

[Missoula Municipal Code Chapter 12.44](#) outlines rules and regulations governing Missoula City Cemetery. In addition, Missoula City Cemetery Board of Trustees has approved the following policies and process:

### **MISSOULA CITY CEMETERY POLICY: PHOTOGRAPHY / FILMING**

Missoula City Cemetery is a public cemetery open to the general public for visitations during specified hours as posted. Casual photography and filming on the grounds is permitted for personal, non-commercial, non-professional projects. Usage of drones is not allowed without the permission of the Missoula City Cemetery Director.

However, Missoula City Cemetery does request that any and all people taking pictures or filming do so with the following considerations:

- 1.) Be sensitive to, take into consideration, and don't exploit the mourning of families that may be occurring within the cemetery.
- 2.) Allow families solitude by refraining from filming or taking photographs near their gathering place.
- 3.) Respect the privacy of families by not approaching them and asking to film or photograph their gathering.
- 4.) The party conducting the filming or photographing will be responsible for and must pay for any damages they cause or contribute to that occurs within Missoula City Cemetery.

Professional or Commercial Projects.

Rare exceptions allowing professional/commercial interest projects, will be made at the discretion of the Missoula City Cemetery Director and Board of Trustees.

- A detailed letter requesting authorization must be sent to the Missoula City Cemetery Director and Board of Trustees, 60 days prior to date of intended project.
- The letter must contain, at a minimum, the following information:
  - o Project purpose.
  - o Description of project.
  - o Proposed location within the cemetery, dates and times of filming/photography.
  - o Type of equipment to be used.
  - o Number of people involved.
  - o Proposed distribution of film/photography.
    - Contact information.
  - o If the project is approved, the applicant shall agree to forever hold harmless, indemnify, defend, discharge and release the City of Missoula, its officers, agents, employees, successors, or assigns from all liability, claims, demands, actions, and causes of action whatsoever arising out of the applicant's use of the Missoula City Cemetery for the professional or commercial interest project.
  - o Applicant will be required to obtain insurance coverage in the amount of \$750,000 for each claim and \$1.5 million for each occurrence and name the City of Missoula as an

additional insured. Applicant will be required to provide a copy of the insurance policy to Missoula Cemetery staff prior to the start of the photography/filming project.

- A copy of a City of Missoula issued business license issued to applicant must be provided to the Cemetery Staff prior to the start of photography/filming.
- Applicant must check in with the Missoula Cemetery staff upon arrival.

Although the City Cemetery does not currently charge a fee for photography or commercial filming, donations are always accepted.

Date approved **August 2, 2018**

**Kim Seeberger**

Board Chair

**Neil Carson**

Board Co-Chair