



## FILMING AND PHOTOGRAPHY POLICIES

Effective January 1, 2013

It is the policy of Spindletop-Gladys City Boomtown Museum (Gladys City) to allow filming and photography throughout the museum complex and in all exhibit buildings under its control. As stewards of Gladys City, held in trust for the benefit of all visitors, Lamar University has formulated the following policy and guidelines to manage all filming and photography activities. These guidelines apply to all filming and photography activities conducted at Gladys City, only, and are meant to ensure that:

- historical and natural resources are protected from damage.
- visitors, Gladys City staff, filmmakers and photographers are kept safe.
- the public's access to Gladys City is not compromised.
- the guidelines are applied consistently.

### **Permit Guidelines: No Permit Required**

Personal filming and photography for personal purposes are encouraged to enhance visitor enjoyment. Both are generally allowed without special permission. Personal filming and photography must take place during normal public hours and use only hand-carried equipment. No professional props or sets, actors or models, supplemental lighting, or specialized large motorized equipment can be used. All personal photography, both still and video, is subject to the direction of museum staff. Any activity that interferes with the use, operation, or enjoyment of the site can be limited or prohibited by museum staff.

Further, no permit is required for the coverage of breaking news by print and broadcast news media. Breaking news is an event that cannot be covered at any other time or at any other location. Media staff covering breaking news may not disrupt visitors, damage resources, or compromise public health or safety regulations.

*Filming for other news media including magazines, editorials, features, live broadcasts not intended to cover breaking news, and delayed broadcast programs may require a permit.*

### **Permit Guidelines: Permit Required**

The types of filming and photography that generally require a permit include, but are not limited to, documentaries, public service announcements, local promotional pieces, student work, and all work for profit or sale. Examples of undertakings requiring a permit include projects that:

- advertise products or services.
- use talent, models, props, crews or sets.
- have the potential to disrupt site activities or visitors.
- use more than just hand-carried equipment.
- request access to closed or restricted areas.
- request access outside of normal public hours.
- are a potential risk to safety or resources.

Certain permit conditions may be waived if the project is being completed in conjunction with Gladys City as a partner, or Gladys City realizes a direct marketing

benefit. Even if the permit requirement is waived, insurance requirements must be met.

### **Activities, Prohibited**

Only Gladys City staff is authorized to move, touch, clean, or in any way alter artifacts, structures, reproductions, or building fabric. Some activities are incompatible with the duty of the Gladys City respect the to protect its resources, uphold its image and that of Lamar University, and the safety of its staff and visitors. Prohibited activities are those that

- alter, damage, or remove any resource for any reason.
- involve any smoking in buildings.
- include any nudity or sexual content
- use any type of open flame or pyrotechnics.
- involve filming inside Gladys City work areas.

### **Activities, Restricted**

Given the potential for damage to resources or harm to visitors, staff, and crew, the following activities and equipment must be approved in advance on a case-by-case basis. Approval will depend upon the specific location, time of year, time of day, and other factors particular to each site and each project. When completing the permit application form, provide as much detailed information as possible about the use of the following restricted activities and equipment:

- Large or heavy vehicles
- Use of vehicles off established roads and parking areas
- Use of minors
- Use of animals
- Aerial filming
- Discharge of blank ammunition and weapons
- Stunts
- Loud or amplified music or sounds
- Large sets and props
- Fire
- Foggers
- Large crowd scenes
- Generators

The permit holder is required to adhere to all federal, state, and local standards, regulations, rules,

ordinances, and statutes including safety, fire, and vehicle operation.

### **Application**

All applications for filming in Gladys City must be made at least two weeks prior to the expected beginning date. Major motion pictures may require a longer application period due to the complexity of analyzing the impact of the project. An application request does not ensure that a permit will be granted. If issued, a permit is not assignable or transferable to any other person or entity. Any changes must be made and approved in writing and agreed upon by the museum director.

### **Cleaning & Damage Deposit**

After evaluation of the permit application, a refundable Cleaning & Damage Deposit may be required for projects that have a high potential for resource damage. The deposit amount will be determined by estimating costs of monitoring and potential restoration. The deposit or its remainder will be released when the Gladys City director has determined that the project is complete and any necessary clean-up and restoration is finalized.

### **Clean-up**

All areas impacted by the project are to be cleared of all equipment and trash and returned to original condition to the satisfaction of the museum director. All trash and debris must be removed and disposed of at the end of each day of the project. No Gladys City trash receptacles may be used. It is the responsibility of the permit holder to notify all of its contractors and subcontractors of the clean-up rules.

### **Copyright**

Gladys City makes no representation as to the ownership of any materials or associated intellectual property rights in any structure or objects within the museum complex. Certain materials may be protected

by copyright or other right controlled by a third party. The permit holder assumes all responsibility for determining these rights and obtaining all necessary permissions.

### **Credit Line & Logo**

The suggested format for credit lines is:

Spindletop-Gladys City Boomtown Museum  
Lamar University

Written permission from the museum director is required to use the Spindletop-Gladys City Boomtown Museum logo. Written permission from Lamar University is required to use the university logo. Incidental filming of the museum and/or university logo, such as on an employee uniform, a state vehicle, or on a sign, is acceptable.

### **Documentation**

The permit holder must furnish to Gladys City a complete copy of the finished project for archival purposes. Gladys City reserves the right to document, through filming, photography, or any other means it deems appropriate, any project conducted on property it owns or controls.

### **Gladys City Equipment**

Gladys City equipment is not available for loan or rent.

### **Governing Law**

This permit shall be governed by the laws of the State of Texas and the copyright laws of the United States of America.

### **Graduation Photos**

Gladys City is a popular location for photographs taken to document and commemorate high school or college graduations. Graduation photos taken by parents or guardians using personal, handheld equipment,

generally, do not require permits. Photos may be taken anywhere outside of the fenced perimeter at any time. Photos taken inside the museum complex and/or inside exhibit buildings must be taken during regular museum hours. No objects, furniture or equipment may be moved to accommodate photos without permission from the museum director. Students may not sit on any furniture, move the rope barricades or climb the derricks.

Graduation photos taken by a professional photographer do require a permit. All graduation photography is subject to all policies whether taken personally or by a professional.

### **Indemnity**

The Organizations reserving the Spindletop-Gladys City Boomtown Museum shall indemnify, hold harmless, and defend the Texas State University System (TSUS), its Regents, officers, employees, and division, including Spindletop-Gladys City Boomtown Museum and Lamar University, Beaumont, from and against any claims, demands, suits, proceedings, liabilities, judgments, awards, losses, damages, costs or expenses (including legal fees) whatsoever, whether or not brought by or in favor of any governmental agency or other party, and whether or not based on contract, tort (including negligence), sole, jointly or severally, any theory of strict liability, or infringement of proprietary rights, for bodily injury, sickness, death, injury to or destruction of tangible property, and the loss of use or other loss of expense, arising out of or in any manner caused or occasioned, in whole or in part, by any act, omission, error fault or negligence of the Organizations, and related person of the Organization or anyone acting on behalf of the Organization, including without limitations, agents, servants, employees, invitees or licensees, or whether through the negligence, strict liability or other theory of liability of TSUS, its Regents, officers, employees or subparts. It is the intention of this indemnity agreement for the using organizations to indemnify TSUS for any damages it may sustain from the use of the facility no matter which party is legally liable.

### **Liability**

If a permit is granted, the permit holder agrees to assume, without limitation, all risk of loss and all liabilities, demands, claims, suits, losses, damages, causes of action, fines or judgments, including costs, attorneys' and witnesses' fees, and expenses incident thereto, relating to bodily injuries to persons (including death) and for loss of, damage to, or destruction of real and/or tangible personal property (including property of the State) resulting from the negligence or misconduct of permit holder, its employees, agents, contractors, or subcontractors in the performance under the permit.

### **Script**

A copy of the script and detailed treatment of all activity to be conducted at Gladys City must be submitted in advance with the filming and photography permit application to determine the scope of the project, operational impact, and the likelihood of resource damage. The script and treatment will be used only for permit evaluation and will be kept confidential.

### **Student Filming & Photography**

Student filming and photography is carried out to educate those learning film and photographic methods. A letter certifying that the person or group is filming to satisfy a specific course requirement is required. Depending upon the complexity of the student project, certain permit requirements may be waived.

### **Supervision**

All filming and photography and related activities requiring a permit must be supervised by the Gladys City director or his designated monitor. The degree of monitoring and number of monitors required will be determined by the director after analyzing the size and complexity of the proposed project. This monitoring may incur overtime and other costs that must be paid by the permit holder. A permit may be denied if the

supervisory requirements for the proposed project will place unreasonable burdens on staff, regardless of the applicant's willingness or ability to pay.

### **Termination**

Permits may be terminated with little notice in the case of unforeseen emergencies, disasters, or events both natural and man-made. The return of unused fees will be made on a case-by-case basis. Non-compliance with any permit condition or making false or misleading statements to obtain a permit will result in revocation of the permit and suspension or termination of activities at any time, with no notice, no liability, and no refund of fees. Gladys City is not responsible for any inaccurate information provided by location scouts or their representatives.

Gladys City and Lamar University reserves the right to add any additional requirements and guidelines to the permit necessary to protect resources and ensure safety. Requests to substantially alter or amend the policy for especially large or complex projects must be approved in advance by the Gladys City director.

## Fees

Listed fees provide access for a 7-hour day during regular museum open hours, except Sundays. Additional fees will be negotiated for all project types (commercial, not-for-profit, and student), if it is determined that the proposed undertaking will cause an exceptional degree of disruption or potential for harm to the site or if filming/photography is requested outside of normal museum hours.

### Commercial Filming

Museum Grounds	No Charge
Exhibit Building(s), Exterior(s)	\$ 100 flat rate
Exhibit Building(s), Interior(s)	\$ 75 per hour per bldg.
Cleaning & Damage Deposit	\$ 500

### Commercial Photography

Museum Grounds	No Charge
Exhibit Building(s), Exterior(s)	\$ 50 flat rate
Exhibit Building(s), Interior(s)	\$ 25 per bldg.

*Commercial fees must be paid in advance and are due at least five days before filming begins. Payment may be made by company check, money order or credit card. No personal checks or cash will be accepted for commercial filming and/or photography.*

*There is no charge for educational, news or documentary filming.*

### Wedding & Graduation Photography

*Wedding and graduation photographs taken by a paid, professional photographer will be charged at the Commercial Photography rate. Wedding and graduation photographs taken by an unpaid, amateur photographer will be charged at the Personal Photography rate. In both cases, an appointment must be made with the museum director prior to taking photographs.*

### Non-Profit Filming (F) & Photography (P):

*Filming and photography conducted by the staff, trustees or volunteers of a non-profit organization for purposes of furthering the organization's mission or fundraising efforts. Filming by a professional hired by a non-profit requires payment of Commercial fees.*

Museum Grounds	No Charge (F/P)
Exhibit Building(s), Exterior(s)	\$ 25 (F/P)
Exhibit Building(s), Interior(s)	\$ 15/bldg. (F) \$ 5/bldg. (P)

*Non-profit fees must be paid in advance and are due at least five days before filming begins. Payment may be made by organization check, money order, cash or credit card. No personal checks will be accepted.*

### Personal & Student Filming (F) & Photography (P):

*Filming and photography conducted by general visitors, students fulfilling educational course requirements, and individuals taking personal graduation photos.*

Museum Grounds	No Charge (F/P)
Exhibit Building(s), Exterior(s)	Regular admission (F/P)
Exhibit Building(s), Interior(s)	Regular admission (F/P)

*Students of Lamar University receive free admission with a valid student ID. Admission fees are paid once for the duration of the project. Students must complete a Filming & Photography Application and submit a letter from a teacher or professor stating that they are fulfilling course requirements.*