

PIRATE DAYS OF THE COLONY

MERCHANDISE VENDOR APPLICATION

2008 Festival Dates and Times
Saturday, October 18th - 10AM until **10PM**
Sunday, October 19th - 10AM until **6PM**

Location
Stewart Creek Park, 3700 Sparks Road, The Colony, Texas 75056

Please complete the application below, sign, and return. Confirmation and space assignments will be returned to you upon receipt of full payment.

Mail: The Colony Chamber of Commerce
c/o Allison M. Mihavics
P.O. Box 560006
6900 Main Street.
The Colony, TX 75056

Questions: 972.625.4916

Vendor Contact Information:

Company Name _____

Contact Person: _____

Business Address: _____

Business Phone: _____

Fax #: _____

Email Address: _____

Website URL: _____

Please provide names and contact numbers (preferably cell phone while at the festival) of Vending Personnel who will man your booth during set up and throughout the festival.

Please list all items to be sold at the Pirate Days of The Colony:

SET UP

The festival opens to the general public at 10 AM, Saturday, October 18. All set-up must be complete by 9:30 a.m. "Late" vendors will not be allowed onto the festival grounds once the general public is admitted – so please plan accordingly.

Vendors may begin set-up in Stewart Creek Park as early as 2 PM on Friday, October 17.

FEES

A minimum deposit of 50% is required to guarantee placement at the festival. All spaces are allocated on a first come, first served basis. Non-Profit vendors must provide tax ID number, and a copy of tax exemption certificate to qualify for reduced rates. Prices below are for Saturday & Sunday combined. (weekend rate)

Commercial Vendor	Cost	# Needed	Total Cost
Covered 10' x10' space	\$150 \$200 \$100	____ (\$150 for each add'l)	
Electricity (110 volts)	\$50		
How many amps ____ ?		Total Due	
		Deposit (50% of Total)	
		Balance Due September 30	
Non-Profit Vendor	Cost	# Needed	Total Cost
Covered 10' x10' space	\$100	____ (\$75 for each add'l space)	
Electricity (110 volts)	\$50		
How many amps ____ ?		Total Due	
		Deposit (50% of Total)	
		Balance Due September 30	

Trailers: For those vendors with merchandise trailers, there are limited spaces available with electrical hookups on the grounds. The cost for a trailer and electrical hookup is \$250 plus \$20 per linear foot over 10 feet (including tongue). These spaces are available on a first come, first served basis. You will be notified if there are no more trailer spaces available - upon receipt of your application and deposit. All other trailers (that are otherwise "self sufficient") will be allowed on the grounds on a space available basis. Exterior generators are NOT allowed. If you require additional electrical needs, please let us know as soon as possible.

Please note: A 50% non-refundable deposit is required with your application. The balance is due by September 30, 2008. Payments will not be accepted the day of the festival.

Please make checks payable to: TCCC/CVB

Signed By: _____ **Date:** _____

Please Print: _____

PIRATE DAYS OF THE COLONY

VENDOR'S AGREEMENT AND RULES AND REGULATIONS

Please sign and return this form with your application and deposit.

All vendors agree to the following terms and conditions specified by the The Colony Chamber of Commerce and Convention and Visitors Bureau (TCCC/CVB) to participate in the 2008 Pirate Days of The Colony Festival.

Application: The vendor application is subject to review. The TCCC/CVB will consider all applications, however, there are limited spaces available. The TCCC/CVB reserves the right to select the vendors that will be most appropriate for our event. If your application is not accepted, your deposit (if any) will be returned to you.

Vendor Schedule: The vendor will occupy the space (and only such space) designated by the TCCC/CVB and will operate from 10 AM to close, Saturday, October 18 and 10AM to close, October 19, 2008. The festival closing time is anticipated to be sun-down, or approximately 7PM. All vendors are expected to remain onsite, and are expected to remain open for business during festival hours. Vehicles will not be permitted onsite once the festival opens to the public.

Vendor set-up: Set up may begin as early as 2 PM Friday, October 17, 2008. Vendor must be set up and operational by 9:30 AM Saturday, October 18.

Booth Removal: Vendor will remove all equipment, supplies and vehicles from the Pirate Days of The Colony festival site by noon, on Monday, October 20, 2008. Vendor may begin take-down after the end of entertainment on Sunday, October 19th. The vendor's space must be left clean with all trash placed in receptacles provided. Any trash that will not fit into the receptacles must be taken away and disposed of by the vendor.

Parking: Each vendor will be provided with a parking pass good for both days of the event. The parking pass is non-transferable. Additional passes may be purchased the day of the event.

Supplies: Vendor is responsible for bringing-needed extension cords, hoses, tarps, ropes, cords, staple guns, tie wraps, supplies, etc. Please bring garbage bags for cleaning up your area. We thank you for your cooperation in trying to help our city employees with their time and services at our festival.

Construction: All vendor booths must be designed to withstand wind and inclement weather. Vendors should be prepared for the possibility of rain and be sure they are equipped with a rain plan. Unless otherwise specified or ordered, you are responsible for supplying your own canopy, table, chairs, carpet, etc. Power is not included in your booth fee, but can be provided to a limited number of vendors for an additional charge, on a first come/first serve basis.

Theme: WE STRONGLY ENCOURAGE THAT ALL BOOTHS BE DECORATED IN A FESTIVE MANNER AND IN ACCORDANCE WITH THE THEME OF A PIRATE MARKETPLACE IN A CARIBBEAN PORT. BOOTH WORKERS SHOULD COSTUME THEMSELVES AS PIRATES OR OTHER SUITABLE NAUTICAL or PERIOD "CHARACTERS". ANYTHING YOU DO TO BETTER THE THEME OF YOUR BOOTH WILL ADD TO THE OVERALL SUCCESS OF THE EVENT. PLEASE "HAWK" OR INTERACT WITH GUESTS "IN CHARACTER". GIVE YOUR GUEST A MEMORABLE EXPERIENCE.

Publicity: The vendor understands and agrees the vendor might appear in photographs, videos, film, recordings, etc., in connection with participation in the festival. Vendor hereby consents to the use of any such audio, photo or video portrayal of the vendor (or the vendors structure) by the Festival for advertising, promotional, or any other purpose, and agrees that any such portrayals shall thereafter become the sole property of the festival for its use.

Items for sale: Only items of the type listed on the application may be sold. No food or beverages may be sold except by specified food vendors. Preference may be given to vendors and crafters who demonstrate their process and have a limited selection of theme-appropriate products. Organizers reserve to the right to decline "flea-market" or "general-type" stores. *Although organizers aim to prevent duplication of merchandise and food offerings, no "exclusives" should be expected nor implied.* If a food vendor is also dispensing alcoholic beverages, the vendor must have a valid license to do so and must comply with all applicable Texas laws.

Insurance: Vendor will name The City of The Colony as additional insured on the vendor's liability insurance policy for the event and must provide a certificate of insurance to the TCCC/CVB by September 30, 2008, that documents this coverage. The policy should provide for a minimum of \$1,000,000 of liability coverage. Vendor will further indemnify and hold harmless from any and all loss, claims, demands, liability and actions in conjunction with this event and this agreement.

Security: The festival organizers will provide uniformed public safety personnel for the duration of the festival and take reasonable precautions to ensure your safety and the safety of your goods. Each vendor is responsible for securing their goods in the evening.

Taxes: Vendor is responsible for collecting and remitting any necessary sales taxes. The TCCC/CVB is not responsible for collecting taxes, necessary permits or licenses. Your booth fee does not include a sales tax license, or any additional permitting that may be required by The City of The Colony.

Licenses: Food vendors are required to post a valid The Colony Temporary Food Permit during the festival. Vendors operating without a valid Temporary Food Permit may be subject to enforcement actions by City Officials. Copies of the permit may be obtained at:

http://www.ci.the-colony.tx.us/Depts/Planning/Health/Documents/Temporary_Event_Application_002.pdf

or by calling: 972-624-3161.

Late Payments: Late balances after October 1, 2008, may cause space to be subject only to availability and approval. Failure to pay in full by October may constitute a forfeiture of both space and deposit.

General Rules:

1. In accordance with State law, minors under the age of 21 are prohibited from handling, purchasing or consuming alcoholic beverages. It is the vendors responsibility to ensure compliance with state liquor laws.
2. No alcoholic beverages may be brought on the festival site except by the license holder. Alcoholic beverages will be available from the festival supplier.
3. Drunkenness or unruly behavior may result in immediate expulsion from the festival grounds.
4. All booths must have visibly displayed an easily readable sign with vendor name, address, phone number and return policy (if any).
5. No pets, other than personal guide/assistance and those registered as part of a festival event will be allowed on the festival grounds during the event.
6. The Pirate Days of The Colony festival organizers reserve the right to examine your display during the festival and ask you to remove any objectionable items.
7. The TCCC/CVB reserves the right to accept or refuse any or all political promotions, fund-raisers, raffles, or games of chance.
8. Replica weapons are allowed as part of a costume, or for use as a prop. Sales of weapons must be in accordance with local laws. Bladed weapons must be in a sheath or point-protected and blade-wrapped when sold. Customers desiring to wear a sheathed weapon immediately after purchase must have the weapon "peace tied". Anyone brandishing a weapon in an unsafe manner may be asked to leave the festival.

Violating any terms of this contract or exhibiting conduct contrary to the best interests of the TCCC/CVB will not be permitted. In such cases, violators will be asked to remove their units and/or to leave the property. No fees will be refunded in such cases.

It is understood that by signing the application, the vendor agrees to participate in the Pirate Days of The Colony Festival and will comply with all the regulations and policies of the TCCC/CVB. Further, applicant also agrees to indemnify and hold harmless the festival organizers and sponsors against all claims, liabilities, damage and expenses (including expenses of litigation and attorney's fees) asserted or incurred by said festival organizers and sponsors arising in whole or in part out of applicant's activities hereunder, including but not limited to personal injury to or property damage incurred by applicant and applicant's staff.

Applicant also agrees that the TCCC/CVB reserves the right to refuse admittance to or to remove from the festival any individual, entity, or organization, who in our sole opinion seeks to promote, espouse, or solicit anything which is political, religious, partisan, or sectarian in nature and which we believe is disruptive and contrary to the guiding principles of our organization and festival, including but not limited to reserving the right of discretion for accepting vendors according to quantity, variety, placement, vendor space allocations, or vendor space assessment of merchandise, food, or beverages be they commercial or non-profit in nature.

Signed By: _____ **Date:** _____

PIRATE DAYS OF THE COLONY

FOOD & BEVERAGE APPLICATION

2008 Festival Dates and Times

Saturday, October 18th - 10AM until **10PM**

Sunday, October 19th - 10AM until **6PM**

Location

Stewart's Creek Park, 3700 Sparks Road, The Colony, Texas 75056

Please complete the application below, sign, and return. Confirmation and space assignments will be returned to you upon receipt of full payment.

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Questions: 972.625.4916

Vendor Contact Information:

Company Name _____

Contact Person: _____

Business Address: _____

Business Phone: _____

Fax #: _____

Email Address: _____

Website URL: _____

Please provide names and contact numbers (preferably cell phone while at the festival) of Vending Personnel who will man your booth during set up and throughout the festival.

Please list all food & beverage items to be sold at the Pirate Days of The Colony:

FOOD & BEVERAGE GUIDELINES

The festival opens to the general public at 10 AM, Saturday, October 18. All set-up must be complete by 9:30. "Late" vendors will not be allowed onto the festival grounds once the general public is admitted – so please plan accordingly.

Vendors may begin set-up in Stewarts Creek Park as early as 2 PM on Friday, October 17, 2008.

FEES

In order to attract a wide variety of food and beverage vendors - there are no fixed space rental fees being charged to food and beverage vendors participating in the 2008 festival. However, all food and beverage vendors must pay a 10% gross sales fee to the TCCC/CVB, through the use of a ticket sales and payment system. All vendors must agree to the festival ticket sales and payment system in order to participate.

How the systems works: Tickets will be sold to the general public in \$.50 increments. These tickets will be the only medium of exchange allowed for food and beverage vendors while at the festival. Vendors accepting other forms of payment may be asked to immediately leave the festival grounds.

At the end of each evening, the vendor is responsible for tallying and securing all tickets taken. Tamper-proof bags will be provided for this purpose. A festival official will collect your tickets, verify your count, deduct 10% from your gross and return a check to you for your proceeds. Proceeds from Saturday sales will be distributed during the afternoon on Sunday. Sunday proceeds will be tallied and mailed to you no later than Tuesday, October 21, 2008.

You are strongly encouraged to price your items with the 10% fee in mind.

All food and beverage vendor spaces must be reserved in advance and are allocated on a first come, first served basis. Any food or beverage vendor reserving a space and failing to attend the festival may be barred from future festivals. If you need a canopy, one may be rented from the festival for \$150. A limited number of spaces also have access to electrical service, which is an additional \$50. These are the only fixed fees for food and beverage vendors – and a check (made payable to TCCC/CVB) must be submitted with your application.

How many volts needed? _____

How many amps needed? _____

Trailers: For those vendors with trailers requiring electrical service, there are limited spaces available with electrical hookups on the grounds. These spaces are available on a first come, first served basis. You will be notified if there are no more trailer spaces available - upon receipt of your application and payment. All other trailers (that are otherwise "self sufficient") will be allowed on the grounds on a space available basis. Exterior generators are NOT allowed.

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