

**TD KITCHENER BLUES FESTIVAL (The Festival)
PRESENTED BY KITCHENER BLUES COMMUNITY INC. (“KBCI”)**

VENDOR TERMS AND CONDITIONS 2019

This document will become a binding part of your contract if you are accepted to participate at the festival

FESTIVAL VENDOR HOURS

Downtown Kitchener – (YNC, MAIN STAGE) King St. from Gaukel to Ontario St.

- Friday August 9th 5:00 p.m. - 10:30 p.m.
- Saturday August 10th 12:00 p.m. - 10:30 p.m.
- Sunday August 11th 12:00 p.m. - 6:00 p.m.

Downtown Kitchener – (BIA STAGE) King St. from Ontario to Frederick/Benton St.

- Friday August 9th 2:00 p.m. - 10:30 p.m.
- Saturday August 10th 12:00 p.m. - 10:30 p.m.
- Sunday August 11th 12:00 p.m. - 5:00 p.m.

Victoria Park – (OLG, CLOCK TOWER STAGE)

- Thursday August 8th 5:00 p.m. – 10:30 p.m.
- Friday August 9th 5:00 p.m. – 10:30 p.m.
- Saturday August 10th 12:00 p.m. – 10:30 p.m.
- Sunday August 11th 12:00 p.m. – 4:00 p.m.

Note: Vendors must have their booths open and occupied during the hours of the festival event.

APPLICATION PROCESS – KBCI always receives more applications than the space available. Submitting an application form does not guarantee acceptance.

Completed applications are due on or before **Friday, May 3, 2019**. Application must include a deposit of \$100.00 which will be applied to total fees owing by successful applicants.

Applications will not be considered, unless they have been completed in full.

You will be notified as to the success of your application by Friday, May 24th 2019. Upon notification of acceptance, the balance of your fee and the required certificate of insurance become due. **The balance of the fee may be in the form of a cheque postdated to Friday, June 14th, 2019.**

If space becomes available at a later date, we will notify applicants on the waiting list.

NOTE – Dates and times may change due to circumstances. Please check on-line terms and conditions for current information

WEATHER – The festival event is a “Rain or Shine” outdoor event. Be prepared.

VENDOR LOCATION – KBCI Vendor Manager will assign a specific location to each vendor. Changes to the locations may be made at the sole discretion of the KBCI management.

ASSIGNMENT AND USE BY OTHERS – Each location is restricted to the applicant to whom it was assigned. The Applicant may not assign its space or permit any other applicant, person, firm or organization to use any part of such space without the express written permission of KBCI management.

BOOTH CONTENT – KCBI reserve the right to prohibit the display and/or distribution of materials it alone deems illegal, obscene or otherwise offensive.

CANCELLATION POLICY – Notification of a cancellation must be received in writing. No refunds of deposit will be granted after June 14th, 2019. Cancellations after June 28th and no-shows at the festival will forfeit their entire fee.

HEALTH APPROVAL – Food vendors are responsible for obtaining their own health department approvals. A Region of Waterloo Special Event – Food Vendor Requirements form will be forwarded with food vendor acceptances.

Applications forms must be submitted directly to the Region of Waterloo either by mail or fax, no later than June 14th, 2019. A copy of the completed health form is also required to be forwarded by e-mail to kbfvendor@gmail.com

FIRE DEPARTMENT REQUIREMENTS – You must comply with all local fire regulations. For questions regarding propane use appliances, contact 519-741-2495 for information.

Please ensure that all fire extinguishers meet requirements and have a current inspection tag attached.

INSURANCE - All applicants must assume responsibility for, and agree to indemnify and hold Kitchener Blues Community Inc. and their respective officers, directors, employees, volunteers and agents harmless from any liability or expense, including governmental charges or fines and attorney's fees in connection with any and all claims, demands and causes of action including but not limited to those for bodily injury, death or property damage, created by, arising out of or resulting from; (i) Applicants installation, removal and maintenance of space and supplies; (ii) any goods, products samples or souvenirs; (iii) Applicant activities at the festival event and occupancy or use of the facility or any part thereof. By executing the application, the Applicant warrants that it has and shall maintain in full force and effect through the dates of the festival event comprehensive general liability insurance, with coverage including personal injury, broad form of property damage, contractual liability, operations hazard and product liability, in limits of not less than \$2,000,000, which insurance specifically covers all Applicants activities on or offsite of the facility and related to the festival event.

Applicant must provide a Certificate of Insurance naming, Kitchener Blues Community Inc. and the Corporation of the City of Kitchener as additionally insured.

The Certificate should also note your location (Downtown Kitchener – King St. and/or Victoria Park Kitchener – Clock Tower Stage) and the dates (August 8th – 11th, 2019). Proof of insurance must be submitted no later than June 14th, 2019.

KBCI reserves the right, in its sole and absolute discretion, to unilaterally amend the foregoing provisions regarding insurance as and when it deems appropriate or necessary, including addressing insurance related matters that might arise subsequent to the date of this document.

SET UP - Set up times are as follows:

NEW.....Downtown Kitchener BIA Stage – King St. from Queen to Frederick

Set up may commence at 10:00 a.m. on Friday, August 9th and **must be completed by 1:00 p.m.** Electrical hookup will be available starting at 12:00 p.m. on Friday.

Downtown Kitchener YNC (Main) Stage – King St. from Gaukel to Queen

Set up may commence at 10:00 a.m. on Friday, August 9th and must be completed by 4:00 p.m. Electrical hookup will be available starting at 12:00 p.m. on Friday.

Victoria Park Clock Tower Stage - Set up may commence at 10:00 a.m. on Thursday August 8th and must be completed by 3:00 p.m. for vendors planning to be on site for the Thursday evening performance. For vendors planning to set up on Friday August 9th, set up must be completed by 1:00 p.m. Electrical hookup will be available starting at 3:00 p.m. on Thursday.

Vendors must have their booths open and be on site during the hours of the festival event.

Vehicles are not permitted on site after the set up times indicated.

ARRIVAL – Your location (on King St. or Victoria Park) will be provided to you via email, prior to the festival. However:

King Street vendors are required to check in at the YNC Main Stage Information booth to confirm specific location assignments.

Victoria Park OLG Stage vendors are to check in with the Site Manager for specific location assignments.

ELECTRICITY – Each vendor booth will be provided with one 15 amp, 110 volt circuit. Additional power can be provided at additional cost through Little Electric or a supplier determined by KBCI. Additional power must be requested in your application. The cost of additional power will vary depending on your requirements and will be included on the attendance fee invoice.

INSPECTIONS - Hydro, health and fire inspections will take place on Thursday August 8th at the Victoria Park - Clock Tower Stage and on Friday, August 9th in Downtown Kitchener – King St. from Gaukel to Frederick. Additional inspections may also be done throughout the festival.

NOTE – Fencing may only be removed through the permission and control of the site manager. Any vendor that removes fencing without authorization of the site manager will be liable for the cost of any damaged fencing incurred by the festival as a result of unauthorized removal.

TAKE DOWN - Sites may be taken down beginning ½ hour after the final performance at each stage on Sunday August 11th. Vehicles will not be permitted on site before that time. All equipment must be removed from site no later than 9:00 p.m. Equipment left on site after that time will be disposed of as seen fit. The site must be left clean. Failure to comply will result in a \$50 clean up fee.

GARBAGE - Vendor is responsible to ensure that the vending and food preparation areas remain clean and sanitary at all times. Inappropriate disposal of refuse will be cleared at the direction of KBCI and the expense will be charged to the vendor.

GREY WATER – Vendors are responsible for arranging grey water disposal with KBCI's sanitation provider at their own cost. Contact information will be provided at a later date.

COMPOSTABLE CONTAINERS (NEW) – KCBI and the City of Kitchener are working together on initiatives to further green our environment. Please be advised that we no longer allow the use of Styrofoam take out containers. Products must be compostable and/or bio-degradable. This will include products such as: clam shells, cups, and plates.

SECURITY - Vendors are responsible for assuming the risk for their own operations and equipment and must protect themselves against loss or damage through their own insurance policies. Vendors agree to abide by and conform to all rules and regulations from time to time adopted or prescribed by KCBI for the governance, safe operations and management of the festival and associated services.

ALCOHOLIC BEVERAGES – KCBI operates a licensed area and must follow all applicable LCBO requirements. Consumption of alcohol is restricted to licensed areas. Alcoholic Beverages may not be brought into the festival. For health and safety reasons, vendors are not permitted to consume alcohol during the vendor hours of the festival.

MENU (Food Vendors) – As part of your application, a list of all food items offered with prices is required. Any changes may have to be approved.

FOOD VOUCHER PROGRAM FOR VOLUNTEERS – KCBI relies on many volunteers who work long and hard to ensure its success. KCBI offers a food voucher program to volunteers whereby they are issued \$5.00 vouchers that they can use when purchasing from food vendors who participate in the program. Only one voucher may be used per food transaction.

Food vouchers will be collected from vendors throughout the festival event. At the end of the festival, food vendors are paid \$3.00 for each voucher used by a volunteer to purchase food at their location.

We hope that our food vendors will participate in this program. You will be asked to indicate on your application if your preference is not to participate.