



Lark St Merchant Application
LarkFEST
Due by July 23, 2010

Fill out completely and please print:

Brief Description of items to be sold at booth:

Name: _____
Last First

Business Name: _____

Address: _____

City: _____ State: _____ Zip: _____ Sales Tax I.D # _____

Phone: (Work) _____ (Home) _____

Email: _____

Booth Spaces : 18 x 10

Please send to: ATTN: LarkFEST
The Lark Street BID
245 Lark Street
Albany, NY 12210

Please NOTE: The space that is being made available to you is at no charge and is for the sole purpose of promoting and increasing visibility of your business to visitors. Merchants will **NOT** be allowed to give away their booth space to any other vendor or leave the space empty without express permission of the Lark Street BID. If you need sidewalk space to allow access to your place of business, please notify us and we will make every effort to accommodate those requests. Any vendor or participant found to be subletting their space from a Lark Street merchant without express permission of the BID will be asked to leave the event. **If we do not receive your signed merchant application by July 23rd, your space will be made available to other vendors.**

2010 LarkFEST *Policies and Procedures*

1. Only one business or organization may operate in each exhibit space, sharing of booth space with other businesses or organizations is prohibited. **Booth space may not be reassigned or sublet.** Exhibitors may not distribute, display, or sell products, literature, or other items from any business or organization other than the one specifically contracted with Lark St BID Committee to rent the booth space.
2. Lark Street BID//LarkFEST Committee reserves the right to change the location, dates, hours, or to terminate entirely the operation of the scheduled event, at any time and without prior notice to the vendor. City of Albany/LarkFEST Committee will make reasonable efforts to provide advance notice to vendors of any changes or cancellations.
3. Items and products:
 - a. An Exhibitor Application must be completed, including a full list of all items or products to be sold, distributed free or sampled; these must be approved by LarkFEST Committee prior to the start of the festival.
 - b. Balloons, stickers, t-shirts, or posters may not be sold or distributed free without prior consent of the LarkFEST Committee.
4. General Rules for Exhibitors:
 - a. Exhibitors must provide their own water, electric, tables, tents, and chairs.
 - b. Exhibitors must make their own arrangements for transport of their products, equipment, etc. to and from their exhibit spaces; festival personnel are not available to assist, and the festival cannot provide storage space for product, equipment, literature, etc. for exhibitors.
 - c. Exhibitors must take full responsibility for set-up and other display materials; LarkFEST Committee will establish set-up and takedown times.
 - d. Exhibitors must have personnel present and in their booths at all times during the official operating hours of the festival: **10am to 5:30pm daily.**
 - e. Exhibitors may not open or close earlier or later than the official operating hours, without express permission of LarkFEST Committee.
 - f. Exhibitors must keep all displays, merchandise, etc. within the confines of the tent or space itself.
 - g. Exhibitors must keep boxes and cartons out of sight.
 - h. Exhibitors must maintain a neat and clean area, also provide refuse bags to condense and secure all waste produced by the booth.
 - i. Exhibitors may not hawk, peddle, sell, or advertise outside the assigned area.
 - j. Exhibitors may not distribute literature or other items to passers-by while standing outside of the assigned area.
 - k. Exhibitors may not have music or conduct activities that may be disruptive to neighboring exhibitors, passers-by, or LarkFEST Committee personnel; City of Albany/LarkFEST Committee reserves the right to make such determinations.
 - l. Exhibitors must return the areas to their pre-festival condition (if repair and cleaning costs are incurred and City of Albany/LarkFEST Committee determines Exhibitor is responsible, the Exhibitor will be billed for the cost of the repair.) Also the Exhibitor must comply with the September 1, 1992 New York State Source Separation Law when vending in the City of Albany (separate all waste for proper recycling and disposal).
 - m. Exhibitors must comply with the festival's parking regulations.
 - n. No vehicles (cars, trucks, trailers, etc.) of any type may be driven on the grass or sidewalks or parked on or near exhibitor's assigned location between **9:00am and 6:30pm** during the festival.
 - o. Lark Street BID/LarkFEST Committee may, for publicity purposes use any photographs or information received or obtained.
 - p. Exhibitors must operate their business in a professional manner. At the discretion of the LarkFEST Committee, any Exhibitors, or any agent, or employee of the Exhibitor who do not conduct himself or herself, in a professional manner and according to the policies contained herein may be removed from the festival. Festival coordinators reserve the right to remove any objectionable merchandise from any booth. **NO** merchandise shall be displayed or sold with the name "LarkFEST" in any form.
 - q. **Exhibitors that are using an electric generator or any other motor must soundproof that device to the satisfaction of the LarkFEST Committee. (THIS WILL BE STRICTLY ENFORCED DUE TO CONTINUAL COMPLAINTS. THE COMMITTEE SUGGESTS ANYONE USING A GENERATOR TO EITHER HAVE A BACKUP (on site) THAT RUNS MORE QUIETLY OR TO HAVE THEIR CURRENT ONE SERVICED. The committee does have the right to make anyone not conforming to this or any policies or procedures to shut down for the remainder of the festival.)**
 - r. Receipts upon sale of merchandise will be given to purchaser. Refunds will also be given if the purchaser is unsatisfied with quality of workmanship or if defect in material or craftsmanship are found to exist.
5. Permits/Certificates:
 - a. Exhibitors are solely responsible for collecting and paying all New York State sales taxes and shall properly display their New York State Sales Tax Certificate.
 - b. Exhibitors are responsible for obtaining and displaying festival permits as required, and operating within any local, state, or federal guidelines or laws.
6. Exhibitor is solely liable for equipment (installation, operation, and tear down), and any other personal property at the festival. Exhibitor represents he or she has insurance coverage for said items to cover loss due to vandalism, theft, or any other casualty. Security is provided at specific designated times; however, any losses due to fire, theft, damage, or injury is the sole responsibility of the Exhibitor. It is specifically agreed that City of Albany, LarkFEST, LarkFEST Committee shall be held harmless for any claim of theft, vandalism, casualty, or loss.

7. The Exhibitor shall defend, indemnify, and save harmless the City of Albany, the LarkFEST, the LarkFEST Committee, and their employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorney's fees) arising out of, or in consequence of, any negligent or intentional act or omission of the Exhibitor and/or the Exhibitor's employees or agents, to the extent of the responsibility of the Exhibitor and/or the Exhibitor's employees or agents for such claims, damages, losses, and expenses.

I understand and agree to abide by the above policies and procedures. Upon acceptance of my application, this form will be binding and will represent the terms of the permit agreement:

Authorized Signature _____

Merchant Name (please print) _____ Date _____

