



Moundsville Economic Development Council • 818 Jefferson Avenue • Moundsville, WV 26041
Phone: 304-845-6500 • Fax: 304-843-4146 • www.wvpentours.com

WEST VIRGINIA PENITENTIARY TOURS

Photography License Agreement

Sponsored by: Moundsville Economic Development Council

This License Agreement (hereinafter referred to as “this agreement”) is effective upon signatures between the Moundsville Economic Development Council (hereinafter referred to as “MEDC”), and the PHOTOGRAPHY EVENT PARTICIPANT.

MEDC
818 Jefferson Avenue
Moundsville, WV 26041

PLEASE PRINT

NAME _____

MAILING ADDRESS _____

TELEPHONE _____
(AREA CODE)

EMAIL ADDRESS _____

In this agreement, the party granting the right to use the license is referred to as the MEDC and the party receiving the right is referred to as the PHOTOGRAPHY EVENT PARTICIPANT. The parties agree as follows:

- 1) GRANTING OF LICENSE – That in accordance with this agreement, the MEDC grants the PHOTOGRAPHY EVENT PARTICIPANT a non-exclusive license to participate in a PHOTOGRAPHY EVENT at the former West Virginia Penitentiary located at 818 Jefferson Avenue, Moundsville, WV.
- 2) PAYMENT OF LICENSE FEE - The PHOTOGRAPHY EVENT PARTICIPANT will pay the agreed upon fee for the PHOTOGRAPHY EVENT.
- 3) DEFAULTS - If a PHOTOGRAPHY EVENT PARTICIPANT fails to abide by the obligations of this agreement, the MEDC shall have the option to immediately CANCEL this agreement providing verbal notice is given to said, PHOTOGRAPHY EVENT PARTICIPANT. Defaults are to include, but not limited to, the suspicion of drugs or alcohol use, smoking inside the facility, entering or straying into restricted areas or areas that are noted to be off limits or involvement in any inappropriate behavior not in keeping with the serious nature of the PHOTOGRAPHY EVENT.

4) WARRANTIES – The MEDC makes no warranties with respect to the PHOTOGRAPHY EVENT. In no event will the MEDC or the West Virginia Division of Corrections be liable for direct, indirect, special, incidental or consequential damages that are in any way related to the PHOTOGRAPHY EVENT. In addition, the purposeful damage or destruction of the facility will not be tolerated.

5) ENTIRE AGREEMENT – This agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This agreement supersedes any prior written or oral agreements between the parties.

6) CONDITIONS – As a condition of attendance, the PHOTOGRAPHY EVENT PARTICIPANT assumes the risk of injury to person or property arising out of his/her use of the facility and premises. In addition, the PHOTOGRAPHY EVENT PARTICIPANT does hereby release the MEDC, its trustees, employees, state agents, successors, and the West Virginia Division of Corrections from and against any claim, demand or liability arising out of such injury. Furthermore, the PHOTOGRAPHY EVENT PARTICIPANT will protect and indemnify the MEDC and those persons released with respect to any claim, demand or liability arising out of such injury.

7) CREDIT - The following credit shall be given when publishing, posting, displaying or showing photographs of the facility for profit, commercial or competition: “The former West Virginia State Penitentiary, a National Historic Places Registered facility, operated by the Moundsville Economic Development Council in Moundsville, West Virginia.” No casual or inadvertent failure to comply with the provisions of this paragraph shall constitute a breach of this Agreement by Lessee.

Rules –

- No equipment, other than a single tripod, monopod or easel is permitted during public hours.
- Do not block any pathways or exhibits, or leave backpacks or tripods in these areas
- Refrain from loud conversations and avoid gathering along the main tour route
- Do not touch or move any objects or artifacts
- Models and props are not permitted during public hours
- Absolutely no nudity, semi-nudity, or sexually explicit images
- Locked and secured areas are off-limits, anyone trying to access these areas will be asked to leave

DATE OF PHOTOGRAPHY EVENT:

SIGNATURE OF MEDC REPRESENTATIVE

DATE

SIGNATURE OF PHOTOGRAPHER

DATE

Participants must be 18 years of age or older