

# Guidelines for Filming in New Braunfels, TX & Greater Comal County

## PURPOSE

The Guidelines contained in this policy are intended to create a program for promoting economic development activity within **New Braunfels** and the vicinity of the County. The following Guidelines are also intended to protect the personal and property rights of **New Braunfels** residents and businesses, and to promote the public health, safety and welfare. The Chamber reserves the right to impose additional regulations in the interest of public health, safety and welfare, or if otherwise deemed appropriate by the Chamber.

These Guidelines cover requests for commercial use of City-owned property (including but not limited to streets, rights-of-way, parks, and/or public buildings), commercial use of private property which may affect adjacent public or private property, and the use of City equipment and personnel in all types of motion picture production, including, but not limited to, feature films, television programs, commercials, music videos and corporate films.

## CHAMBER & CITY AUTHORITY

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

The Applicant agrees that the City of New Braunfels, via the Chamber, shall have exclusive authority to grant the Applicant the use of public streets, rights-of-way, parks and public buildings of the City, as well as authority to regulate the hours of production and the general location of the production. The City via the Chamber reserves the full and absolute right to prohibit all filming or to order cessation of filming in order to promote the public health, safety or welfare.

The Applicant shall allow City departments (e.g., Police, Fire, Building) to inspect all structures, property, devices and equipment to be used in connection with the filming and taping, as deemed appropriate by the Chamber.

## REGISTRATION REQUIREMENTS

Before filming in the greater New Braunfels area, the Chamber's Film Office must be contacted to discuss the production's specific filming requirements and the feasibility of filming.

Any commercial producer who desires to undertake a commercial production in the Greater New Braunfels area is required to complete and return the attached registration for filming to the Chamber's Film Office within the time frames below:

- **Commercials or episodic television:** a minimum of two (2) business days prior to the commencement of filming or any substantial activity related to the project.
- **Feature films:** a minimum of five (5) business days prior to the commencement of filming or any substantial activity related to the project.

## USE OF CITY EQUIPMENT AND PERSONNEL

The Applicant shall pay for all costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether or not specifically requested by the production). 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 Chamber. The Applicant shall pay all costs in full within ten (10) days after receipt of an invoice for said costs. The Chamber may, at their discretion, require an advance deposit for all costs related City personnel and/or the use of City equipment.

The City via the Chamber, in consultation with the Chief of Police and/or Fire Chief, shall have the authority to stipulate additional fire or police requirements and level of staffing for same, at any time during a film project if it is determined to be in the best interest of public health, safety and welfare, which cost shall be borne entirely by the Applicant.

Off-duty police officers and firefighters shall be paid by the production company at their standard off duty rate.

## USE OF CITY-OWNED REAL ESTATE

The City may authorize the use of any street, right-of-way, park or public building, use of New Braunfels, Texas name, trademark or logo and/or use of City equipment and/or personnel for commercial uses in motion picture production. In conjunction with these uses, the Chamber may require that any or all of the conditions and/or remuneration as specified herein and on the application be met as a prerequisite to that use. A security or damage deposit may be required within the discretion of the Chamber. Liability Insurance is required before any filming can be performed.

The Applicant acknowledges and agrees that the City of New Braunfels Texas, possesses and retains exclusive authority to grant the Applicant a revocable license for the use of its name, trademark, and logo, public streets, rights-of-way, parks and buildings of the City as well as control over the hours of production and the general location of the production. The City via the Chamber reserves the full and absolute right to prohibit all filming or to order cessation of filming activity in order to promote the public health, safety and/or welfare.

**VEHICLES AND EQUIPMENT**

The Applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming, including proposed hours of use and proposed parking locations. Such locations will need to be specifically approved by the Chamber.

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

**HOURS OF FILMING**

Unless express permission has been obtained from the Chamber 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.  
Saturday, Sunday and holidays: 8:00 a.m. to 8:00 p.m.

**NOTIFICATION OF NEIGHBORS**

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

**CERTIFICATE OF INSURANCE**

The Applicant shall attach a valid certificate of insurance, issued by a company authorized to conduct business in the state of Texas, naming the City of New Braunfels, TX and its agents, officers, elected officials, employees and assigns, as additional insured, in an amount not less than \$1,000,000 general liability, including bodily injury and property damage with a \$5,000,000 umbrella; and automobile liability (if applicable) in an amount not less than \$1,000,000 including bodily injury and property damage.

**DAMAGE TO PUBLIC OR PRIVATE PROPERTY**

The Applicant shall pay in full, within ten (10) days of receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its original condition prior to the production, or to better than original condition.

**HOLD HARMLESS AGREEMENT**

The Applicant shall sign the following Hold Harmless Agreement holding the City of New Braunfels & The Greater New Braunfels Chamber of Commerce, Inc. 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 Chamber and the City of New Braunfels, and that I and my firm will indemnify and hold harmless the City of New Braunfels, TX and its elected officials, officers, servants, employees, successors, agents, departments, contractors, and assigns from any and all losses, damages, expenses, costs and/or claims of every nature and kind arising out of or in connection with the filming/taping and other related activities engaged in pursuant to this Application.*

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

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

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

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

THE CITY OF NEW BRAUNFELS, TX & GREATER COMAL COUNTY

**Application for Commercial Filming**

Title of project

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Type of production (feature film, television production, commercial, corporate, music video, etc.)

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Proposed Filming Locations (attach additional pages if necessary)

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Date(s) of prep/filming

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Primary Contact

Name

Cell phone

Email

Location Manager (if different from Primary Contact)

Name

Cell phone

Email

Production Company Information

Name of Production Company

Address

City/State/Zip

Web Site

Primary Contact's Name

Primary Contact's Phone

Primary Contact's Email

Is this production already in contact with the Texas Film Commission? \_\_\_\_\_

If yes, who is your contact at the Texas Film Commission?

Name

Phone

Email

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

1. Production schedule and activities, including 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. Approximate number of persons involved with the production, including cast and crew:
  
3. Anticipated need of City personnel, equipment or property:
  
4. Public areas in which public access will be restricted during production:
  
5. Describe alterations to public property:
  
6. Number and type of production vehicles to be used and location(s) where vehicles will be parked:
  
7. Location where crew will be fed, if not at filming location:
  
8. Location where extras will be held, if not at filming location:
  
9. Please attach map of anticipated street closure(s) or other public area use.

Applicant (production company representative):

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

Name

\_\_\_\_\_

Title

Application approved by **New Braunfels Chamber** representative:

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

*The Office of the City Manager may require the applicant to acknowledge receipt of the Guidelines prior to approving this application.*