

The Corporation of the City of North Bay

By-Law No. 2025 –

Being a By-Law to Promote Filming Activity and Regulate Filming Permits in the City of North Bay

WHEREAS section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality under that Act shall be interpreted broadly so as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that Act or any other Act;

AND WHEREAS section 10(1) of the *Municipal Act* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS section 10(2) of the *Municipal Act* provides that a single-tier municipality may pass by-laws respecting: in paragraph 5, the economic, social and environmental well-being of the municipality; in paragraph 6, the health, safety and well-being of persons; in paragraph 8, the protection of persons and property;

AND WHEREAS section 425 of the *Municipal Act* provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality under this Act is guilty of an offence;

AND WHEREAS section 429 of the *Municipal Act* provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act;

AND WHEREAS section 435 of the *Municipal Act* provides conditions governing the exercise of a power of entry for municipalities to enter onto lands to inspect for the purposes of this by-law;

AND WHEREAS section 436 of the *Municipal Act* provides that a municipality may pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspections to determine compliance with a by-law, or an order made under a by-law, or court order made under section 431 of the *Municipal Act*;

AND WHEREAS The Corporation of the City of North Bay deems it necessary to regulate filming permits and promote filming activities within the municipality, while balancing the economic benefits of the film industry with the preservation of public safety and the well-being of residents;

AND WHEREAS Resolution No. 2025-_____ was passed by the Council of The Corporation of the City of North Bay at its Special Meeting held on _____, to enact a by-law to promote filming activity and regulate filming permits in the City of North Bay;

NOW THEREFORE the Council of The Corporation of the City of North Bay hereby enacts as follows:

1. Short Title

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

2. Definitions

2.1 In this by-law, the following definitions shall apply:

"Applicant" means a Person applying for a Filming Permit under this by-law.

"City" means The Corporation of the City of North Bay or the area within the geographical limits of the City of North Bay, as the context requires.

"Director" means the City's Director of Community Services or their designate.

"Economic Development Department" refers to the City's department responsible for issuing Filming Permits.

"Filming Event" includes all filming in the City requiring a Filming Permit as determined by the Economic Development Department, but does not include current affairs, press conferences, newscasts, corporate videos, street interviews or visual recordings for personal purposes.

"Filming Permit" means a permit issued in accordance with this by-law for a Filming Event.

"Filming Permit Application" refers to the procedure of applying for a Filming Permit issued in accordance with this by-law.

"Filming Permit Holder" means a Person who is granted a Filming Permit under this by-law.

"Officer" means an individual designated as a Municipal By-Law Enforcement Officer, a City of North Bay contract By-law Enforcement Officer, or any Provincial Offences Officer.

"Person" includes a natural person, an association, a corporation, a body politic or a partnership whether acting by themselves or by a servant, agent or employee and the heirs, executors, administrators, successors and assigns or another legal representative of such person.

"Premises" means any location on which a Filming Event is taking place.

3. Interpretation

3.1 Headings are inserted for ease of reference only and form no part of this by-law and shall not affect in any way the meaning or interpretation of the provisions of this by-law.

3.2 If a Court declares any provision of this by-law invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force and effect.

4. Permit required for Filming Events

4.1 No Person shall undertake or permit the undertaking of a Filming Event within the City without a valid Filming Permit.

5. Application for Filming Permit

5.1 A Person who intends to undertake a Filming Event which requires a Filming Permit pursuant to this by-law shall apply to the Economic Development Department for a Filming Permit.

5.2 A Person who applies for a Filming Permit shall provide the Economic Development Department with a completed Filming Permit Application including all requested details, information, and any specific requirements outlined in this by-law.

6. General

6.1 No Applicant or Filming Permit Holder shall knowingly provide false information to the Economic Development Department.

6.2 Every Applicant and Filming Permit Holder shall be governed by this by-law and all other municipal by-laws, policies and provincial and federal statutes and regulations.

6.3 No Filming Permit Holder shall fail to comply with any condition imposed as part of a Filming Permit.

6.4 Every Filming Permit Holder shall be responsible for obtaining all required permits, licenses or other authorizations that may be required by all levels of government or from any agency in relation to the Filming Event and for the use of any Premises.

6.5 While a Filming Event is underway, the Filming Permit Holder or their designate shall:

- a. Produce the Filming Permit to the Director or an Officer upon request; and
- b. Make all reasonable efforts to minimize disruption to residents, businesses, and institutions during the Filming Event.

7. Administration and Enforcement

7.1 The Director is authorized to administer this by-law, including the authority to impose conditions on a Filming Permit as necessary to ensure compliance with this by-law and to prescribe the format and content of any forms or other documents required under this by-law.

7.2 The Director or an Officer are authorized to enter on the Premises at any reasonable time for the purposes of confirming compliance with this by-law, any other municipal by-law and any directions such as emergency plans to ensure the safety and protection of the public.

- 7.3 During an inspection conducted under section 7.2, the Director or an Officer, may:
- a. Require the production of documents or things relevant to the inspection;
 - b. Inspect and remove documents relevant to the inspection for the purpose of making copies or extracts;
 - c. Require information from any individual concerning a matter related to the inspection; or
 - d. Alone or in conjunction with an individual possessing special or expert knowledge, make examinations or take tests, or photographs necessary for the purposes of the inspection.
- 7.4 No Person shall hinder or obstruct the Director, an Officer or any individual assisting them during an inspection conducted under section 7.2 or any activities undertaken under section 7.3.

8. Enforcement and Penalties

- 8.1 This by-law may be enforced by an Officer.
- 8.2 Every Person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$50,000.
- 8.3 Every Person who is convicted of a continuing offence under this by-law is liable to a fine of not less than \$500 and not more than \$50,000 for each day or part of a day that the offence continues and, notwithstanding section 8.2, the total of all daily fines for the offence is not limited to \$50,000.
- 8.4 If any provision of this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this by-law, the Court in which the conviction has been entered and any Court of competent jurisdiction thereafter may make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

9. Coming into Force

- 9.1 This By-Law shall come into effect upon passing.

Read a First Time in Open Council this day of , 2025.

Read a Second Time in Open Council this day of , 2025.

Read a Third Time in Open Council and Enacted and Passed this day of , 2025.

Mayor Peter Chirico

City Clerk Karen McIsaac