

ELBERT COUNTY FAIR

Elbert County Fair

Celebrating 89 Years of the Elbert County Fair

*Elbert County Fairgrounds
95 Ute Avenue
P.O. Box 561
Kiowa, CO 80117*

Vendor Coordinator/Amanda Love Phone: 720-670-8261



To All Potential Elbert County Fair Vendors:

Elbert County Fair 2023 vendor show “THE MERCANTILE”



The 2023 Elbert County Fair is going to be an event you WILL NOT want to miss!

Enclosed you will find the 2023 vendor application and the vendor user agreement.

This year's fair will feature many new events and a dedicated Exhibit Hall to showcase our vendors. "The Mercantile" will be a shopping experience for our fair attendees and will bring in many amazing retail and food vendors from across the state!

2023 ELBERT COUNTY FAIR SCHEDULE

Thursday, August 3th	1:00 pm – 6:00pm	Vendor Check-in and Set-up
Friday, August 4th	9:00am – 8:00pm	Open to Public
Saturday, August 5th	9:00am – 8:00pm	Open to Public
Sunday, August 6th	9:00am - 4:00pm	Open to Public
Sunday, August 6th	4:00pm - 7:00pm	Vendor Check-out & Cleanup

Application Process:

- If you are interested in being a vendor with us in 2023, please complete the enclosed application packet and return with applicable fees payable to **Elbert County- see mailing address below.** Please be very specific on your application if you have any special needs or concerns (such as electrical power to your booth, handicapped parking, etc.), as this will help us determine your placement.

- All vendors will be considered on a first come, first reserved basis.

The Vendor Application/Contract packet gets mailed directly to

Elbert County, P O Box 561, Kiowa, CO 80117

- We do offer a no-compete clause within a specific brand only, on a first come, first reserved basis.
- All non-prepared food vendors will be placed in the Exhibit Hall in the heart of the fairgrounds! Prepared food vendors will be placed on the midway outside of the Exhibit Hall where all the action starts
- Other non-food or pre-packaged food vendors with their own trailer and/or tent setups will be set up outdoors. There is prime placing outside of the Exhibit hall as this is the entry to our fair!!
- Food vendors will be given a space with electric hookup. 30 AMP. Water hookups are not available. If you require water, you must make your own arrangements. Electric hookups are limited and food vendors will be considered on a first come, first reserved basis.
- Inside booth spaces will be reserved for those who are selling retail merchandise, except for the Fair Board informational booth, 4-H booth and fair sponsors. All other types of booths (political, insurance, real estate, etc.) will be under tents located on the west side of the Exhibit Hall between the steer barn and the exhibit hall. These are **limited** as this is a retail/shopping event.
- However, with it being a county fair there will be a limited amount of community and informational booths.
- The Town of Kiowa requires all **RETAIL AND FOOD VENDORS** to obtain a Transient Dealer Business License- this is YEARLY. IF you have gotten one over the last year, these are good for a year so please check with The Town of Kiowa. This responsibility is yours and must be obtained before the event.

Town of Kiowa

Phone: 303-621-2366

Address: 404 Comanche Street P.O. Box 237 Kiowa, Co 80117

The application is enclosed in this packet with applicable fees. You may return the **business license application directly to the Town of Kiowa along with a check made payable to: Town of Kiowa. You may also complete this form and payment online at:**
www.townofkiowa-co.gov.

- All vendors must have a valid sales tax license as well. All sales tax will be filed independently and filed under “special event sales tax” after the event. YOU will be responsible for filing your document for the special event.

Our Elbert County Tax rate: 5.4%

Colorado state sales tax	2.90%
Elbert County sales tax	1.00%
Kiowa tax	1.50%
Combined Sales Tax:	5.40%

We will work hard to accommodate all of our vendor's requests. If you require electrical at your space please note that on your application. These will be set up as **BOOTH style shopping**. Please make your booth flow for patrons to walk into to look around not just walk up to. This helps sales, helps with interacting with buyers and helps with the overall flow and look of the mercantile.

The Mercantile will be a shopping experience. This will bring shoppers as well as fair goers that will in turn shop while they are visiting our fair!! Keep this in mind as you are planning your booth.

**NO TENTS please. You may have the shell if you are needing space to hang items off of but please no covers.

If you have questions or concerns, please contact me!

Upon receipt of your payment and completed application you will receive an email from us confirming your spot upon receipt of your completed application packet and fees. We will accept vendor applications until we reach capacity.

Amanda Love
Elbert County Fair Board Vendor Coordinator
alove6609@msn.com
720-670-8261

2023 ELBERT COUNTY FAIR VENDOR APPLICATION for “The Mercantile”

BUSINESS/ORGANIZATION NAME _____

CONTACT NAME _____

ADDRESS _____

CITY/STATE/ZIP _____

PHONE _____

EMAIL ADDRESS _____

Sales tax license # _____

Product being sold or Nature of Booth _____

Do you have any special requirements? Electricity? _____

My signature below indicates that I have read and agree to the terms contained in the application and the Vendor User Agreement and Policies and Procedures. I certify all information provided on this application to be true and accurate to the best of my knowledge. I have enclosed the appropriate fees.

****No refunds will be given if cancelling after July 24, 2023**

***FOR FOOD VENDORS ONLY:** I have enclosed the following items with this completed packet:

- 1) Appropriate fees, 2) health permit license, and 3) a menu of items to be served.

Vendor Signature

Printed Name & Date

Please Mark All Applicable Sections

_____ Indoor Booth Space 10 x 10 \$150.00 \$ _____

_____ Outdoor Non-Food Booth 10 x 10 or trailer \$100.00 \$ _____

_____ Outdoor Prepared Food Space *****PLEASE READ CAREFULLY**
FAIR PROMO RATE- July 29th- Sunday August 6th – you must be prepared to commit to normal hours these days of 7/8am if you serve breakfast items or 10 am start time for lunch/dinner booths. You also must commit to serve each night until 9pm and serve until 10/11pm on prime nights 8/4 & 8/5. 8/6 open until 3 pm

**** THIS is** excluding 7/31 (PREP DAY ONLY) \$200.00 \$ _____

MID WEEK to WEEKEND RATE- 7/1- 7/6- you must commit to normal hours these days with a 7/8 am start time if you serve breakfast items or 10 am start time for lunch/dinner booths. You also must commit to serve each night until 9 pm and serve until 10/11 pm on prime nights 8/4 & 8/5. 8/6 open until 3 pm

\$275.00 \$ _____

PRIME WEEKEND ONLY RATE- 8/4-8/6 you must commit to normal hours these days with a 7/8 am start time if you serve breakfast items or 10 am start time for lunch/dinner booths. You also must commit to serve each night until 10/11 pm. 8/6 open until 3 pm

\$ 325.00 \$ _____

**** 30 AMP electrical service provided-** please bring your own converters

_____ RV Camping Space \$80.00 \$ _____

Total Enclosed \$ _____

Please return THIS application and applicable fees to:

Elbert County Fairgrounds Attn:

Vendor Coordinator/Amanda Love

PO Box 561

Kiowa, CO 80117

Elbert County Fair

Vendor User Agreement Policies and Procedures

Check-In, Set-Up & Teardown

Check in for all vendors will be THURSDAY, AUGUST 3, 2023, from 1:00 PM-6:00 PM. PLEASE NOTE: THE FAIRGROUNDS is open and BUSY on Thursday; we ask you to exercise extreme caution during your check-in/unloading process. THURSDAY, once unloaded, your vehicle will not be allowed to be parked near the building. PARKING IS STRICTLY ENFORCED Thursday through Sunday. VENDOR PARKING IS IN THE GENERAL PARKING AREA, NO EXCEPTIONS! DAILY UNLOADING OF INVENTORY IS ALLOWED BEFORE THE VENDOR HALL OPENS TO THE PUBLIC, BUT VEHICLES MUST THEN BE RELOCATED TO GENERAL PARKING.

If you have an indoor booth, tables and chairs will be set up prior to your arrival. Your name will be taped to the table of the booth assigned to you. Outdoor vendor space will also be indicated prior to arrival. All vendors, indoors and outdoors, will be expected to be cleaned up and checked out no later than 7pm on Sunday, August 7th.

Accident Management

In the case of an accident or emergency, vendor agrees to cooperate with Fair and Fairgrounds Management. All accidents, occurrences, and incidents must be reported to Elbert County Fairgrounds Management as soon as possible, but not later than the next business day. Reports must include:

1. Name, address and telephone number of the injured person or persons.
2. Name, address and telephone number of any witnesses.
3. A description of the accident (how, when, and where it happened).
4. A description of the extent of bodily injury or property damage.

Cancellation/Vendor No Show

Elbert County is not responsible for any consequences, monetary or otherwise, due to cancellation by vendor. Refunds will NOT be given for cancellations requested after July 1, 2023. If a vendor cancels prior to July 1, 2023, a full refund will be granted. If the vendor cancels after July 1, 2023 or fails to attend the Fair, no refund will be given. If Elbert County cancels this event for any unforeseen reason or act of God, then all monies paid to Elbert County by the vendor shall be refunded. Remedies for such cancellations shall be limited to the amount received under this agreement.

Certificate of Insurance

Any and all vendors providing an activity (i.e. pony rides, machine demonstrations, rock climbing, etc.) **or selling food** must procure and maintain, at its own expense, insurance with insurers with an A- or better rating as determined by Best's Key Rating Guide, the following policy of insurance: Commercial General Liability Insurance. The policy will be applicable to all premises and operations. The policy will include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and employee acts), blanket contractual, independent contractors, and products. The policy will contain a severability of interests provision. The policy will also include all phases of the event (set up preparation, actual event, specific hours of occupancy and cleanup). The required certificate(s) of insurance will name Elbert County, Colorado, its officers and employees as additional insured and also name the specific event and dates being insured. The required certificate(s) of insurance must be provided by August 3, 2023, prior to occupying a booth at the Elbert County Fair. The vendor will not be permitted to occupy or use a booth unless and until the required insurance is provided.

General Policies

Elbert County Government retains control and management of the Elbert County Fairgrounds at all times, and shall have the right at all times to enforce all rules and regulations described hereto, and shall have the right to eject all persons who fail or refuse to comply with rules and regulations.

Fire Safety Standards

All fire regulations in the Uniform Fire Code (UFC) as amended and adopted by the Kiowa Fire Protection District shall be strictly observed. Fairgrounds Management will work with each vendor during set-up times to ensure compliance with UFC.

General Compliance

All vendors agree to comply with all applicable governmental agencies, ordinances and statutes.

Health Permit Requirements

All food vendors are required to possess or obtain a state approved food vendors' license/permit (a DENVER City or County License is not acceptable). If you do not have one that is current, **please contact Elbert County Health Department for the requirements.**

Contact Information: Stacey Rinehart

Email: stacey.rinehart@elbertcounty-co.gov

Phone: 303-621-3193

The following items **MUST BE SUBMITTED BY JULY 1, 2023** along with the 2023 Elbert County Fair Vendor Application Packet:

1. Check for appropriate fees
2. Health Permit License
3. Menu of items to be served

Indemnification

To the fullest extent permitted by law, the vendor shall indemnify and hold harmless Elbert County, their officers, employees and insurers from and against all claims, damages, losses, expenses and demands, including court costs, attorney fees and expenses, due to injuries, losses or damages arising out of, resulting from, or in any manner connected with the Elbert County Fair, if any such injury, loss or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, error, mistake negligence, other fault of vendor, any officer, employee, representative or agent of the vendor, anyone directly or indirectly employed by the vendor, or anyone for whose acts as the vendor may be liable; provided, however, that directly or indirectly employed by the vendor, or anyone for whose acts as the vendor may be liable; provided, however, that except for worker's compensation, disability benefits or other similar employee benefit claims, vendor is not obligated to indemnify the county hereunder for that portion of any claims, damages, losses, demands and expenses arising out of or resulting from any negligent act or omission of the County, or their agents and employees. Vendor's indemnification obligation hereunder shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this section. With respect to any and all claims against the County or any of their officers, employees or agents by any employee or vendor or anyone directly or indirectly employed by vendor, or anyone for whose acts as vendor may be liable, the indemnification obligation described above shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the vendor, under worker's compensation acts, disability benefit acts, or other employee benefit acts. Under Colorado law, an equine professional is not liable for any injury or death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to section 13-21-119, Colorado Revised Statutes.

Liability Limitations of Parking

Elbert County shall not be responsible for fire, theft, damage to or loss of vehicles or articles left therein parked on County property or at any location for the purpose of attending the Elbert County Fair. Vendors who park in any non-designated area do so at their own risk and may be ticketed and/or towed at their own expense.

Limitation of Liabilities

Notwithstanding anything herein to the contrary, Elbert County will not be liable for any indirect, incidental, special, consequential damages, or damages resulting from the use of the Elbert County facilities, however arising, including failure of voice or data lines, even if Elbert County has been advised of the possibility of such damages. Elbert County liability will in no event exceed the amount received under this agreement for damages arising out of, relating to, or in any way connected with the use agreement. **Users of Elbert County facilities are advised to procure event cancellation insurance.** Elbert County will not assume liability for cancellation due to emergencies or unforeseen circumstances. Recovery under such circumstances shall be limited to the amount of rental fees paid under this agreement.

Lost or Stolen Articles

Elbert County shall NOT be responsible, under any circumstances, for property of the vendor while on the Elbert County Fairgrounds. Elbert County is NOT responsible for any loss of articles or equipment left unattended in any facility. Vendor assumes all responsibility for any goods or material, which may be placed before, during, or after the fair.

Merchandise Restrictions

Vendors MAY NOT sell firearms, ammunition, fireworks, or other potentially dangerous or offensive merchandise. This includes #cap snappers". Elbert County reserves the right to reject the services of any vendor.

Photos

Elbert County Fairgrounds may take photos of the County Fair and participants. These photos shall be the property of Elbert County and may be used by Elbert County for education or promotional materials. Any public display or photos or video of any Elbert County Fair event for public dissemination without express written consent from the Elbert County Fair is strictly prohibited.

Sales Tax Collection

Vendors are responsible for payment of all sales, use, assessments and/or fees in compliance with Elbert County, the town of Kiowa and the State of Colorado. It is the vendor's responsibility to collect all taxes. ALL vendors selling retail at the Elbert County Fair are required to have a Colorado Sales Tax License or a Special Events Sales Tax number as assigned by the Colorado Department of Revenue. All for profit vendors must include a 1.5% sales tax for the Town of Kiowa. Please include this figure when sending in your Colorado State Sales Tax.

Town of Kiowa Requirements

The Town of Kiowa requires ALL RETAIL AND FOOD VENDORS to obtain a Transient Dealer Business License. The application is enclosed in this packet with applicable fees and should be mailed with a separate check to them.

Payment Procedure

FULL PAYMENT is due with Vendor Application Packet. Elbert County accepts personal, business, cashier checks or money orders. Any checks returned by the bank for any reason will be assessed the actual return fees charged to Elbert County.

We apologize for any inconvenience, but we are not able to accept electronic payment. Check or money order is our only accepted form of payment.