

Filming and Photography Policy and Guidelines

Effective 2012

History San José allows filming and photography throughout History Park including the exhibit buildings, and at the Peralta Adobe-Fallon House Historic Site. The following policy and guidelines apply to all filming and photography to ensure that:

- historical and natural resources are protected from damage;
- visitors, History San José staff, filmmakers and photographers are kept safe;
- public access to History San José 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.

All media must check in with the museum staff.

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 activities 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 History San José as a partner, or History San José realizes a direct marketing benefit. Even if the permit requirement is waived, insurance requirements must be met.

Activities, Prohibited

Only History San José staff is authorized to move, touch, clean, or in any way alter artifacts, structures, reproductions, or building fabric. Some activities are incompatible with History San José's responsibility to protect its resources, its image, 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 or smoke machines in buildings;
- include any nudity or sexual content;
- use any type of open flame or pyrotechnics;
- involve filming inside History San José 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 History San José must be made at least two weeks prior to the expected beginning date. 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 or operations manager.

Cleaning & Damage Deposit

After evaluation of the permit application, a refundable Cleaning & Damage Deposit will 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 History San José Director of Operations 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 History San José Event Coordinator. All trash and debris must be removed and disposed of at the end of each day of the project. No History San José 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

History San José 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:
History San José
San José, California

Written permission from the Director of Operations is required to use the History San José logo. Incidental filming of the museum and logo, such as on an employee uniform, a museum vehicle, or on a sign, is acceptable.

Documentation

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

History San José Equipment

History San José equipment is not available for loan or rent.

Governing Law

The permit shall be governed by the laws of the State of California and the copyright laws of the United States of America.

Script

A copy of the script and detailed treatment of all activity to be conducted at History San José 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, photography and related activities requiring a permit must be supervised museum staff or designated monitor. The degree of monitoring and number of monitors required will be determined by museum staff 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. History San José is not responsible for any inaccurate information provided by location scouts or their representatives. History San José 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 museum staff.

Agreement

Prior to the awarding of a special use permit for filming and/or photography, the user must complete the required documentation outlined by this policy and sign History San José's Special Event Rental Agreement.