

Film Incentive Program Checklist

Performance-based incentive (grant) guidelines:

- Allow 30 days for application process
- Must have approval by City Council prior to filming and prior to any expenditure being considered for rebate occurs
- Production 100% funded (proof of funding)
- Film production company a “for-profit” organization
- Filming must generally begin within 60 days after permit approval
- Project shall be for exhibition and reasonable commercial exploitation

Not eligible if:

- Producer or principals have prior financial obligations, crew mistreatment issues or un-remedied site concerns
- Productions where producer withdrew application for eligibility determination
- Productions that pay employees less than minimum wage
- Productions of one or more segments of a newscast, live broadcast or sporting event
- Productions that employ interns without the intern receiving academic credit

Qualified local expenditures to individuals or businesses in Fremont include:

- Payments to purchase story and scenario for film,
- Payments for set construction and operations, wardrobe, accessories, and related services,
- Payments for photography, sound recording and synchronization, lighting, and related services,
- Payments for editing, post-production, music, and related services,
- Payments for renting facilities and equipment, including location fees,
- Payments for other direct costs deemed appropriate by the City,
- Leasing of vehicles and Fremont based chartered aircraft for in-state transportation,
- Food and lodging up to \$150 per day per individual.

Excluding:

- Tobacco and alcohol,
- A gift greater than \$25 in value,
- Artwork or jewelry, unless used in film, up to \$2,500,
- Entertainment, amusement or recreation (wrap parties),
- Fringes for non-residents, including actors/performers,
- Chartering Fremont aircraft for out-of-state transportation,
- Internet purchases unless seller is a Fremont business,
- Cell phone reimbursements when billing address is not in Fremont,
- Third party expenditures,

- Expenditures to a non-profit organization.

Film Incentive Rebate Funding:

- 1) Thirty percent (30%) of the LB840 funds received annually are targeted towards film incentives; and,
- 2) A film incentive award cannot exceed thirty percent (30%) of the moneys in LB840; and,
- 3) A film incentive award cannot exceed thirty percent (30%) of the qualified local expenditures.

Film Incentive Rebate Program awards are on a first come, first considered basis and are subject to LB840 fund availability.

Estimated local expenditures: _____ **Estimated Incentive:** _____

Additional requirements: (to be part of the Incentive Contract)

- E-verify through a federal immigration verification system,
- Agree to list "Fremont, Nebraska" and City logo in film credits,
- Agree to pay all obligations incurred in Fremont,
- Submit draft script,
- List anticipated MPAA rating of the film and synopsis.

Reviewer: _____ **Recommended Incentive:** _____

City of Fremont Filming Guidelines

Things you need to do before the permit meeting:

- Obtain general liability insurance in the amount of \$1,000,000.00, naming the City of Fremont as an additionally insured party for the length of the shoot. It will read as follows:
City of Fremont
400 East Military Ave
Fremont, NE 68025
- Send a copy of the liability to the City of Fremont Administration Office (FAO) via fax, 402-727-2667, or email lottie.mitchell@fremontne.gov
- Obtain a film permit application from the FAO or download the permit application from our website at www.fremontne.gov
- Complete page 1 of the application and sign the declaration on the final page. Attach additional pages as needed.
- Call the Administration Office at 402-727-2630 to schedule the review and signing of your permit application.
- Contact the City Administrator's office at 402-727-2630. They will advise whether or not construction/events are happening that may interfere with filming.
- Submit the letter(s) of notification to the FAO. Once the letter(s) are approved, the administration office will contact the necessary departments and get approval. Please see the notification guidelines section for more details. Once you are done with notifying the affected business/residents, attach the letter of notification to the permit.
- Attach a sketch of the filming site mapping out the placement of work trucks to the permit. If there are street/sidewalk closures or intermittent traffic control, barricades will be available for a fee from the City Street Department. The Street Department will create the necessary traffic control plans and submit a copy of the TCP (traffic control plan) to the Fremont Administration Office.
- Attach a sketch and/or traffic control plan of the exact filming location, listing which roads you wish to close and placement of any work trucks/equipment on the streets and or sidewalks. If you do not have a traffic control plan by the time of the film permit meeting, the City Street Supervisor will need to be at the meeting.
- Contact City of Fremont Police Department at 402-727-2677 to set up an account for use of City of Fremont police officers.

- Ensure the caterer and craft services contact the City Clerk's Office at 402-727-2633 to obtain the necessary food service permits before filming.
- If you are filming outside of Fremont city limits but still in Dodge County, you must call the Dodge County Clerk at 402- 727-2767. They will assist you with all necessary permitting for Dodge County.

Things to remember when filming in Fremont

- Impact to vehicular traffic on any part of 23rd Street requires the City Administrator of the City of Fremont's signature and at least a 5 day notice to process.
- Graffiti is removed daily throughout the City. Please contact the FAO for more information.
- Production vehicles must not block parking lot access/egress ramps, fire hydrants or be parked in fire lanes and must leave at least 20 ft. clearance between vehicles parked on either side of the road for emergency response vehicles to pass. Production vehicles cannot park on 23rd Street or in front of businesses unless loading or unloading.
- Base camp and crew parking shall be at an approved, pre-determined location; preferably a nearby parking lot. If street parking is approved, film notices, with details regarding parking and street usage, shall be given to all neighborhood residents.
- Parking in alleyways is prohibited unless special arrangements are made through the FAO.

Neighborhood notification

The film company must notify affected residents, occupants and businesses, in advance of filming and as instructed by the FAO, of the duration and location of filming and base camp, including information about planned special effects, road and lane closures, no parking requests, sidewalk usage (without obstructing pedestrians) and the time that barricades will be placed on the street.

A template of the required letter of notification is included in this packet. Please use the template when creating your letter of notification for distribution.

If you wish to be in a neighborhood between the hours of 10 p.m. and 7 a.m. you must coordinate this with the FAO. There is a special notification process for this, as well as the need to obtain noise permit which will be explained to you by the FAO.

Letter of notification guidelines:

The purpose of writing a letter to residents and businesses is to give advance notification of your arrival and describe the filming activities. All letters of notification must be forwarded to the City of Fremont Administration Office for review and approval before the letter is delivered by film company personnel to the neighborhood(s) where filming is proposed to occur. Letters must be received by the resident/business in advance of filming.

Please use the following checklist to ensure your letter includes all relevant details.

- Production company name, working title and type of production are listed.
- Name, title and phone numbers of the location manager, assistant location manager are provided. You must also include the City Grant Coordinator's name and phone number (402-727-2630).
- Duration of filming is given (dates and times)
- Date(s) and time of day that production vehicles will arrive at the location as well as wrap time and day must be included.
- Street dressing, gunfire and/or special effects must be included.
- Specifics regarding proposed alternate parking arrangements for permit parkers have been included. It is up to the production company to find alternative parking arrangements suitable to the residents.
- Specifics regarding street closures, intermittent traffic control, sidewalk closure, alternative parking requests for neighborhood/business district must be included.

Ultimately, we want a letter that gives the affected area information about what's going on and let them know the production company is committed to making this a positive experience for them. Please always be gracious, we want everyone to be able to film there again.

Consideration & Disruption

Film crews may only be in residential neighborhoods between the hours of 7 a.m. and 10 p.m., unless by special arrangement through the Fremont Administration Office.

Consideration to Residents/Occupants/Businesses: These persons should be free from any negative environmental conditions resulting from filming including but not limited to, spillover lighting, exhaust fumes or noise that may affect their ability to enjoy their property or conduct their business unless they have been contacted and do not express any objection. Specifically:

Lighting: Lighting for filming should be oriented away from neighboring residences unless residents have been contacted and do not express any objection and should not interfere with the safe movement of traffic.

Noise: The production company must comply with legislation governing noise. If the affected residents/occupants/businesses have been advised in advance of the nature of the noise and do not object, the likelihood of a complaint will be reduced.

Disruption to Residents/Occupants/Businesses: It is the production company's responsibility to ensure that there is a minimum of disruption to residents, occupants, businesses and City employees where filming occurs. This includes ensuring residents, owners and customer's access to their respective premises and ensuring pedestrian and vehicular access to adjoining properties.

Vehicles, Traffic, Parking

Traffic:

- No interference with pedestrian or vehicular traffic is to occur without being noted on the permit and approved by the FAO.
- Production vehicles must comply with appropriate traffic regulations unless stated otherwise on the permit.
- All moving vehicles must comply with regulations governing traffic in city parks/properties unless otherwise noted on the permit.
- Except where a road is closed for filming, where a moving vehicle is involved, the applicant shall adhere to the posted speed limits and to lawful conditions.

Parking and/or Standing:

Production vehicles must not block fire hydrants, be parked in fire lanes and must leave at least 20 ft. clearance between vehicles for emergency response vehicles to pass.

- Production vehicles must not block parking lot access/egress ramps.

Traffic Stoppages: Intermittent traffic stoppages are limited to a **maximum of 5 minutes**, and must be under the supervision of a Fremont's Overtime Police Officer.

Police/Fire/Ambulance

Filming Activities and Relationship to Police/Fire/Ambulance:

- Appropriate Fire personnel/Fire Marshals are required for the detonation of pyrotechnic special effects.
- The Fremont Fire Department must be advised in advance when the use of flammable liquids/materials and special effects are being planned.
- Fremont Police Officers are required as determined by the FAO for such things as intermittent traffic stoppages and traffic control and/or when required to direct pedestrian or vehicular traffic including those instances

involving city parks/properties. You must contact Fremont Police Department in advance of filming to schedule officers. **A copy of the permit is to be supplied by the production company to each of the police officers on duty.** All costs associated with these requirements are the expense of the applicant.

Responsibilities

Clean-up: Production crews must clean the location at the end of the filming day with a minimum amount of noise and disruption and ensure the area is returned to its original condition, unless otherwise approved by the FAO or other arrangements are made with an operating Division of the City and noted on the permit, in which case the production company will be billed accordingly.

Conduct: It is the responsibility of the production company to ensure that their staff operates in a safe and professional manner in the course of their duties.

Letters of Notification

The purpose of writing a letter to residents and businesses is to give advance notification of your arrival and describe the filming activities.

All letters of notification must be forwarded to the City of Fremont Administration Office for review and approval before the letter is delivered by film company personnel to the neighborhood(s) where filming is proposed to occur.

Letters must be delivered via public notice in the newspaper, local radio and neighborhood posting.

Please use the following checklist to ensure that your letter includes all relevant details.

- Production company name, working title and type of production are listed.
- Name, title and phone numbers of the location manager, assistant location manager are provided. You must also include the City Grant Coordinator's phone number (402-727-2630).
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Ultimately, we want a letter that gives the affected area information about what's going on and let them know the production company is committed to making this a positive experience for them. Please always be gracious, we want everyone to be able to film there again.

Film Incentive Program

The Film Incentive Rebate Program of Fremont offers a performance-based incentive that can rebate a portion of the qualified local expenditures incurred by a production company.

All production companies seeking to participate in the Program must submit, with all supporting documents a Local Option Economic Development Plan Grant application and allow at least 30 days for the application process. All applications must be approved by City Council prior to filming and prior to any expenditures being considered for rebate occur. Productions must be 100% funded and all submissions should be prepared to offer proof of funding. The filming entity (Film Production Company) cannot be a non-profit organization.

Qualifying projects must be intended for exhibition and reasonable commercial exploitation. Regional and national commercials will qualify with proof that they will be broadcasted nationally or regionally.

The following productions are not eligible:

- (a) Productions of a producer that has, or whose principals have, a verifiable history of previous production problems that create significant doubt, as determined by the City, regarding the producer's ability to complete a production in Fremont, Nebraska successfully. The production problems may include, but are not limited to:
 - (i) Unpaid financial obligations;
 - (ii) Crew mistreatment; and
 - (iii) Damage to locations the producer did not repair upon completion of the production.
- (b) Productions with respect to which the producer withdraws its application for eligibility determination.
- (c) Productions that pay any employee less than minimum wage.
- (d) Productions of one or more segments of a newscast, live broadcast or sporting event.
- (e) Productions that employs any individual as an "intern" without that individual receiving academic credit.

Based on the information provided in the production company's application, the City will make an initial determination of whether the production company will be eligible to receive a performance-based incentive. If a production is not selected for the Program, the production company will be notified in writing within 30 days.

If a production company is eligible, the City will determine the maximum rebate amount that can be reimbursed to the production company. Upon approval of the Fremont City Council, the City shall grant conditional written approval to the production company. Failure to obtain written approval prior to beginning significant production activities may result in a forfeiture of eligibility for the performance based incentive.

Qualified local expenditure (**Taxable Sales**) means a payment made by a production company operating in Fremont to a person or business in Fremont in connection

with production activities in Fremont. Qualified local expenditure shall include, but not be limited to:

- (a) Payments made in connection with developing or purchasing the story and scenario to be used for a film;
- (b) Payments made for the costs of set construction and operations, wardrobe, accessories, and related services;
- (c) Payments made for the costs of photography, sound recording and synchronization, lighting, and related services;
- (d) Payments made for the costs of editing, post-production, music, and related services;
- (e) Payments made for the cost of renting facilities and equipment, including location fees;
- (f) Payments for other direct costs incurred by the film production company that are deemed appropriate by the City;
- (g) Leasing of vehicles: not including the chartering of aircraft for out-of-state transportation, however including Fremont based chartered aircraft for in-state transportation directly attributable to the production shall be considered a direct production expenditure; and
- (h) Food and lodging: provided that only the first one hundred fifty dollars (\$150) of lodging per individual per day is eligible to be claimed.

The following does not qualify:

- (a) Tobacco products and alcoholic beverages;
- (b) The value of a gift greater than twenty-five dollars (\$25.00);
- (c) Artwork or jewelry except when a work of art or a piece of jewelry is used as set dressing or a prop in the film production (on-camera), then it will qualify for up to \$2,500;
- (d) Entertainment, amusement or recreation (this includes wrap parties);
- (e) Fringes for non-residents, including actors/performers;
- (f) Chartering of Fremont based aircraft for out-of-state transportation;
- (g) Purchases made on the internet unless the seller is located in Fremont (proof of residency required);
- (h) Cell phone reimbursements when the billing address is outside of Fremont, Nebraska;
- (i) Expenditures incurred and paid by a third party and claimed by the qualified film production company will not qualify – only expenditures directly incurred and paid by the qualified film production company (approved and on file with the City) to the vendor of the services or property will qualify;
- (j) Expenditures made to non-profit organizations do not qualify.

Film Incentive Rebate Funding

- 1) Thirty percent (30%) of the LB840 funds received annually are targeted towards film incentives; and,
- 2) A film incentive award cannot exceed thirty percent (30%) of the moneys in LB840; and,
- 3) A film incentive award cannot exceed thirty percent (30%) of the qualified local expenditures.

Film Incentive Rebate Program awards are on a first come, first considered basis and are subject to LB840 fund availability.

All companies entering into a contract with the City of Fremont must E-verify through a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

Additional requirements: Projects that have scrolling end credits shall contain an acknowledgement the production was filmed in “Fremont, Nebraska”. A long-form narrative film production (e.g. feature) shall also include a city logo provided by the City office in the end credits. The Production shall agree to pay all obligations the film production company as incurred in Fremont, Nebraska. The Production Company will submit the most current draft of the complete script as well as the anticipated MPAA rating of the film and a synopsis.

Not every project will qualify for the grant. The City of Fremont is not required to grant projects that include “inappropriate content” or “contains material that violates city code or ordinances”.

Applications can be dropped off to:

City of Fremont
Attn: Grant Coordinator
400 E. Military Ave
Fremont, NE 68025