



The State of Alabama has identified the film industry as an economic stimulator. It is the desire of the Alabama Historical Commission (AHC) to provide for the use of its historic sites to accommodate photography and filming when practicable. In determining whether to authorize the use of historic sites for commercial photography and filming, primary consideration will be given to protecting the natural and cultural resources, reducing disruption of normal public use and recovering expenses incurred by the department. For commercial photography or film ventures, it also will be the agency's intent to generate revenues from location fees or to benefit in other ways from the promotion of the photography or filming through partnerships with the photographers or producers. **It is AHC Management's discretion to waive fees based on promotional value to the agency.** Legitimate news coverage will not be assessed a fee.

- 1) **Application** - Individuals or Companies applying for approval of photography or film shoots should obtain an *Application for Commercial Photography/Filming* from the historic site intended as the shooting location. At a minimum, page 1 of the application must be completed and submitted to the site director for approval.

Depending on the scope of the photography/filming project, it may be necessary to complete the entire four-page application. This generally includes those shoots which impact site visitors by restricting access or closing public areas or facilities; require access to restricted areas or facilities; require special hours; require site staff supervision or oversight; require restoration of site resources; involve the use of artifacts or historic structures (see note on historic sites below); have potential liability issues; or have the potential for profit or commercial gain. **It is the discretion of the site director if all four pages are to be completed.**

The completed application is to be returned to the site director for approval. Due to the time it may take to process, the application should be returned a minimum of one week prior to the requested shoot date. More involved projects should be returned at least six weeks prior to the requested shoot date.

- 2) **Site Director Approval** - The site director has the authority to approve certain types of requests after notification of the historic sites director and marketing & public relations manager; site director is responsible for notifying the applicant of the status. The site director has the authority to shut down shoots that violate conditions of use.
- 3) **Agency Approval and/or Preparation of Contract** - Depending on the scope of the photography/film request, it may require approval from the Alabama Historical Commission and/or a separate contract. For this reason, requests should be submitted well in advance of the shoot date.
- 4) **Historic Sites, Artifacts or Structures** - Applications that involve historic artifacts or structures must be approved by the historic sites director. Depending on the scope, other requirements may apply to photography or filming that involves historic sites, artifacts or structures.
- 5) **Location/Shooting Fees** – Commercial photography or film shoots often require fees to be paid to the agency, based on certain guidelines. Fees, if charged, will fall into two categories: location fees and shooting fees, and must be collected by the site director in advance. Shooting fees are assessed to recover expenses related to use of the site, such as any use requiring site staff supervision or oversight. It is AHC Management's discretion to waive fees based on promotional value to the agency.



SECTION I

(PLEASE COMPLETE ALL APPLICABLE SECTIONS)

Date _____ Name of Project _____

Applicant's Name _____ Title _____ Organization or Company Name _____

Daytime Phone _____ Cell Phone _____ Fax _____ E-Mail _____

Mailing Address _____

I am applying for permission to _____
(Detailed description – use additional sheets as needed)

At _____
(AHC historic site, facility and location within site)

Time(s) and date(s) to film _____

List of equipment and personnel you will bring _____

Intended use of photos/film (Please be specific and include whether the project has potential for profit or commercial gain.)

How will recognition be given to the Alabama Historical Commission and/or the historic site?

Credit line preference is “(insert name of historic site), a historic property of the Alabama Historical Commission”

SECTION 2

Does the proposed photography/film shoot (check all that apply):

- Impact site visitors by restricting access or closing public areas or facilities?
 Require access to restricted areas or facilities?
 Require special hours?
 Require site staff supervision or oversight?
 Require restoration of site resources?
 Involve the use of artifacts or historic structures?
 Present potential liability issues?
 Have the potential for profit or commercial gain?
 Require the use of a drone(s)?

If your project requires the use of a drone(s), you MUST provide a copy of the following: certificate of insurance, certificate of liability insurance, FAA certificate of waiver or authorization, FAA license, and taxpayer identification number. Additional documents may be required.

Type of Project (check all that apply):

- Advertising Stills Commercial Video/Photo Feature Film/TV Movie
 TV Series/Pilot Documentary Commercial Music Video
 Public Service Announcement Infomercial Industrial Website
 Print or Digital Publication
 Other (explain): _____

Summary of project

SECTION 3

Are you requesting permission to use the AHC logo and/or publish images of a historic property of the Alabama Historical Commission?

No Yes – If yes, please provide the following:

Description of requested image _____

Name of publication _____

Publisher _____

Author _____

Specific rights requested _____

SECTION 4

Site Information

Total number of days on site: _____ Prep: _____ Shoot: _____ Hold: _____ Strike: _____

Night work: _____ No _____ Yes (explain) _____

Shooting Schedule by Location/Facility

Dates/Times

Location/Facility

Set Dressing or Other Structures Proposed

To request off-road activity or interior use of building(s), attach detailed information.

Electrical Needs _____

Road(s) to be used _____

Closure Requested _____ Running Shots _____ Driving Shots _____ Drive-bys _____

Wet Down Road _____ Equipment on Road Shoulder _____ Equipment on Median _____

Other

Personnel and Vehicles

Total # Cast & Crew _____ Name of Producer _____

Names of Photographer and/or Director _____

Personal Cars _____ Large Trucks _____ Other Trucks _____ Vans _____ Camera Car _____ Picture Cars _____

Motor Homes _____ Other Vehicle(s) _____

Base Camp Location _____

Special Activities

Children _____ No _____ Yes # of Children _____ Age Range _____

Animals _____ No _____ Yes On-site Accommodations _____

Waivers provided for participant's _____ No _____ Yes

Special Effects _____

Stunts _____

Other Unusual or Hazardous Activities (explain) _____

Insurance Company (Certificate may be required) _____

Federal Tax I.D. Number _____

Provide supplementary information as needed for consideration of application (attach additional pages).

SECTION 5

Photography/Filming at Alabama Historical Commission Historic Sites

If approved by the historic site, this constitutes an agreement between you and your company and the Alabama Historical Commission for the use of the requested historic site(s) at the dates and times indicated for the purposes set forth herein and for no other purpose. In using the historic sites, you and your company agree to comply with all applicable laws and regulations. You and your company also agree to abide by all rules of the site unless specific written permission is granted in advance. Rules include: no entering unauthorized areas; no firearms, weapons or explosives; no disturbing visitors; and abiding by operating hours. Public areas will remain open to the public during filming. You and your company agree to restore the sites and/or facilities used for the shoot to a condition satisfactory to the Alabama Historical Commission, and agree to pay for any damage to the sites and/or facilities resulting from the shoot. A site director must be present when filming artifacts. The site director has the authority to shut down unauthorized shoots or approved shoots that violate conditions of use.

You and your company are required to show proof of liability insurance covering the shoot. If so required, you and your company agree to obtain such insurance in amounts and carrier acceptable to the site. You and your company agree that no modifications to the facilities, including cutting down trees, may be made without the prior written consent of the historic site.

Waiver of Liability: You and your company agree to release, indemnify and hold harmless the Alabama Historical Commission, its Board, and its officers, employees, agents and designated representatives from and forever promise not to sue them on any and all claims, demands, rights, actions or causes of actions, liabilities, losses, damages, costs and expenses (including reasonable attorney's fees), whether known or unknown, which might arise out of or in any manner relate to the use of said historic site, including damage to or injury or death of any person(s), (whether it be myself or another person), animal(s) or property.

You and your company agree to pay the shooting and/or location fees assessed by the historic site in accordance with the site's application fee guidelines prior to the shoot. If payment is not received by the historic site prior to the shoot, you agree that the site may refuse to permit the shoot to proceed. When sites are closed because of hazardous weather or other emergencies or it is otherwise determined to be in the site's best interest, the site reserves the right to cancel the use of the facilities.

I hereby affirm that the above information is complete and accurate, and that no false or misleading information or false statements have been given. I have full authority to represent the Applicant/Production Company and the project described above. I and my company agree to comply with the terms and conditions set forth above.

Applicant's Signature

Date

Site Director's Signature

Date

Historic Site's Division Director Signature (if required)

Date

Historic Site's Division Director MUST be notified

Marketing & PR Manager Signature (if required)

Date

Marketing & PR Manager MUST be notified

Executive Director Signature, Alabama Historical Commission (if required)

Date

SECTION 6

Warning concerning copyright restrictions

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. This agency reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

No Warranty by AHC

AHC does not hold rights or licenses to reproduce or distribute all of the original materials in its collections. Accordingly, the Materials are provided to Applicant on an “as is” basis. AHC HEREBY DISCLAIMS ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE AND NONINFRINGEMENT.

Applicant’s Responsibilities and Representations

Applicant is solely responsible for, and hereby represents and warrants that it shall: (i) comply with all laws which may pertain to its publication or use of the Materials, including, without limitation, the laws of libel, copyright and privacy; and (2) ascertain and obtain all necessary permissions for its use of the Materials. Applicant’s Indemnification Applicant hereby indemnifies and holds harmless AHC, the AHC historic sites, its affiliates, officers, employees, and agents from and against all liabilities, claims and actions arising out of Applicant’s use of the Materials or arising out of this Permission.

Other Conditions

In those cases where the rights in certain Materials resides elsewhere and AHC does not have a license to publish such Materials, permission for publication is given on behalf of AHC as the owner of the physical Materials and is not intended to include or imply permission of the intellectual property rights holder.

AHC does not grant exclusive publication rights. By giving permission to publish, AHC does not surrender its own right to publish the Material or to give others permission to publish it.

Use of the Materials hereunder by Applicant must be accompanied by a correct citation that both cites the owner of the rights in the Materials and credits the AHC. Additionally, Applicant must ensure that such citation conform to guidelines that AHC shall provide to Applicant from time to time.

As part of the agreement to grant permission, AHC requires that (and Applicant hereby covenants to provide), immediately upon publication, one copy of the publication in which the Materials have been used will be furnished at no cost to AHC for use in our library and museum files.

If Applicant is using this Permission on behalf of a company, entity, or organization (collectively “Requesting Organization”), then Applicant represents and warrants that: (1) Applicant is an authorized representative of that Requesting Organization with the authority to bind such organization to the terms in this Permission and (2) Applicant agrees to be bound by the terms in this Permission on behalf of such Requesting Organization.

I hereby affirm that the above information is complete and accurate, and that no false or misleading information or false statements have been given. I have full authority to represent the Applicant/Production Company and the project described above. I and my company agree to comply with the terms and conditions set forth above.

Applicant’s Signature

Date

Site Director’s Signature

Date

Historic Site's Division Director Signature (if required)
Historic Site's Division Director MUST be notified

Date

Marketing & PR Manager Signature (if required)
Marketing & PR Manager MUST be notified

Date

Executive Director Signature, Alabama Historical Commission (if required)

Date

SECTION 7

Shooting/Location Fee(s) Recommendation and Explanation

(To be completed by Site Director)

I have reviewed the shooting and/or location fees set forth above and I and my company agree to pay the fees in full prior to the start of the shoot.

Applicant's Signature

Date

(Applicant: Do not sign this block until the amount of fees has been added by the historic site. Your check should be **made payable to Alabama Historical Commission** and delivered to site director in advance of the shoot. Credit card is also an acceptable payment method. **It is AHC Management's discretion to waive fees based on the promotional value to the department.)**