPOSE:

Provincetown has long been a highly-sought after location for commercial film, video, and photography companies. The Town of Provincetown supports these industries and encourages their use of the Town. It is recognized that these industries can provide both direct and indirect economic benefits to the Town.

Due to the Town's size, location, historical significance, fragile natural resources, and seasonal tourist demands, such activity requires regulation to ensure to minimize any impacts on vehicle and pedestrian traffic, ensure the safety of bystanders, keep the crews protected, and make certain the least possible disruption to the community.

This policy applies to all Town properties including streets and public ways, Harbor, Conservation, and Recreation properties, excluding the Cape Cod National Seashore, Provincetown Airport, and Private Properties not under the jurisdiction of the Town of Provincetown. The guidelines and regulations contained herein apply to all commercial filming activity. Additional conditions may be attached to individual permit based on impact.

III. ADMINISTRATION:

The Tourism Department or his/her designee shall be the initial contact for all filming and photography projects, and is responsible for managing requests.

All commercial film, videography, photography, and droning requests must be approved prior to commencing work on site in Town. This policy is administered by Town Administration on behalf of the Select Board. Required fees and ancillary permits associated with the production must be approved prior to filming.

IV. RULES AND REGULATIONS:

- 1) PERMIT REQUIRED: A Film Permit shall be required for (but not limited to) the following conditions:
 - a) For Film, Videography, Photography, or Droning production for commercial purposes on or from Town of Provincetown.
 - b) For productions involving the use of, or impacting upon public property, traffic flow, pedestrian movement, public facilities, parks, sidewalks, street areas, or harbor.
 - c) Student productions filming for non-commercial and educational purposes may be exempt from

some fees but are still required to file an application.

- d) As determined by Select Board in consideration of impact to the Community, Businesses, and Natural Resources
- e) Any activities which result in adverse impacts on adjacent properties from, but not limited to, the use of explosions, noise from firearms, bullhorns, pyrotechnics, car chases, sirens, lighting apparatus, after hour filming, parking, and obstruction of public access, etc., a permit application and approval will be required prior to commencing work on site.

2) PERMIT EXEMPTIONS:

- a) Credentialed members of the media such as reporters, photographers or cameramen in the employment of a newspaper, news service, radio or television broadcasting station, or similar entity engaged in on the spot broadcasting, reporting or photographing of news of general public.
- b) Private social events (i.e. weddings)
- c) Wedding and Family Portraits.
- d) Amateur photographers and tourists.
- e) Artists

3) RESTRICTIONS

- a) Night shooting between the hours of 11:00pm to 6:00 a.m. is restricted without the prior approval. Town Center Commercial may also be restricted during certain hours due to considerations such as impact to pedestrian and vehicle traffic, and business interruption.

4) INSURANCE:

- a) All productions are required to submit an original, signed Certificate of Insurance, in an amount of \$1,000,000 minimum per instance of claim, for general liability for the duration of the production, with the "Town of Provincetown" listed as additional insured.
- b) Additional coverage may be required for productions with significant impact on public property and/or natural resources and those with extensive special effects.
- c) Student projects may be exempt from the insurance requirement. Student applicants should provide an original signed letter on school letterhead from their instructor, department head or dean of college stating the student's name(s), title of the project, purpose of the project, and confirmation that the project is an official school assignment covered by the school's liability insurance policies.

V. APPLICATION PROCESS

- 1) **TIMELINE:** The timeline for approvals for permitting is dependent on the scope of the project. Initial inquires for filming or photography on Town property must be submitted via the Town's online Application as follows:

- a) The application **should be received a minimum of Ten (10) days** prior to the date of anticipated filming in order to receive all of the necessary reviews. Permission may be denied if the request cannot be accommodated within the available time frame.
- b) **If roadway closures or police details be necessary for the proposed work, the deadline for the application is a minimum of 60 days prior to the date of anticipated filming.**
- c) Please note: for those requests which require multiple departmental approvals, more than 60 days prior to the anticipated start date of work may be necessary to ensure full compliance.

2) REVIEW/APPROVAL:

- a) Applications for approval for commercial film, videography, photography, or droning are managed through the Tourism Department.
- b) Once the online application has been received, the request will be reviewed to determine whether a production/event meeting with the designated parties is necessary. The availability of the requested Town properties will also be established at this time, as well as the need for any

- additional insurance requirements, fees, and ancillary permits.
- c) No fee is required for submitting an application.
 - d) Based on the scope of the request, approvals may be required by other Town Departments, Town Manager, or the Select Board. Additional fees, location agreements, and/or other required paperwork may incur. Examples are:
 - i) Use of Town Property (i.e. Bas Relief, Town Hall, etc.)
 - ii) Use of Conservation Properties
 - iii) Police detail and/or street closures
 - iv) Department of Public Works cleanup
 - v) Use of metered parking spaces
 - vi) Health Department Permits
 - vii) Licensing
 - viii) Use of Town resources not otherwise detailed above
 - e) Police Details may be required as determined by the Chief of Police or designee beyond what is requested in the proposed application. Fees for Police Details are determined by the scope of work in the application and are billed separately from Permit Fees.
 - f) Any use of a drone requires notification to the Provincetown Police Department, and must include (at a minimum) the following:
 - i) Date(s) of use
 - ii) Time(s)
 - iii) Location(s)
 - g) It is the responsibility of the applicant to work with residents and business owners in advance of the use of the proposed production locations to ensure that neither business nor daily living functions are impacted by the proposed production. To ensure minimal disruption, notification must include the duration and location of the filming and any planned interference with pedestrian or vehicular traffic. The applicants must work with these residents and businesses to determine if any compensation is required.
 - h) The Town is indemnified from any responsibility for work done on private property.
 - i) Once approved, a Film Permit will be prepared by Town Administration with all insurance, fees, and additional ancillary permits required.

Adopted: October 15, 2019

In Favor: Abramson, Anthony, Golden, Venden, and King

Opposed:

Film, Videography, Photography, and Droning Checklist

Town of Provincetown, 260 Commercial Street Provincetown, MA 02657

508-487-7000 www.provincetown-ma.gov



The Provincetown Film Permit authorizes film crews to film on public property only. The Town does not and cannot authorize anyone to utilize private property for filming or any other purpose. The Applicant is required for identifying and notifying any private property owners and/or abutters.

No fee is required for the application review. Depending on the scope of the request, a location agreement and subsequent fees may be required.

CHECKLIST: PLEASE SUBMIT WITH YOUR APPLICATION

| | |
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| Application filed with the Town of Provincetown | <i>This must be submitted to the Town of Provincetown Tourism office a minimum of ten (10) days prior to the proposed work-see Town Policy for additional timeline requirements.</i> |
| Submitted Proof of Insurance Form. The following name and address should appear on the certificate of insurance: Town of Provincetown 260 Commercial Street Provincetown, MA 02657 | <i>All productions are required to submit an original, signed Certificate of Insurance, in an amount of \$1,000,000 minimum per instance of claim, for general liability for the duration of the production, with the "Town of Provincetown" listed as additional insured. Certificates can be emailed to: tourism@provincetown-ma.gov or mailed to the Town of Provincetown, Attention: Tourism Department, 260 Commercial Street, Provincetown, MA 02657.</i> |
| <u>The following are only applicable in certain circumstances.</u> Please check all that apply. | |
| Location Agreement | <i>This may be required if scope of the work includes use of town property, road closures, etc. Fees may apply.</i> |
| Police Detail | <i>This will be required when a police officer presence is necessary for management of street closures, traffic, security, etc. Call the Provincetown Police Department at 508-487-1212 to determine if a detail is necessary. Fees may apply.</i> |
| Use of Town Property | <i>This includes but is not limited to use of the Auditorium, Bas Relief, Town Hall, etc. Use of Town property is subject to scheduling availability. Fees may apply.</i> |
| Parking and Use of Town Parking Lots | <i>This will be required when requesting parking reservations, meter bagging requests, etc. Fees may apply.</i> |
| Health Department Applications | <i>This will be required when providing any food service for production staff and crew. Fees may apply.</i> |
| Licensing Board Requests | <i>This may be required if proposed work necessitates a waiver of the Town of Provincetown Noise By-Law. A public hearing will be required.</i> |
| Public Works Services | <i>This will be required when tapping into water mains, requesting saw horses for road closures, street clean ups, etc. Fees may apply.</i> |
| Fire Department Services | <i>This will be required when fire and ambulance detail, use of fireworks, etc. are proposed. Fees may apply.</i> |
| Use of Harbor or MacMillan Pier | <i>This will be required when using the property under the jurisdiction of the Harbormaster and Pier Corporation. Fees may apply.</i> |
| Use of a Drone | <i>The Provincetown Police Department must be notified when use of a drone is proposed.</i> |

Please note: submittal of paperwork does not guarantee approval. Please see the Town Policy for additional timeline requirements. The Town of Provincetown is not involved in private property use requests.

Town of Provincetown

Film, Videography, Photography, and Droning Application

Please fill out the following application. For those categories which do not apply, simply write N/A.

Production Company:

Production Title:

Applicant Name & Title:

Company Address:

Applicant Phone:

Company Phone:

Cell Phone:

E-mail:

Local Address:

Local Phone:

Local Fax:

Location Manager:

Telephone:

Cell Phone:

E-Mail:

How many people are in your production crew?

Will trucks be necessary to bring in Equipment?

Yes

No *If Yes, please provide the following:*

Size

Type

Parked Location

Production Type:

Feature Film

Television Film

Documentary

Commercial

Industrial

Still Photography

Music Video

Droning

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Will Town streets be used for Parking? **Yes** **No** If yes, please provide the following:

Date(s):

Time(s):

Description:

A map indicating the streets you plan to utilize should be submitted with your application. Include which side(s) of the street(s), which intersections where parking will be located, the duration, where filming will be located, and any additional pertinent information. **Please review the Town’s Traffic and Parking regulations regarding any question about vehicular size restrictions.**

Will parking meters need to be bagged/spaces held? Yes No

If yes, please provide the following:

Date(s):

Time(s):

Will any of these scenes involve the use of explosives, fire, firearms, or aircraft? **Yes** **No**

If yes please describe:

Will this require turning off street lights? Yes No If yes, please provide the following:

Date(s):

Time(s):

Description:

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Please attach a copy of your general liability insurance coverage in the amount of one million dollars naming the Town of Provincetown as an additional insured party.

By signing below, you, the Applicant, agrees to comply with all applicable laws and to maintain the premises in good condition, and to return said premises to the same condition as before use for this film project.

By signing below, you, the Applicant confirms that he/she has the authority to represent the Company for the purposes of this application.

Name (Print):

Company:

Official Title:

Date:

Signature

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