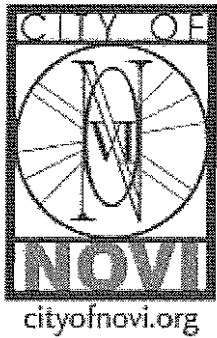


MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION

FROM: ^{Barb} BARBARA MCBETH, A/CP, DEPUTY DIRECTOR OF
COMMUNITY DEVELOPMENT

SUBJECT: MOTION PICTURE, TV, FILMING TEXT AMENDMENTS

DATE: SEPTEMBER 15, 2008

City Administration created a "Venture Team" initiative as a part of the 2008/2009 Fiscal Year. Venture Teams have been described as an assembly of a diverse group of people brought together to secure funding for a new initiative, a business start-up, or to execute a business plan. A total of 17 initiatives have been established for this year in order to allow administrative staff to complete tasks in keeping with City Council's Goals.

One Venture Team is called "Hollywood Novi" and was established to complete a series of ordinance and internal policy changes to allow and encourage motion picture and television filming activities in Novi. This Venture Team consists of employees from several departments: Becky Arold (Finance), Margi Karp-Opperer (Library), Richelle Leskun (Assessing), Tom Lindberg (Police), Barb McBeth (Community Development), and Tracie Ringle (Parks Recreation and Forestry) with Mike Evans (Fire) and Ara Topouzian (Economic Development) as team leaders.

The team has had several meetings over the last couple of months to discuss a mission and strategy for completing tasks. It was noted that in April, 2008, the State's legislature passed a revision in the Michigan Business Tax bill that allows tax credits for filmmakers and studios working in Michigan. The Michigan Film Credit allows a 40% refundable tax credit against Michigan Business Tax (MBT) liability for qualified film or digital media pre-production, production, and postproduction costs incurred in Michigan. While the production industry immediately took advantage of this tax credit and began filming throughout Michigan, many communities have found that they are without proper guidelines and policies that allow flexibility and meet the expectations of the filming industry.

Our team met with Jeff Spilman, an entertainment attorney who is the managing partner of S3 Entertainment Group, LLC. Mr. Spilman consults with film producers and studios in order to do productions in Michigan. He was able to provide our team with insight into filming processes and how Hollywood operates when filming on location.

The Zoning Ordinance text amendments that are proposed at this time are provided to address the potential demand for permanent production facilities to be established in the City for motion picture and filming activities. The ordinance currently does not specify a location for production activities within buildings or for filming outside of buildings (backlots). The attached language is suggested to address the possible need for these types of facilities in Novi.

Indoor activities associated with Motion Picture, TV, Radio and Photographic Production are proposed to be a permitted use in the Light Industrial district since these activities may be comparable to the office, warehousing and light assembly activities that already take place in this district. If the Light Industrial property abuts residential then these uses would be permitted subject to special conditions. Staff is also proposing text that would allow these indoor activities in the OST district as a permitted land use. Standards for the Light Industrial district carry over to the General Industrial District, as well.

Since there may be a demand for activities outside of buildings, such as “studio backlots”, staff suggests that this type of use could be permitted in the Light Industrial district only where the properties do not abut residential and subject to special conditions (Special Land Use) with appropriate screening of these outside activities. These outdoor activities would carry over to the General Industrial district, as well.

Simultaneously, our Venture Team is also working on a “Filming Permit” ordinance which would allow temporary filming at any location in the City. This amendment is proposed to be made to the City Code and does not require review and recommendation by the Planning Commission, but may be approved by the City Council. The proposed text for this City Code amendment is being supplied to the Planning Commission for informational purposes.

The Planning Commission is asked to hold a public hearing on the proposed Zoning Ordinance changes at the September 24th Planning Commission meeting and forward a recommendation to the City Council for approval or denial of the proposed changes.

A draft strike-through version of the proposed amendments is attached for review. Please feel free to contact the Community Development Department if there are any questions about the attached materials.

- c Hollywood Novi Venture Team
 - Clay Pearson, City Manager
 - Pam Antil, Assistant City Manager
 - Tom Schultz, City Attorney
 - Steve Rumble, Community Development Director

**ZONING ORDINANCE AMENDMENTS
STRIKE-THROUGH VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 08- 18 -231

AN ORDINANCE TO AMEND APPENDIX A OF THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 97-18, AS AMENDED, KNOWN AS THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, I-1 LIGHT INDUSTRIAL DISTRICT AND ARTICLE 23A, OST PLANNED OFFICE SERVICE TECHNOLOGY DISTRICT TO ADD PROVISIONS FOR MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION FACILITIES.

THE CITY OF NOVI ORDAINS:

PART I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 19, I-1, Light Industrial and Article 23A, OST Planned Office Service Technology District, are hereby amended to read as follows:

ARTICLE 19, Section 1902. Principal Uses Permitted, Subject to Special Conditions When Abutting a Residential District.

The following uses shall be permitted as principal uses permitted. However, when such uses abut a single-family residential district, they shall be treated as special land uses subject to approval by the Planning Commission in accordance with the additional requirements of Section 2516.2(c) for special land uses, and subject to the public hearing requirements set forth and regulated in Section 3006 of this Ordinance and shall provide a noise analysis subject to the standards of Section 2519.10(c):

1. – 19 [Unchanged]

20. Motion picture, television, radio and photographic production facilities, including sound stages and broadcasting studios, provided that all activities are conducted within a totally enclosed building, with the exception of the following:

a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.

b. Communication antenna towers and poles are subject to the standards of Section 2508.1.

Sec. 1903. Principal Uses Permitted in Locations Not Abutting a Residential District and Subject to Special Conditions.

The following uses shall be permitted where the proposed site does not abut a residentially zoned district, subject to approval by the Planning Commission in accordance with the additional requirements of Section 2516.2(c) for special land uses, and with the public hearing requirements set forth and regulated in Section 3006 of this Ordinance:

1.- 11. [unchanged]

- 12. Motion picture, television, radio and photographic production facilities when conducted outside of existing buildings, including backlots, when such outside activities are completely screened from view with an eight foot tall obscuring berm from all adjacent properties, subject to the following:
 - a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.
 - b. Communication antenna towers and poles are subject to the standards of Section 2508.1.

Sec. 2301A. Principal Uses Permitted.

In an OST, Planned Office Service Technology District no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

1. -6. [unchanged]

- 7. Motion picture, television, radio and photographic production facilities, including sound stages and broadcasting studios, provided that all activities are conducted within a totally enclosed building, subject to the following:
 - a. When not in use, production vehicles must be stored in the rear yard and adequately screened from all surrounding properties.
 - b. Communication antenna towers and poles are subject to the standards of Section 2508.1.

87. Accessory buildings and uses customarily and incidental to any of the above permitted uses provided they are integral to and necessary to such permitted uses.

98. Other uses similar to the above uses and subject to the same conditions noted.

PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III. Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV. Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V. Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS ____ DAY
OF _____, 2008.

DAVID LANDRY – MAYOR

MARYANNE CORNELIUS – CITY CLERK

1. Date of Public Hearing _____
2. Date of Adoption _____
3. Date of Publication of
Notice of Adoption _____

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the
_____ meeting of the Novi City Council held on the _____ day of
_____, 2008.

MARYANNE CORNELIUS – CITY CLERK

**DRAFT
CITY CODE AMENDMENTS
FOR FILMING PERMITS
STRIKE-THROUGH VERSION**

Chapter 24 OUTDOOR GATHERINGS AND FILMING PERMITS*

***Cross references:** Parks and recreation, Ch. 25.

Art. I. In General, §§ 24-1--24-15

Art. II. Permit, §§ 24-16--24-25

ARTICLE I. IN GENERAL

Sec. 24-1. Findings.

The council finds and declares that the interests of the public health, safety and welfare of the citizens of the city require the regulation, licensing and control of assemblages of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility and other public services regularly provided by the city.
(Ord. No. 82-42.1, § 1.01, 11-22-82)

Sec. 24-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Attendant means any person who obtains admission to an outdoor assembly by the payment of money for admission.

Motion picture, television, radio and photographic production means all activity attendant to broadcasting, staging or shooting (video taping or filming or digital recording) commercial motion pictures, television shows, programs or commercials, and to the taking of single or multiple photographs for sale or use for a commercial purpose where the photographer sets up stationary equipment on public or private property or the public right-of-way in any one (1) location for longer than five consecutive minutes.

Outdoor assembly means any event, attended by more than two hundred (200) attendants, all or any part of which includes a theatrical exhibition, public show, display, entertainment, festivals of all kinds, amusement or other exhibition or other similar gatherings but does not mean an event:

- (1) Which is conducted or sponsored by a governmental unit or agency on publicly owned land or property;
- (2) Which is conducted or sponsored by any entity qualifying for tax exempt status under Section 501(c)(3), (4), (5), (6), or (8) of the Internal Revenue Code of 1954, being 26 U.S.C. § 501(c) as incorporated by reference in Section 201 of the Michigan Income Tax Act of 1967, Act No. 281 of the Public Acts of Michigan of 1967 (MCL 206.201), as amended;
- (3) Held entirely within the confines of a permanently enclosed covered structure; or
- (4) Conducted or sponsored by city homeowners as subdivision groups or associations for their group benefit.

Permittee means any person to whom a permit is issued pursuant to this chapter.

Sponsor means any person who organizes, promotes, conducts, or causes to be conducted an outdoor assembly.
(Ord. No. 82-42.1, § 2.01, 11-22-82)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 24-3. Prohibited acts.

It shall be unlawful for any person to:

- (1) Advertise, promote or sell tickets to, conduct or operate an outdoor assembly without first obtaining a permit as required by this chapter;
- (2) Conduct or operate an outdoor assembly in such a manner as to create a public or private nuisance;
- (3) Conduct or permit, within an outdoor assembly, any obscene display, exhibition, show, play, entertainment or amusement as prohibited by Act No. 343 of the Public Acts of Michigan of 1984 (MCL 752.361 et seq.), as amended;
- (4) Permit any person on the premises to cause or create a disturbance in, around, or near an outdoor assembly by disorderly conduct;
- (5) Permit any person to unlawfully consume, sell, or possess alcoholic liquor while on the premises of an outdoor assembly;
- (6) Permit any person to unlawfully use, sell or possess any controlled substances on the premises of an outdoor assembly.

(Ord. No. 82-42.1, § 12.01, 11-22-82)

Sec. 24-4. Violation of section 24-3 declared public nuisance.

Any violation of any provision of section 24-3 is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

(Ord. No. 82-42.1, § 13.01, 11-22-82)

Secs. 24-5--24-15. Reserved.

ARTICLE II. PERMIT FOR OUTDOOR ASSEMBLY

Sec. 24-16. Required.

No person shall sponsor, operate, maintain, conduct or promote an outdoor assembly in the city unless he shall have first made application for and obtained as prescribed in this article a permit for each outdoor assembly.

(Ord. No. 82-42.1, § 3.01, 11-22-82)

Sec. 24-17. Application--Filing.

Application for a permit to conduct an outdoor assembly must be made in writing at least thirty (30) days prior to the date of the proposed outdoor assembly on forms and in such manner as prescribed by the city clerk.

(Ord. No. 82-42.1, § 4.01, 11-22-82)

Sec. 24-18. Same--Contents.

The applicant for a permit required by this article shall supply the following information on the application:

- (1) The name, age, residence and mailing address of the person making the application. Where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors or members;
 - (2) A statement of the kind, character, and type of proposed outdoor assembly;
 - (3) The address, legal description and proof of ownership of the site at which the proposed outdoor assembly is to be conducted. Where ownership is not vested in the prospective permittee, he shall submit an affidavit from the owner indicating his consent to the use of the site for the proposed assembly;
 - (4) The dates and hours during which the proposed outdoor assembly is to be conducted;
 - (5) An estimate of the maximum number of attendants expected at the outdoor assembly for each day it is conducted and a detailed explanation of the evidence of admission which will be used and of the sequential numbering or other method which will be used for accounting purposes;
 - (6) Each application shall be accompanied by a nonrefundable fee in an amount as set by resolution by the council.
- (Ord. No. 82-42.1, § 4.01, 11-22-82)

Sec. 24-19. Same--Accompanying plans.

Each application for a permit required by this article shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

- (1) The size or area of the property to be used;
- (2) Police and fire protection;
- (3) Food and water supply and facilities;
- (4) Health and sanitation facilities;
- (5) Medical facilities and services including emergency vehicles and equipment;
- (6) Vehicle access and parking facilities;
- (7) Camping and trailer facilities;
- (8) Illumination facilities;
- (9) Communications facilities;
- (10) Noise control and abatement;
- (11) Duration of the outdoor assembly;
- (12) Facilities for cleanup and waste disposal;
- (13) Insurance and bonding arrangements.

(Ord. No. 82-42.1, § 5.01, 11-22-82)

Sec. 24-20. Same--Investigation.

Upon receipt by the city clerk, copies of the application for a permit required by this article shall be forwarded to the police chief, department of building and safety, and to such other appropriate public officials as the clerk deems necessary. Such officers, department and officials shall review and investigate matters relevant to the application and within ten (10) days of receipt thereof shall report their findings and recommendations to the city clerk.

Ord. No. 82-42.1, § 6.01, 11-22-82; Ord. No. 06-42.2, Pt. I, 10-23-06)

Sec. 24-21. Prerequisites to issuance.

In processing an application for a permit required by this article the council shall, at a minimum, require the following:

- (1) *Security personnel.* The permittee shall employ at his own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the outdoor assembly and for the preservation of order and protection of property in and around the site of the outdoor assembly. No permit shall be issued unless the police chief is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the assembly.
- (2) *Water facilities.* The permittee shall provide potable water, sufficient in quantity and pressure to ensure proper operation of all water-using facilities under conditions of peak demand. Such water shall be supplied from a public water system, if available, and if not available, then from a source constructed, located, and approved in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law, or from a source and delivered and stored in a manner approved by the department of building and safety.
- (3) *Restroom and drinking water facilities.*
 - a. The permittee shall provide separate enclosed flush-type water closets as defined in Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable state or local law. If such flush-type facilities are not available, the department of building and safety may permit the use of other facilities which are in compliance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law.
 - b. The permittee shall provide lavatory and drinking water facilities constructed, installed, and maintained in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law. All lavatories shall be provided with hot and cold water and soap and paper towels.
 - c. The number and type of facilities required shall be determined on the basis of the number of attendants, in the following manner:

TABLE INSET:

Facilities	Male		Female
Toilets	1:100		1:100
Urinals	1:100		
Lavatories	1:200		1:200
Drinking fountains		1:500	
Taps or faucets		1:500	

Where the outdoor assembly is to continue for more than twelve (12) hours, the permittee shall provide shower facilities, on the basis of the number of attendants, in the following manner:

TABLE INSET:

Facilities	Male	Female
Shower heads	1:100	1:100

All facilities shall be installed, connected, and maintained free from obstructions, leaks and defects and shall at all times be in operable condition as determined by the department of building and safety.

- (4) *Food service.* If food service is made available on the premises, it shall be delivered only through concessions licensed and operated in accordance with the provisions of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any applicable state or local law. If the outdoor assembly is distant from food service establishments open to the public, the permittee shall make such food services available on the premises as will adequately feed the attendants.
- (5) *Medical facilities.* If the outdoor assembly is not readily and quickly accessible to adequate existing medical facilities, the permittee shall be required to provide such facilities on the premises of the outdoor assembly. The kind, location, staff strength, medical and other supplies and equipment of such facilities shall be as prescribed by the department of building and safety.
- (6) *Liquid waste disposal.* The permittee shall provide for liquid waste disposal in accordance with all rules and regulations pertaining thereto established by the department of building and safety. If such rules and regulations are not available or if they are inadequate, then liquid waste disposal shall be in accordance with the United States Public Health Service Publication No. 526, entitled, *Manual of Septic Tank Practice*. If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with Act No. 243 of the Public Acts of Michigan of 1951 (MCL 325.281 et seq., MSA 14.434(1) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable state or local law, and, prior to issuance of any license, the permittee shall provide the department of building and safety with a true copy of an executed agreement in force and effect with a licensed pumper or hauler, which agreement will ensure proper, effective and frequent removal of liquid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.
- (7) *Solid waste disposal.*
 - a. The permittee shall provide for solid waste storage on and removal from the premises.
 - b. Storage shall be in approved, covered, flytight and rodentproof containers, provided in sufficient quantity to accommodate the number of attendants. Prior to the issuance of any permit, the permittee shall provide the department of building and safety with a true copy of an executed agreement in force and effect with a licensed refuse collector, which agreement will ensure proper, effective and frequent removal of solid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.
 - c. The permittee shall implement effective control measures to minimize the presence of rodents, flies, roaches and other vermin on the premises. Poisonous materials, such as insecticides or rodenticides shall not be

used in any way so as to contaminate food, equipment, or otherwise constitute a hazard to the public health. Solid waste containing food waste shall be stored so as to be inaccessible to vermin. The premises shall be kept in such condition as to prevent the harborage or feeding of vermin.

- (8) *Public bathing beaches.* The permittee shall provide or make available or accessible public bathing beaches only in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision of state or local law.
- (9) *Public swimming pools.* The permittee shall provide or make available public swimming pools only in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision of state or local law.
- (10) *Access and traffic-control.* The permittee shall provide for ingress to and egress from the premises so as to ensure the orderly flow of traffic onto and off of the premises. Access to the premises shall be from a highway or road which is a part of the county system of highways or which is a highway maintained by the state. Traffic lanes and other space shall be provided, designated and kept open for access by ambulance, fire equipment, helicopter and other emergency vehicles. Prior to the issuance of a permit, the police chief must approve the permittee's plan for access and traffic-control.
- (11) *Parking generally.* The permittee shall provide a parking area sufficient to accommodate all motor vehicles, but in no case shall less than one (1) automobile space for every four (4) attendants be provided.
- (12) *Camping and trailer parking.* A permittee who permits attendants to remain on the premises between the hours of 2:00 a.m. and 6:00 a.m. shall provide for camping and trailer parking and facilities in accordance with Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable provision by state or local law.
- (13) *Illumination.* The permittee shall provide electrical illumination of all occupied areas sufficient to ensure the safety and comfort of all attendants. The licensee's lighting plan shall be approved by the department of building and safety.
- (14) *Insurance.* Before the issuance of a permit, the permittee shall obtain insurance with limits as set by the city clerk pursuant to guidelines as established by resolution of the council from a company or companies approved by the commissioner of insurance of the state, which insurance shall insure liability for death or injury to persons or damage to property which may result from the conduct of the outdoor assembly or conduct incident thereto and which insurance shall remain in full force and effect in the specified amounts for the duration of the permit. The evidence of insurance shall include an endorsement to the effect that the insurance company shall notify the city clerk in writing at least ten (10) days before the expiration or cancellation of the insurance.
- (15) *Bonding.* Before the issuance of a permit the permittee shall deposit a sum of money in cash, in an amount as set by the city clerk pursuant to guidelines as established by resolution by the council, with the city clerk, as bond secured by cash. The bond shall be in a form approved by the city attorney, conditioned upon the permittee's faithful compliance with all of the terms and provisions of this chapter and all applicable provisions of state or local law, and which shall

indemnify the city, its agents, officers, and employees and the council against any and all loss, injury or damage whatever arising out of or in any way connected with the outdoor assembly and which shall indemnify the owners of property adjoining the assembly site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the outdoor assembly.

- (16) *Fire protection.* The permittee shall at his own expense take adequate steps as determined by the fire chief to ensure fire protection.
- (17) *Noise disturbance.* Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the outdoor assembly so as to exceed eighty (80) decibels at the property line.
- (18) *Fencing.* The permittee shall erect a fence completely enclosing the site of sufficient height and strength as will preclude persons in excess of the maximum permissible attendance from gaining access and which will have sufficient gates properly located so as to provide ready and safe ingress and egress.
- (19) *Other conditions.* Prior to the issuance of a permit, the city clerk may impose any other conditions reasonably calculated to protect the health, safety, welfare and property of attendants or of citizens of the city.

(Ord. No. 82-42.1, § 10.01, 11-22-82; Ord. No. 06-42.2, Pt. I, 10-23-06)

Sec. 24-22. Council action.

Within twenty (20) days of the filing of an application for a permit required by this article, the city clerk shall issue, set conditions prerequisite to the issuance of, or deny, a permit. The city clerk may require that adequate security or insurance be provided before a permit is issued. Where conditions are imposed as prerequisite to the issuance of a permit and where a permit is denied, notice thereof shall be mailed to the applicant by certified mail within five (5) days of such action. In the case of a permit denial, the reasons therefor shall be stated in the notice.

(Ord. No. 82-42.1, § 7.01, 11-22-82; Ord. No. 06-42.2, Pt. I, 10-23-06)

Sec. 24-23. Grounds for denial.

A permit required by this article may be denied if:

- (1) The applicant fails to comply with any or all requirements of this chapter, or with any or all conditions imposed pursuant to this chapter, or with any other applicable provision of state or local law;
- (2) The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document;
- (3) The anticipated maximum attendance comprises more than two hundred (200) persons per acre of property available, not including vehicle access or parking; or
- (4) The estimated vehicles requiring parking facilities shall exceed one hundred twenty-five (125) per acre of property available.

(Ord. No. 82-42.1, § 8.01, 11-22-82)

Sec. 24-24. Contents, posting, transferability.

A permit required by this article shall specify the name and address of the permittee, the kind and location of the outdoor assembly, the maximum number of attendants permissible, the duration of the permit and any other conditions imposed pursuant to this chapter. It shall be posted in a conspicuous place upon the premises of the outdoor assembly, and shall not be transferred to any other person or location.

(Ord. No. 82-42.1, § 9.01, 11-22-82)

Sec. 24-25. Revocation.

- (a) The council may revoke a permit issued pursuant to this article whenever the permittee, his employee or agent fails, neglects or refuses to fully comply with any and all provisions and requirements set forth in this chapter or with any and all provisions, regulations, ordinances, statutes, or other law incorporated by reference in this chapter.
- (b) A permit shall automatically be revoked if riotous conduct occurs at an outdoor assembly or if an assemblage exceeds twenty-five (25) percent of the estimated attendance, as indicated on the application for a permit. In such instances the premises may be closed by the police department and the assembly disbursed.

(Ord. No. 82-42.1, § 11.01, 11-22-82)

ARTICLE III PERMIT FOR MOTION PICTURE, TELEVISION, RADIO AND PHOTOGRAPHIC PRODUCTION (FILMING PERMIT)

Sec. 24-26. Required.

No person shall use any public right-of-way, or any public or private property, facility or residence for the purpose of producing, broadcasting, taking or making any commercial motion picture, television, radio or photographic production as defined in Section 24-2 unless he/she shall have first made application for and obtained, as prescribed in this article, a permit for each instance.

The provisions of this chapter shall not apply to the following:

- (1) Current news productions, which includes reporters, photographers or camera persons in the employment of a newspaper, news service, broadcasting station or similar entity engaged in the broadcasting of news events.
- (2) Productions which are conducted by the city's public, education and government access organizations, or by or at the direction of the city.
- (3) Productions which are conducted within legally established commercial motion picture/television/radio/ photography studios.
- (4) Video or multimedia broadcast or transmission of a live performance within a live entertainment venue on large-screen monitors (i.e., jumbotrons).
- (5) Video or multimedia broadcast on the Internet.

Sec. 24-27. Application--Filing.

Any person desiring a permit to conduct motion picture, television, radio and photographic production activities under the provisions of this chapter shall make application on the appropriate form provided by the City Manager or his/her designee, or by furnishing the required information in person or by first class mail, facsimile, or the internet to the City Manager or his/her designee. The form must be signed and accompanied by all required fees, deposits, hold harmless agreement and insurance certificate required by this chapter before it will be processed. If the application satisfies the criteria of this chapter, the permit shall be issued within two (2) working days of submittal, or within four (4) working days of submittal if the activity requires traffic control in excess of three (3) minutes, or within ten (10) working days of submittal if activities require road closures, or include stunts or special effects.

Sec. 24-28. Same--Contents.

The applicant for a permit required by this article shall supply the following information on the application:

- (1) The name, mailing address and phone number of the person making the application, along with the name and contact information for the location manager. Where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors or members;
- (2) The address, legal description and proof of ownership of the site at which the proposed activity is to be conducted. Where ownership is not vested in the prospective permittee, he or she shall submit an affidavit from the owner indicating the owner's consent to the use of the site for the proposed activity;
- (3) A statement of the kind, character, and type of proposed motion picture, television, radio and photographic production;
- (4) The dates and hours during which the proposed motion picture, television, radio and photographic production is to be conducted;
- (5) An estimate of the maximum number of attendants expected at the motion picture, television, radio and photographic production for each day it is conducted;
- (6) Each application shall be accompanied by a fee, as follows:
 - a. A processing fee in an amount established by resolution of the City Council to reimburse the city for the staff time required to evaluate the application and establish conditions of approval. The processing fee shall be waived for charitable and nonprofit organizations which qualify under Section 501(c)(3) of the United States Internal Revenue Code. The processing fee is non-refundable.
 - b. A daily property use fee in an amount established by resolution of the City Council to compensate the city for the use of public property and its unavailability for ordinary and usual purposes resulting from the filming activity.
 - c. A monitoring fee to reimburse the city for staff time required to monitor the filming activity, and for reasonable costs for other city services or equipment approved for use during such activities, in an amount as determined at the time of the city's review of permit application.
 - d. The processing fee and the property use fee shall be waived for the following:
 1. Productions conducted by a cable television company operating under a franchise granted by the city which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two motor vehicles;
 2. Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly; and
 3. Student filming – productions directed or produced by a person currently enrolled in courses related to the production.

Sec. 24-29. Same--Accompanying plans.

Each application for a permit required by this article shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

- (1) The size or area of the property to be used, including a sketch of the filming site showing placement of work trucks, location of production vehicles,
- (2) Sketch of the "base camp" if any, showing any off-street locations for crew parking, honeywagon, catering, and non-essential production vehicles;
- (3) Traffic control plan of the exact filming location, listing roads or lanes to be closed, if any;
- (4) Description of the duration of the proposed activity and daily hours of operation.
- (5) Facilities for cleanup and waste disposal;
- (6) Letter of notification and signatures from businesses/neighborhoods impacted by filming; and
- (7) Insurance and bonding arrangements.

Sec. 24-30. Same--Investigation.

Filming Permit: Upon receipt by the City Manager or his/her designee, copies of the application for a permit required by this article shall be forwarded to the Police Chief, Fire Chief, Community Development Department, and to such other appropriate public officials as the City Manager or his/her designee deems necessary. Such officers, departments and officials shall review and investigate matters relevant to the application and within two (2) days of receipt thereof shall report their findings and recommendations to the City Manager or his/her designee.

Sec. 24-31. Prerequisites to issuance.

In processing an application for a filming permit required by this article the city shall, at a minimum, require the following:

- (1) Security personnel. The permittee shall employ at his own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the location of the filming activity and for the preservation of order and protection of property in and around the site of the filming activity. No permit shall be issued unless the Police Chief or his/her designee is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the assembly.
- (2) Notification. The permittee or his/her/its designee shall notify affected residents, occupants and businesses, in advance of filming, and as instructed by the City Manager or his/her designee, of the duration and location of filming activities, including information about planned special effects, road and lane closures, "no parking" requests, sidewalk usage and the time that any barricades will be placed on the street.
- (3) Access. Production vehicles may not block parking lot access drives, fire hydrants, or be parked in fire lanes, and must allow a minimum of 20 feet of clearance between vehicles parked on either side of the road for emergency response vehicles to pass.
- (4) Base camps. Base camps may not be located on a public street. Only the necessary production vehicles (i.e. grip and light truck) may be parked on a public street, if necessary, at the filming location. Crew parking, honeywagon, catering, and other non-essential production vehicles shall be at a predetermined location.
- (5) Outdoor filming. For production activities taking place outside of buildings, and that are expected to attract more than 200 attendants, the provisions of this article related to Outdoor Assembly shall also apply.

- (6) Insurance. As a condition of issuing such a Filming Permit, the permittee shall furnish insurance in an amount to be determined by the City Manager but in no event in an amount less than one million dollars (\$1,000,000.00) to protect the city against claims of third persons for personal injury, wrongful death and property damage and to indemnify the city for damage to the city property arising out of the permittee's activities. An additional minimum of five million dollars (\$5,000,000.00) of such general liability insurance coverage shall be required in the event motor vehicles, aircraft, helicopters, explosives or pyrotechnics are used in the activity. Such insurance shall be evidenced by the standard General Special Endorsement Form or the Certificate of Insurance (Public Liability) form provided by the City Manager or his/her designee. The applicant shall also submit verification that adequate worker's compensation insurance coverage is maintained.
- (7) Bonding. Before the issuance of a permit, the permittee shall deposit a sum of money in cash, in an amount of five hundred dollars (\$500.00) or in any higher amount determined by the City Manager or his/her designee to be reasonably required under the circumstances. The bond shall be in a form approved by the City Attorney, conditioned upon the permittee's faithful compliance with all of the terms and provisions of this chapter and all applicable provisions of state or local law, and which shall indemnify the city, its agents, officers, and employees and the City Council against any and all loss, injury or damage whatever arising out of or in any way connected with the filming activity and which shall indemnify the owners of property adjoining the filming site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the filming activity.
- (8) Fire protection. The permittee shall at his/her own expense take adequate steps as determined by the Fire Chief to ensure fire protection.
- (9) Hold Harmless Agreement. The permittee shall execute a hold harmless agreement as provided by the city prior to the issuance of any permit.
- (10) Other conditions. Prior to the issuance of a permit, the city may impose any other conditions reasonably calculated to protect the health, safety, welfare and property of attendants or of citizens of the city.

Section 24-32. Findings.

In processing an application for a permit required by this article, the City Manager, or his/her designee, shall issue a permit as provided for in this chapter when, from a consideration of the application and from such other information as may be otherwise obtained, he/she finds that:

- (1) The conduct of such activity will not unduly interfere with traffic or pedestrian movement or endanger public safety and that no streets will be completely closed to traffic for an unreasonable period of time. Adequate advance notice of any street closure shall be given in accordance with the provisions of Section 31-9 of the Code of the City of Novi.
- (2) The conduct of such activity will not unduly interfere with normal governmental or city operations, threaten to result in damage or detriment to public property, or result in the city incurring costs or expenditures in either money or personnel not reimbursed in advance by the applicant.
- (3) At the determination of the City Manager or his/her designee as well as the Novi Police, Fire and Community Development Departments, that the condition of such activity will not constitute a fire hazard or any other type of hazard and all

property safety precautions will be taken as determined by the heads of the aforementioned departments or their designees.

The decision of the City Manager or his/her designee to issue, conditionally issue, or deny a permit shall be final unless appealed in writing within five working days of the decision by requesting a hearing before the City Council at the next available meeting. Where conditions are imposed as prerequisite to the issuance of a permit and where a permit is denied, notice thereof shall be mailed to the applicant by certified mail within five (5) days of such action. In the case of a permit denial, the reasons therefor shall be stated in the notice.

Sec. 24-33. Grounds for denial.

A filming permit, required by this article, may be denied if:

- (1) The applicant fails to comply with any or all requirements of this chapter, or with any or all conditions imposed pursuant to this chapter, or with any other applicable provision of state or local law;
- (2) The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document;

Sec. 24-34. Contents, posting, transferability.

A permit required by this article shall specify the name and address of the permittee, the kind and location of the filming activity, the maximum number of attendants permissible, the duration of the permit and any other conditions imposed pursuant to this chapter. It shall be posted in a conspicuous place upon the premises of the filming activity, and shall not be transferred to any other person or location.

Sec. 24-35. Revocation.

- (1) The City Manager or his/her designee may revoke a permit issued pursuant to this article whenever the permittee, his employee or agent fails, neglects or refuses to fully comply with any and all provisions and requirements set forth in this chapter or with any and all provisions, regulations, ordinances, statutes, or other law incorporated by reference in this chapter.
- (2) A permit shall automatically be revoked if riotous conduct occurs at a filming location or if an assemblage exceeds one hundred and twenty-five (125) percent of the estimated attendance, as indicated on the application for a permit. In such instances the premises may be closed by the police department and the assembly disbursed.

Sec. 24-36. Cost of Additional Services.

If deemed necessary by the City Manager or his/her designee, additional police, code enforcement, fire, and other city services shall be provided for the purpose of protecting, assisting and regulating the proposed activity. The cost of providing such additional services shall be paid in advance to the city by the applicant. Any additional city services will be provided/coordinated through the City Manager or his/her designee.

Section 24-37. Clean-up and Restoration.

The applicant shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use, maintenance of the area, and the cleanup of trash and debris. The area used shall be cleaned of trash and debris within two hours of the completion of the activity or within such other time established in the

permit to the city's satisfaction. The applicant shall be responsible for restoring any area damaged or disrupted before leaving the site. If the site is not repaired or restored to the city's satisfaction, the City Manager or his/her designee shall have the necessary restoration and/or repairs performed and the applicant shall reimburse the city for such work within ten days of completing filming. In the event the applicant fails to so reimburse the city, the city may secure its reimbursement from either a cash or surety bond which shall be posted with the city to ensure faithful performance of such restoration. Such faithful performance bond shall be filed at the time of the application in an amount of five hundred dollars (\$500.00) or in any higher amount determined by the City Manager or his/her designee to be reasonably required under the circumstances. The amount of the bond shall in no way limit the applicant's liability or responsibility for the costs of repairs or restoration in the event these costs exceed the bond amount.

Section 24-38. Administrative Regulations.

The City Manager or his/her designee is hereby authorized to promulgate and enforce administrative regulations in the implementation and enforcement of this chapter.

FILMING ARTICLES



Going Hollywood: How To Make Your Community Film Friendly

BY: MELINDA CLYNES, 6/19/2008

It's Friday afternoon on a normally sleepy Bloomfield Hills cul-de-sac lined with modest ranches and tri-levels with big, sloping yards. But today, 27 cars border the road. At the bottom of the street, adjacent to the neighborhood playground, are four RVs, a catering tent, a process trailer, a generator, three box trucks, three trailers – one with gold stars on the doors – and dozens of people milling around with headsets and walkie-talkies.

The entourage of people, vehicles and equipment will be here all weekend shooting scenes for an independent film, *The Job*, a dark, comedic thriller starring Patrick Flueger, Ron Perlman, Taryn Manning and Joe Pantoliano.

The film is one of the first productions to take advantage of Michigan's new film incentives package, and one of at least 22 approved by both the Michigan Film Office and the Treasury. The production spent a month filming in Detroit, but also in Bloomfield Hills, where one suburban neighborhood amiably dealt with congestion, late-night activity, and general hubbub in the name of healthy Michigan commerce.

Hollywood apathy no more

But the skies weren't always so sunny or star-studded in the mitten state. In fact, past years have seen numerous films that were set in Metro Detroit, but actually filmed elsewhere, like the *Assault on Precinct 13* remake, Birmingham native Mike Binder's *The Upside Of Anger* and *The Crow* – even *Detroit Rock City*, which was primarily shot in Toronto. If a producer, director or star happened to have ties to the city, we might see more than our skyline (often filmed from Windsor, by the way), as was the case in *Transformers* or *8 Mile*.

But today, the tides are turning as Metro Detroit has a chance to become the next Toronto or Vancouver B.C., a place where producers of feature films, music videos, and television pilots flock for the cash back incentives – namely a 40 to 42 percent rebate on all Michigan expenditures.

Already productions are looking to the Mitten State as the place to shoot. Aside from the incentive package (which is, of course, a mighty big hook), Michigan boasts a wide range of geographies and settings. Need coastline? We're second only to Alaska. Looking for small town Americana? The state is blessed with some of the most photogenic downtowns around. Shooting a battle in the Sahara? Sleeping Bear Dunes has more sand than you can imagine. And though winters are long, we've got all four seasons on full display. From gritty urban mean streets to ivy-strewn college campuses, Michigan can stand-in for virtually any place a film production might require.

And Hollywood is starting to get it. *Whip It*, a rollerderby movie set to star Drew Barrymore and Ellen Page had already begun shooting in Austin, Texas when they caught wind of what Michigan had to offer and moved their production north. Now rumors of roller rinks being constructed outside Ann Arbor and scouting expeditions in Ypsilanti are bouncing around the web.

Bob Brown a consultant to the Michigan Film Office and producer with Farmington-based Charity Island Pictures, sees nothing but upside for the state. He talks of investment returns of 25 percent and soundstages moving into long empty auto warehouses in Ypsilanti and twentysomethings finally seeing a reason to stay in Michigan with a evangelist's zeal.

"With the stroke of a pen we've created a creative economy that didn't exist here before," Brown says. "In the 60 days that we've been on the books we have had \$200 million, brand new dollars, float into the state. We're the most aggressive in the country and it's working."

At a recent meeting with leaders in western Washtenaw County Brown explained how Bear Communications and a Wixom company that builds modular offices for construction sites were already fielding requests from film productions for two-way radios and costume trailers.

"Where else are you going to get a response like that?" Brown said at the meeting. "State investment in alternative energy companies or biotech will take years to realize. With the film industry it's almost immediate. They're ready to do business here now and if we do this right they'll keep coming."

So, with what is now the best film incentive package in the United States, how can Hollywood's attention on our state translate to booming business for local communities?



Talk to me, baby

"The biggest thing communities and organizations can do is respond quickly and comprehensively to film industry requests," says Carolyn Artman, manager of Film Detroit, an arm of the Detroit Metro Convention & Visitors Bureau. A point person within city governments, visitor bureaus or chambers can serve as a liaison with film crews and help expedite approvals for filming while communicating with appropriate public departments, like police and fire.

"Sometimes it takes an act of city council to get a location approved," says Mark Adler, director of the nonprofit Michigan Film Alliance. "For a feature film it might be okay to drag out a week, but when commercial producers come from out of state, they don't have that kind of time."

Bob Brown points out that movies shoot all hours of the day and that communities should be savvy enough to assign a go-to guy for a visiting production company, a liaison producers can call any time of day to find what they need locally.

"The biggest learning curve for Michigan communities is responsiveness," Brown explains. "There's real world speed. There's business world speed. And then there's the entertainment industry speed, which is 'we need an answer right now'. Our sense of urgency is a thousand times greater than the real world because it costs us so much money to make a movie. 'I'll take a couple of days to get back to you' just doesn't work. You can take a couple minutes to get back to me but otherwise we're moving on."

Community film liaisons can also communicate with local businesses and residents when services are suspended or streets are blocked off. And they can connect with the Michigan Film Office and Film Detroit, alerting them to the resources their community has to offer.

Those film friendly resources, including hotels, property management companies, chauffeur services and caterers, can also be promoted on a website – along with the cool film locations of a particular community.

"Communities may want to get a task force together and do a website catering to the film industry, which might feature unique structures of a town," says Adler.

Websites can often be the first point of contact for producers looking for information and contacts. Kurt Tuffendsam, unit production manager/line producer for *The Job* used the Michigan Film Office online production guide. "Lots of our crew and vendors came from that list," says Tuffendsam.

Resources and infrastructure

But while solid, speedy and friendly communications will help Michigan communities attract film business, our region also needs the resources, in terms of people and equipment, to meet Hollywood demands.

According to Adler, film crews look for production office space, serving as temporary headquarters, where they can easily put in phone lines and Wi-Fi. They may also need residential accommodations. Adler says that condo developments in Ferndale and Royal Oak have benefited from several film groups staying there. *Metromode* recently wrote about the impact this has had on the local apartment rental market.

But that means identifying property owners in your community who are flexible enough to grant three or four month leases instead of the traditional year-long commitment. Film crews may not stay long but the production company will rent large blocks of rooms and apartments for the duration of their stay.

Crews also need transportation and food. Dan Gearig of Ciao Catering in Grand Blanc is catering *The Job*, which is the sixth film his company has catered in Michigan. "It's great. It's real money that's helping people out," says Gearig. "This is real cash for chauffeurs, caterers, hotels, lots of people."

Production vehicles are yet another necessity but appear to be in short supply. The star trailer, process trailer and honeywagons for *The Job* came from Chicago.

Michigan's incentives helped to lure the production to town, but producers were dismayed by the additional cost of bringing equipment from out of town, which lessened the impact of the Michigan rebate.

And probably most importantly, an ample supply of skilled production people and of actors are also necessary. While *The Job* eventually found needed crew, it took longer than normal.



"The film package itself is great, but resources for crew were very limited. There were three or four productions trying to hire the same crew we were," says Tuffendsam, who ended up with a crew composed of 65 percent locals.

According to Tuffendsam, "The amount of crew that is local is not enough to support multiple productions at the same time."

Which dovetails with the incentive packages goals. Michigan communities, with unemployment rates higher than the rest of the country, have an opportunity to turn today's crew shortages into

tomorrow's job opportunities.

Access to local talent for "day players" is also important. *The Job* used nine local actors, which they acquired through [The iGroup](#). The film will also use 100 local extras.

Even with production challenges, Tuffendsam is positive about his Michigan film experience and says that he understood the film would encounter challenges because Michigan was not used to doing multiple feature films at the same time. "I would encourage others to come here, but also encourage those in the state to figure out a way to build the infrastructure. Films will benefit a lot more if they don't have to bring resources from out of town."

Location, location, location

Michigan is clearly a good fit for almost any film with its quaint downtowns, rural countryside and big city skylines. With the incentives in place, and producers' curiosity piqued by cash incentives, a community's first and last step to luring film productions should be a proverbial polishing of the storefronts and washing of the windows. We've got the goods; let's make them sparkle.

Currently, Adler and his colleagues are working on a "Capture Main Street" project that will feature the unique architecture of every city in Michigan and help to attract more film projects to the region. Film Detroit notes "awesome architecture and urban grit," "lakes that can double for oceans" and "small town charm" for reasons to film in metro Detroit. And the Michigan Film Office showcases a gallery of Michigan photos that would make any producer's mouth water.

Producers and directors for *The Job* were attracted to Detroit's Albert Kahn buildings, and the 1930s and 1940s architecture. "We were concerned about the production, but the location hooked us," says Tuffendsam.

The Job filmed at a number of southeast Michigan locations, including the [Leeland Hotel](#) and the [Masonic Temple in Detroit](#), and spots in Highland Park and Bloomfield Hills. Film crews captured the mood of the main characters dancing at Nick's Gaslight in Detroit where a local band, the beekeepers, played music composed for the film.

Alexa Sheehan, second assistant director for *The Job* says that the rebates were a big part of them coming to Detroit, but so was the look and feel of our region. "The story fits very well into the city and the architecture and the people and the vibe. And that's a big part of the story telling," says Sheehan.

And now, it's time for us to tell our own stories about the cities we love to call home - whether plugging the chic of 1960s suburbia or the doom and mystic of urban back alleys.

More films rumored to be shooting (or planning to shoot) in Michigan include:

[Gran Torino](#) - directed by Clint Eastwood

[The Fifth Mafia](#) - starring Armand Assante, Joe Mantegna, and James Van Der Beek

[Whip It](#) - Directed by Drew Barrymore, starring Ellen Page (*Juno*)

[The Prince Of Motor City](#) - Television pilot inspired by Hamlet and set in the auto industry

[Youth In Revolt](#) - A Weinstein Co. production starring Michael Cera (*Juno*)

[Prayers for Bobby](#) - A Lifetime Network movie starring Sigourney Weaver (she lead Royal Oak's Gay Pride parade)

[The Bassmaster](#) - A Michigan production about the real life story of sport fisherman Bryan Kerchal

[The Flynns](#) - A TV pilot shot by Mike Matthews, a Saginaw native, in Flint. Starring Melba Moore and T.K. Carter

[Red and Blue Marbles](#) - A science fiction flick starring Ruby Dee

[Right Angle](#) - written and directed by Michael Burke for Camelot Pictures (*Garden State*)

Melinda Clynes is a Detroit-area freelancer. Her last article for Metromode was Boutique Sweets.

Additional quotes and information provided by Jeff Meyers

photos:

courtesy photo - O'Mara & Associates - shot by Joe Galli - Royal Oak

Carolyn Artman, manager of [Film Detroit](#)

Tools of the trade

Downtown Detroit from top of the Book Cadillac

Photographs by Marvin Shaouni

Marvin Shaouni is the managing photographer for Metromode & Model D.

Square Footage

Film industry needs stages, talent – and a fast pace

If you meet **Jeff Spillman**, you must remember one thing: His business moves at the speed of light. That's probably why he talks so fast. He's not trying to rush. He just has to talk to a lot of people.

As an entertainment attorney, Spillman is used to doing business in a rapid-fire fashion. And

"Incentives will bring the film industry here, but the lure of the money won't keep it here."

Jeff Spillman,
S3 Entertainment
Group LLC

he's trying to get Michiganders on the same track.

He is partnering with Michigan insurance and travel companies, with caterers and with educators, in hopes of making his mark on – and his fortune in – Michigan's film industry.

Spillman is the managing partner of S3 Entertainment Group LLC.

SQUARE FOOTAGE Carol Marshall



He announced last week his intention to build a \$10 million to \$15 million sound stage in Michigan. But he's also trying to create momentum and build relationships with others interested in cashing in on film-related growth.

He and his business partners launched S3EG a few years ago, as Mississippi lawmakers were revamping that state's film industry incentives. Spillman began researching incentives around the country, and he and his partners even made recommendations to Mississippi, regarding the state's incentives and industry infrastructure.

"Fast forward two years, when Gov. Granholm signed into law the most comprehensive and generous film incentives

program in the country," Spillman said. "The thing is, the incentives will bring the film industry here, but the lure of the money won't keep it here."

The money he's talking about is the state's Michigan Filming Incentives package, which offers a tax credit for 40 percent of the costs of movie and television program productions.

So, having grown up in Michigan, he opened an office in Troy, where he now spends half his time (the other half is in Los Angeles).

"What we need is sound stages, equipment, cameras and lighting, natural locations and talent," Spillman said. Some of those things we have – like locations. But what Michigan doesn't have is sound stages and homegrown talent – creative and technical – with experience in feature films.

The pay-off will start to add up quickly, if Michigan businesses invest now in serving the film industry, he said.

"We have landed six clients in the last six weeks, and those production companies will use 3,500 hotel nights in the next year. They'll eat in restaurants and buy shoes and get haircuts and go to Starbucks," Spillman said. "That's just us and our clients. That's not counting anyone else who's doing the same thing we are."

One of the quirks of setting up these relationships, and doing so quickly, is that the speed of business is well outside the comfort zone for most Midwesterners.

"Everything needs to be done yesterday and I just got a call saying, 'We're not used to working that way,'" Spillman said. "But we have to get used to it, or the business will go to New York or to Mexico or to Louisiana or to Arizona."

■ Carol Marshall covers real estate. She can be reached at (248) 374-4920 or carolm@mbusinessreview.com.



SPILLMAN