

Commercial Advertising Use Policy

Written authorization is required to conduct commercial activities on Paint Creek Trailways Commission property.

Guidelines

1. Requests for use of Trailways Commission property for commercial videotape, still photos or other commercial purposes shall be in writing. The request shall indicate the activities in which the applicant intends to engage, such as, but not limited to, the number of vehicles that will be driven or placed on Trailways Commission property, the location of the section(s) of the Trail to be utilized, the date(s) and time(s) of proposed use, use, and the purpose of the activity. Only vehicles listed on the temporary permit will be permitted on the Trail.
2. The permitted use should not excessively interfere with the use of the property by the public.
3. Filming, photography, videography and other activities should not be harmful to the natural environment. The permittee is responsible for the repair of all damages of any kind to the Trailways property and facilities caused by the permittee's activities. The Trailways Commission may require a surety bond from the permittee.
4. The use of Trailways Commission signs and/or other Trailways facilities in commercial advertisements or videotape or still photos, should serve to promote the Paint Creek Trail in good taste. The Trail Manager, Administrative Assistant, or Trailways Commission Chairperson may review the videotape or still photos or other depictions of Trailways Commission property or facilities and require edits if necessary.
5. A minimum of 48 hours notice must be given before filming, photography, or videotaping takes place.
6. No vehicle may be driven or parked on Trailways property without approval of the Trail Manager or the Trailways Commission's designee.
7. The permittee shall take all measures necessary to not impede regular trail use. In the event it is necessary to temporarily interrupt the flow of trail users during the permitted activity, the interruption shall not exceed ten minutes at any one time or thirty minutes in any one hour.
8. The Trail Manager, Administrative Assistant or designee may exercise an option to be present during the entire period that the temporary permit is valid.

9. No permit will be issued for films, photographs, or tapes of equipment, products, or activities that would not reflect or be consistent with rules of the Paint Creek Trailways Commission or sound management practices as they concern parklands.
10. The permit is valid only for the period indicated on the permit itself.
11. The applicant/permit holder is solely responsible for complying with any applicable State Laws or local ordinances.
12. The applicant/permit holder may request alternate date(s) when weather conditions inhibit use of the trail for the permit's intended purpose, and when the alternate date(s) does not interfere with other planned use of the trail.
13. Permittee will provide a copy of liability insurance that contains the following information:

Liability

General liability insurance for claims for damages because of bodily injury or death of any person, other than the Contractor's employees, or damage to tangible property of others, including loss of use resulting therefrom to the extent that such kinds of liability are insurable under general liability insurance, subject to bodily injury limits not less than \$1,000,000 each occurrence and annual aggregate and property damage limit not less than \$2,000,000 each occurrence, or combined bodily injury/property damage limits not less than \$1,000,000 each occurrence and aggregate, including as additional insured: Paint Creek Trailways Commission and its employees, the City of Rochester, the City of Rochester Hills, Oakland Township, the Village of Lake Orion and Orion Township. Applicant/permit holder shall also provide the Trailways Commission proof of Worker's Compensation Insurance for its own employees.

Proof of Insurance

The required insurance shall be in force during the period of the Temporary Use Permit. The permit holder is responsible for making each subcontractor comply with these insurance requirements. Certificates of Insurance acceptable to the Paint Creek Trailways Commission shall be filed with the Commission prior to the Permit holder's use of the Commission's property and/or facilities.

14. The Trail Manager or Administrative Assistant with the approval of the Trailways Commission Chairperson has the authority to grant a temporary permit to use Trailways Commission property for eligible commercial purposes. If all of the procedures and requirements of this policy are met, the Trail Manager or Administrative Assistant may issue a temporary permit to the applicant.

Fees

1. A \$25 Temporary Permit application fee is required for each permit application.
2. Use fees will range from \$300/day - \$500/day, depending on the scope of the project. The Trail Manager and the Trailways Commission Chairperson each has discretion to determine the actual fee based on the information provided by the applicant.

A copy of the approved Temporary Permit must be with the applicant/permit holder during the entire period the permittee is on or uses Trailways Commission property or facilities. Any violation of the permit conditions may result in revocation of the permit.