

MAPLE LAKE FILM REBATE PROGRAM POLICY ("SHAMROCK REBATE")

Section 1. Purpose.

The purpose of the Film Rebate Program, also known as the Shamrock Rebate, is to increase the number of qualified film productions being made in Maple Lake, Minnesota, increase the number of City residents employed in the filmmaking industry, provide broader awareness of community assets, and encourage the resulting economic benefits from increased filmmaking in Maple Lake.

Section 2. Definitions.

As used in this Section, the following terms shall have the following meanings:

1. "Principal photography" means the time period and phase of film production during which the main photography occurs.

2. "Qualified film production" means a feature-length film, television film, television pilot, or each episode of a television series, regardless of the medium used to create or convey it.

"Qualified film production" shall not include: a documentary film, news or current affairs program, interview or talk program, instructional film or program, film or program consisting primarily of stock footage, sporting event or sporting program, game show, award ceremony, film or program intended primarily for industrial, corporate or institutional end-users, fundraising film or program, commercials, home shopping programming, music videos, or "reality" program; or a production for which records are required under Title 18 United States Code section 2257, to be maintained with respect to any performer in such production.

3. "Qualified production cost," means the following expenses of a qualified film production or a qualified film production:

(A) Any fees or taxes paid to the City, or any of its constituent departments, the proceeds of which are placed in the general fund;

(B) Any moneys paid to the City, or any of its constituent departments, for the use of City property, equipment, or employees, including, but not limited to additional police services; or

(C) Principal photography costs including sets (including set construction); props; wardrobe; production office expenses; equipment rental; tape, film stock, digital storage devices and related processing; lodging; food and catering expenses.

Qualified production cost does not include alcoholic beverages and tobacco; legal fees; capital equipment purchases (with the exception of portable hard drives); purchases sourced outside of Maple Lake (pass-throughs); wrap parties; gifts;

expenses related to illegal activities including tickets for parking or moving violations; damages due accidents, loss or theft.

4. “Screeners Copy” means an advanced film release of a completed qualified film production for the purpose of screening a new release to the market. Screener copies are generally used for early reviews, award competitions and other marketing purposes. The City of Maple Lake must be included in the credits to be approved for the rebate program.

Section 3. Rebate Program.

1. Allowance of Rebate. A qualified film production that pays qualified production costs shall be entitled to apply for a rebate, to be calculated as provided herein.

2. Amount of Rebate and Application. The City shall pay up to a 15% rebate of the qualified production costs paid to the City of Maple Lake or businesses located within the corporate limits of the City of Maple Lake. The total of the rebate shall not exceed \$7,500 for any single qualified film production. The rebate shall be paid on a first come, first served basis, subject to the availability of budgeted film rebate funds. Application shall be made to the City on an official application form. Submission of an application by itself does not guarantee that a qualified film will receive a rebate or that rebate funds will be available. Qualified production costs will be verified through receipts to ensure that they are legitimate and payments have been made. Upon receipt of a complete application, the application will be submitted to the Council for review and consideration.

3. Timing of Rebate Payment. Rebate payments shall be made following the completion of a “screeners copy” or the final qualified film production if a screener copy is not produced.

4. Combination with other funding sources. The City of Maple Lake Film and Television rebate may be combined with other film production incentives, including Minnesota Film and Television’s Snowbate program.

Section 4. Miscellaneous.

1. Any request for use of public streets, city properties, etc. shall require a separate application and approval from the Council.

2. Application and/or approval of a rebate does not create a joint venture between the City and the film production entity. The City assumes no liability related to the film production by virtue of the rebate program and the film production entity shall defend, indemnify, and hold City, its officers and employees harmless from any claims made by the film production entity or third parties for injuries or damages sustained or costs incurred as a result of the film production or rebate approval.

Adopted October 2, 2012. Amended October 23, 2012