

## **GUIDELINES FOR FILMING IN TOMBALL, TEXAS**

**Email Submissions: [cso@tomballtx.gov](mailto:cso@tomballtx.gov)**

### **I. PURPOSE**

The following guidelines are intended to protect the personal and property rights of our Tomball, Texas residents and businesses. The City Manager reserves the right to impose additional regulations in the interest of public safety if deemed necessary.

These guidelines cover requests for commercial use of City-owned property (streets, right-of-ways, parks, and public buildings), commercial use of private property that may affect adjacent public or private property, and the use of City equipment and personnel in the filming of movies, TV shows, commercials, and related activities.

### **II. CITY CONTROL/CITY MANAGER AUTHORITY**

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

The applicant agrees that The City of Tomball, Texas shall have full control over the use of public streets and buildings of the City while being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming if determined to be detrimental to the public health, safety and welfare.

The applicant shall agree to allow the respective City departments (i.e., Police, Fire, Building) to inspect all structures and/or devices and equipment to be used in connection with the filming and taping if required by the City Manager.

### **III. PERMIT REQUIREMENTS**

Before filing an application for filming in Tomball, the Office of the City Manager must be contacted to discuss the production's specific filming requirements and the feasibility of filming in Tomball.

Any commercial producer who desires to undertake a commercial production in Tomball, Texas is required to complete and return the attached application for filming to the office of the City Secretary, within the time frames below, to meet the approval periods established by City Council:

- **Commercials or episodic television:** a minimum of seven (7) business days prior to the commencement of filming or any substantial activity related to the project.
- **Feature films:** a minimum of ten (10) business days prior to the commencement of filming or any substantial activity related to the project.

### **IV. FEES**

An application-processing fee of \$25.00 shall accompany each application for filming. The City Manager may waive this fee for non-profit organizations.

**V. USE OF CITY EQUIPMENT AND PERSONNEL**

The applicant will agree to pay for the costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the production or not). Remuneration rates for the use of any City equipment, including police cars and fire equipment, will be established on a case-by-case basis as determined by the City Manager. The applicant will agree to pay in full, promptly upon receipt of an invoice, the charges incurred. The City Manager may, at his/her discretion, require an advance deposit for the use of the equipment.

The City Manager, in consultation with the Chief of Police and/or Fire Chief, shall have the authority to stipulate additional fire or police requirements and level of staffing for same, at any time during a film project if it is determined to be in the best interest of public safety, health and welfare, which cost shall be borne by the Applicant. Off-duty police officers and firefighters shall be paid by the production company at a rate no less than one and one-half their hourly rate based on their rank.

**VI. USE OF CITY PROPERTY**

The City Manager may authorize the use of any street, right-of-way, or public building, use of Tomball, Texas name, trademark or logo and/or use of City equipment and/or personnel for commercial uses in the production of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager may require that any or all of the conditions and/or remuneration as specified on the application be met as a prerequisite to that use. A security or damage deposit may be required based on production activity.

Depending upon the extent of the use of City property, the Applicant agrees to reimburse the City for inconveniences when using public property. Following is the rate schedule:

<b>Activity</b>	<b>Cost per Calendar Day</b>
Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area	\$500
Partial non-disruptive use of a public building, park, right-of-way, or public area	\$250
Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking (for filming purposes)	\$50 per block
Partial closure or obstruction of public street or right-of-way, including parking lots and on-street parking (for filming purposes)	\$25 per block
Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles)	\$50 per block or lot

The applicant agrees that The City of Tomball, Texas, shall have full control over the use of its name, trademark, logo, public streets and buildings of the City while any are being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming activity if it is determined to be hazardous to the public health, safety and welfare.

## **VII. SPECIAL EQUIPMENT AND VEHICLES**

The applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming, including proposed hours of use and proposed parking locations. Such locations must be specifically approved by the City so as to maintain traffic safety. On-street parking or use of public parking lots is subject to City approval. The use of exterior lighting, power generators, or any other noise- or light-producing equipment requires on-site approval of the City Manager.

## **VIII. HOURS OF FILMING**

Unless permission has been obtained from the City Manager in advance and affected property owners, tenants and residents have been notified, filming will be limited to the following hours: Monday through Friday, 7:00 a.m. to 9:00 p.m., and Saturday, Sunday and holidays, 8:00 a.m. to 8:00 p.m.

## **IX. NOTIFICATION OF NEIGHBORS**

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

## **X. CERTIFICATE OF INSURANCE**

The producer shall attach a certificate of insurance, naming The City of Tomball, Texas as an additional insured, in an amount not less than \$1,000,000 general liability, including bodily injury and property damage with a \$5,000,000 umbrella; and automobile liability (if applicable) in an amount not less than \$1,000,000 including bodily injury and property damage.

## **XI. LIABILITY**

The applicant agrees to pay in full, promptly upon receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its original condition prior to the production, or to better than original condition.

## **XII. HOLD HARMLESS AGREEMENT**

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

*I certify that I represent the firm that will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of The City of Tomball, Texas, and that I and my firm will indemnify and hold harmless The City of Tomball, Texas for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping pursuant to this permit.*

*I further certify that the information provided on this Application is true and correct to the best of my knowledge, and that I hold the authority to sign this and other contracts and agreements with the City of Tomball on behalf of the firm.*

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

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

**THE CITY OF TOMBALL, TEXAS**

**Application for Commercial Filming**

Title of project: \_\_\_\_\_

Type of production: Commercial \_\_\_\_\_ Feature Film \_\_\_\_\_  
Television \_\_\_\_\_ Training Film \_\_\_\_\_  
Public Service \_\_\_\_\_ Other \_\_\_\_\_

Location of filming: \_\_\_\_\_

Date(s) of filming: \_\_\_\_\_

**CONTACTS**

Production Office:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Producer:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Location Manager:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Texas Film Commission Representative: \_\_\_\_\_

**PRODUCTION** (*Attach additional sheets if necessary.*)

1. Production schedule and activities to include stunts, pyrotechnics, special effects, aerial photography, amplified sound or use of animals: (Give dates and times and rain dates. Hours should include set-up, holding of sets and restoration.)

2. Number of persons involved with the production, including cast and crew:

3. Anticipated need of City personnel, equipment or property:
  
4. Describe any areas in which public access will be restricted during production:
  
5. Describe alterations to property:
  
6. Number and type of production vehicles to be used and location(s) where vehicles will be parked:
  
7. Location where crew will be fed, if not at production location:
  
8. Location where extras will be held, if not at production location:
  
9. Map of anticipated street closure(s) or other public area use.
  
10. **HOLD HARMLESS AGREEMENT:** The producer shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

*I certify that I represent the firm that will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of The City of Tomball, Texas, and that I and my firm will indemnify and hold harmless The City of Tomball, Texas for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping pursuant to this permit.*

*I further certify that the information provided on this Application is true and correct to the best of my knowledge, and that I hold the authority to sign this and other contracts and agreements with the City of Tomball on behalf of the firm.*

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

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

**Application completed by:**

Name/Title: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

*The "Guidelines for Filming in Tomball, Texas" apply to all filming activities, and the Office of the City Manager may require the applicant to acknowledge receipt of the guidelines prior to approving this application.*