

# 2011 LEA COUNTY FAIR & RODEO

## VENDOR

### GUIDELINES AND PROCEDURES

#### **GENERAL INFORMATION:**

The information gathered for this manual has been compiled to serve as a guide. The Fair assumes no responsibility for errors and omissions. Any questions about prevailing statute, code, rules or regulations of any prevailing governmental body should be directed to the appropriate agency. Answers to questions about entry onto the Fairgrounds, parking, utility hookups, set-up, teardown and reporting procedures are included in this manual.

**PLEASE NOTE: VENDORS ARE NOT GUARANTEED THE SAME SPACE EVERY YEAR.**

Where the word "Vendor" appears in the guidelines and procedures, the same applies to exhibit, concession/concessionaire, unless stated otherwise.

Security Patrol service is provided throughout the fairgrounds. Vendors are responsible for the protection of their property.

**Only those products or services that are listed on your application may be offered for sale. Sale of anything that was not contained in the original application will be considered a breach of contract and may result in removal of those items from the area or ejection from the fair.**

#### **GENERAL FACILITY INFORMATION**

Alcoholic beverages are not permitted on the Lea County Fair Grounds.

All pedestrian, vehicle entrances and exits to buildings must be kept clear of any obstructions.

#### **HOURS OF OPERATION**

**FOOD VENDORS:** August 7<sup>th</sup> is the Annual Hispanic Heritage Celebration **ALL** food vendors should be ready and operable no later than 2:00pm on Sunday. Monday thru Saturday the food vendors must be open at 11:00am (may open earlier) and remain open until 11:30pm. There will be **NO** vehicle traffic on the grounds after 10:30am daily, this applies to all Vendors.

**RODEO CONCESSIONS:** You must be open by 2:00pm on Sunday August 7<sup>th</sup> for the Annual Hispanic Heritage Celebration. The PRCA Rodeo starts Wednesday, August 10<sup>th</sup> and ends Saturday, August 13<sup>th</sup>. You must be open by 6:30pm (may open earlier) and remain open through out the entire Rodeo performance. **PLEASE NOTE:** Slack will be prior to and after each Rodeo Performance, with the exception of Saturday, slack will **only** be prior to the Saturday Night Performance. The slack may be scheduled for a.m. hours or p.m. hours (will be determined at a later date).

**INDOOR VENDORS:** All other booths will be ready and operable by 10:00am till 10:00pm daily (Tuesday – Saturday).

#### **SET-UP SCHEDULE**

**Indoor Vendors** may begin to move into their assigned spaces beginning Friday, August 5<sup>th</sup> through Monday, August 8<sup>th</sup> from 8:00 a.m. to 5:00 p.m. Security patrol services provided by the Fair begin Sunday, August 7<sup>th</sup> at 5:00p.m. The Lea County Fair Grounds does not provide a hauling service. You are responsible for moving equipment into the assigned location before and after removing from the Fair.

The building will be cleared and secured daily at closing time. Articles on display should be covered and secured by Vendors after the closing hour each evening. Loitering in the building before and after business hours is not permitted. **The fair assumes no responsibility for security of individual booths.**

## INDOORS

- Tables and chairs are at a minimum. We will provide inside vendor's one (1) table and two (2) chairs per 10x8 booth spaces. Size of the tables is 6' x 30" x 29". Additional Tables may be purchased through the Fair Office.
- The Fair will provide an 8' high back curtain and 3' high side curtain at spaces in the Chaparral and Zia Buildings.
- Signs, decorations or display material cannot be affixed to any permanent walls or the ceiling in any building, unless approved by the Fair. All decorations and booth material must be flame retardant. A portable wall or structure at the back of a booth is limited to eight (8) feet in height, unless prior approval has been obtained. All sidewall extensions are not to exceed eight (8) feet in height or extend more than five (5) feet to the front of the booth.
- All exhibits must display actual or working models of products.
- All exhibits are expected to contain attractive displays. Failure to do so will result in removal of the material from the exhibit hall.
- Failure of a vendor to meet accepted standards jeopardizes future participation.
- To ensure that you have everything you need, please come prepared to furnish your space with your own equipment.
- Smoking is not permitted inside any building at any time.
- The user must provide all furnishings, fixtures and equipment required for the proper operation of the booth/exhibit.
- The use of open flame devices, i.e. torches, glass blowing, forges, etc., requires approval of the New Mexico State Fire Marshal. No gasoline or liquefied petroleum gas cylinders will be allowed inside a permanent facility. Fuel tanks of equipment and vehicles on display must be locked or sealed in an approved manner. Clear access must be maintained around electrical panels, fire hose cabinets, portable fire extinguishers, and alarm boxes
- It is recommended that children not be allowed to accompany vendors while setting up for the Fair and tearing down. The potentially hazardous conditions during these periods require special concern for safety and liability.

## OUTDOORS

- All furnishings, fixture, equipment and structures must meet applicable health and safety codes, laws, rules or regulations.
- Signage must be both professional looking and in proper proportion to the booth size.
- Water and sewer connecting points are limited.
- **CONCRETE AND PAVEMENT SHALL NOT BE PENETRATED BY SPIKES, STAKES OR OTHER FASTENING MATERIAL.**

## MOVE -OUT SCHEDULE

NO VEHICLES ALLOWED INSIDE FENCE FOR LOADING PURPOSES ON SATURDAY NIGHT.

The Zia and Chaparral buildings will be open to vendors until **midnight on Saturday, August 13, 2011** for the purpose of removing merchandise and portable equipment. The building will be cleared and locked at midnight. The buildings will be reopened at 8:00a.m. on Sunday.

Security patrol services will be provided through closing night. However, the Fair is not responsible for security at individual spaces.

### **GATE ADMISSION**

- The Fair will be charging Wednesday thru Saturday, everyone prior to 3:00pm will receive free admission. Anyone after 3:00pm will be five dollars (\$5), for ages 5 and up.

### **ADVERTISING**

- No person will be permitted to distribute advertising matter upon the grounds. The distribution of posters, handbills, fliers, or signs on buildings, trees, posts or other places on the Fairgrounds will not, under any circumstances be permitted.

### **ANIMALS**

- **ONLY** qualified service animals, livestock on exhibit, or trained animals for scheduled acts will be permitted on the fairgrounds.
- Any animal found running loose will be turned over to the Lovington Animal Control Center.
- Animals are NOT allowed inside any building or any food booth area.

### **EQUIPMENT BREAKDOWN**

- In the event of equipment breakdown, contact the Fair Office so arrangements can be made to allow a service vehicle, if required, through the proper gate.

### **UTILITIES**

- Vendor must furnish all materials necessary to connect to utility sources.
- All Materials and equipment furnished by Fair for utility service orders remain Fair property and are to be removed by Fair at the close of the Fair.

### **DRAIN CONNECTIONS**

- It is recommended that ABS or PVC piping be used for indirect connection to drain outlets.
- All pipe fittings shall be secured with the proper sealant or compound to prevent any leakage.
- Drain lines shall not discharge or allow discharge of any wastewater on the ground, around or under buildings or otherwise create a nuisance.
- Clean up of any accumulation of wastewater shall be vendor's responsibility.
- The drainage pipes and/or hoses should not be of a length so as to reach into the existing water level of the trap. Their length should be such that they slightly dip into the trap.
- It is recommended that 16-mesh screening be used over drains to trap food waste, which could cause or contribute to clogging of lines in drain outlets or boxes.
- Any screening provided over drain locations shall not be punctured or removed.

### **ELECTRICAL SERVICE**

- The Fair's electrician reserves the right to refuse to connect service to a booth that is not safe or wired according to code.
- The Fair's electrician will make all service connections. Under no circumstances shall anyone other than the Fair electrician make electrical connections to distribution panels.
- The Fair's electrician will be on call during business hours to adjust any vendor difficulties with the power system, but shall not repair or adjust any appliances or equipment.
- Installation of any new electrical services, or special wiring or line extensions to a structure must be done by a licensed electrician and shall be at the vendors sole cost and expense.
- The Fair must authorize any work other than service connections to a booth by the Fair electrician in writing.
- The Fair shall not be responsible for any electrical power surges.

## **ELECTRICAL ACCESSORIES**

- All equipment regardless of source of power must comply with all national, state and local safety codes. When you buy tools and appliances check for the Underwriters Laboratories (UL) seal of approval.
- Don't overload extension cords, or use octopus fixtures, which enable several appliances to be run from a single outlet. Major appliances should always be plugged into an outlet.
- Many electrically caused fires can be traced to faulty cords, outlets and switches. Check them often to prevent accidents. Do not repair damaged cords with tape. Replace them.
- Extension cords that are less than 14 gauges in size shall not be allowed.
- Concession operators and vendors must provide the proper gauge and approved cable for connection between booth/stand location and existing electric panels.
- Approved multi-plug adapters are allowed and shall have a breaker switch that will activate and shut-off the current if the adapter is overloaded.
- Multi-plug adapters, extension cords and other items that are being used by any vendor that are not in compliance with the requirements stated in this manual shall be immediately disconnected.
- Heavy rubber mats or plastic mats shall protect all cords or wires crossing a walkway and should be secured in place.

## **BUILDING AND STRUCTURE REQUIREMENTS**

- All portable structures are to be constructed, arranged, equipped, maintained and operated to avoid undue danger to the lives and safety of its occupants and Fair patrons.
- Trailers are acceptable only if they are of an approved concession-type design. No other structures are allowed.
- Any and all approved alterations, additions, and improvements made at the vendor's expense and affixed to Fair property becomes property of the Fair and shall not be removed by the vendor.
- All structures not property of the Lea County Fair **MUST** be removed within 10 days of the conclusion of the Fair or they will be disposed of.
- Machinery in motion must be located safely inside the vendor's space with adequate safeguards.

## **DRIVING ON THE FAIRGROUNDS**

- Anyone driving any type of motorized vehicle onto the fairgrounds must drive at a safe speed and must yield to pedestrian traffic.
- The use of any self or motor powered vehicle (other than those used by the mobility impaired or staff) such as bicycles, skateboards, roller blades, skates or golf type vehicles are not allowed.
- **No vehicles will be allowed to access the fairgrounds after 10:30am each day. Vendors may drive in and unload supplies at their booths between 8:00am to 10:30am.**

## **DELIVERIES**

- Only authorized vehicles will be allowed to enter established exhibit area boundaries only when necessary and with the appropriate permit.
- Delivery of supplies by dolly or other means will be allowed only through designated gates/entrances.

## **PARKING AND PARKING PERMITS**

- Vendors will be allowed to park vehicles in exhibit areas **during set-up times only**. At no other time will vendors be allowed in those areas.

### **INSURANCE REQUIREMENTS:**

It is the policy of Lea County to require Food Vendors and Concessions to furnish proof of insurance with minimum limits of \$1,000,000.00 (Combined Single Limit) General liability (includes bodily injury and property damage) and \$1,000,000.00 Product Liability. Vendor will provide a certificate of insurance by July 25, 2011. Such policy will designate Lea County as an additional insured. If you do not have this certificate you will not be allowed to set up.

### **PUBLIC ADDRESS SYSTEM**

- The use of PA Systems or amplifying devices (microphone, music, sound effects, etc) is a privilege regulated by the Fair.
- If sound is allowed, it must be of such nature as not to cause annoyance to other exhibits, concessionaires or visitors. A second warning will result in removal of the sound apparatus from the exhibit or termination of the contract.

### **FOOD SERVICE REGULATIONS**

- The New Mexico Environment Department, 726 E. Michigan Suite 165, Hobbs, New Mexico 88240, (505) 393-4302, is the regulatory body for **all** food vendors on the Fairgrounds.
- The Fair will suspend a food concession space and all rights granted to Concessionaire if the concessionaire is cited two times for the same violation by the NM Environment Department. (Food Sanitation Act, Sections 25-1-1 to 25-1-13 NMSA 1978, the New Mexico Food Act Section 25-2-2 to 25-2-14 NMSA 1978, or the Environmental Improvement Act, Sections 74-1-1 to 74-1-1 NMSA 1978 or the regulations promulgated, there to). Such suspension will be without a hearing and will continue until the New Mexico Environment Department notifies the Fair that the Concessionaire is in compliance with all applicable statutes, rules and regulations.

### **FOOD SERVICE**

- Concessionaires are fully responsible for the installation, maintenance and removal of their structures, property and belongings.
- Each Concessionaire must maintain two (2) workable five-pound 40BC approved fire extinguishers in their booths at all times.
- Concessionaires cooking with grease shall attach or install grease traps and provide grease mats in front of burners.
- Approved provisions of storage (shelving or storage pallets) must be installed for protecting goods from ground level contamination.
- Concessionaire must sell or dispense all drinks in disposable paper, foam or plastic bottles or cups only. Glass containers or canned drinks are not permitted. All drinks must be purchased from Southwest Coca-Cola in Hobbs (NO EXCEPTIONS) you may contact Ruben or Chris at (575)397-6422. **Vendors in violation of this policy will be closed down and their contract terminated.**
- The use of liquefied petroleum gas is not allowed inside permanent facilities without Fire Marshal or LP Gas Bureau approval. Propane cylinders must be located on the outside of portable booth structures and secured by chain or bungee cords.
- Open-flame grills or smokers can be placed only on the outside of all booth structures. Outside units must be located safely within vendor's space with adequate safeguards and signs. The design of the grill or smoker must be approved by the New Mexico Environment Department and New Mexico State Fire Marshal's Office.
- Charcoal used as a natural fuel shall be completely extinguished before disposal.
- Negligent acts and omissions can result in fire legal liability.
- No tables or chairs will be permitted outside any food booth.

## **TRASH, WASTE AND GARBAGE REMOVAL**

- The Fair cleanup crews are not permitted to enter or clean inside any exhibit booth. This is your responsibility.
- **Vendors shall furnish their own garbage bags and containers inside the vendor's booths or trailers. All refuse shall be disposed of in such a manner as to prevent an environmental hazard or nuisance.**
- All waste, trash and garbage may be placed in containers, or dumpsters provided by the Fair.
- **All large corrugated cardboard boxes must be collapsed and separated from other wet or dry garbage. These items will be collected separately for recycling purposes.**
- Dry refuse for garbage collection service must be placed in plastic bags and tied securely.
- Leak-proof bags or containers are to be used to dispose of food or liquid waste.
- **Grease shall be disposed of in grease depositories only. Grease depositories will be placed at designated areas of the Fairgrounds.**
- **All wastewater shall be disposed of properly. Do not dump wastewater on asphalt, streets, grass areas or flowerbeds.**

## **INSPECTIONS AND PERMITS**

Representatives of the following agencies and departments shall be allowed access to all areas on the Fairgrounds:

1. Fair Board Members
2. Lea County Fair Management and Maintenance Employees
3. Law Enforcement Agencies
4. NM Environment Department
5. City of Lovington Fire Marshal
6. NM Construction Industries Division
7. NM Safety Counseling

The Regulation and Licensing Department, Construction Industries Division, 2550 Cerrillos Road, Santa Fe, NM 87505, (505) 476-4700 is the regulatory body enforcing the provisions of the Construction Industries Act, rules and regulation and all adopted codes. Information may also be obtained through the Construction Industries Division, 1650 University, NE Suite 201, Albuquerque, NM 87102, (505) 841-8020.

The City of Lovington Fire Marshal's Office, 213 S. Love St. Lovington, NM 88260, (575) 396-2359, is the regulatory body enforcing the rules and regulations relating to fire prevention and the life safety codes.

All inspectors, law enforcement officials, Fair Management and Maintenance department employees have the right during reasonable hours, to enter a concession exhibit booth in discharge of their duties for the purpose of making any investigation, inspection, re-inspection or test of any installation.

An inspector may cause immediate discontinuance of service to any installation or device or appliance or equipment found to be dangerous to life or property because it is defective, faulty in design, installation does not meet code or has been incorrectly installed.

- Any booth, operation or business that fails to comply with safety or fire code requirements will be subject to immediate closure until compliance is made.
- Any Concessionaire receiving a citation by any of the inspectors must correct any deficiencies within a reasonable time.

## **TAX OBLIGATIONS AND RESPONSIBILITIES**

New Mexico Taxation and Revenue Service, Tax permits are issued by the New Mexico Taxation and Revenue Department, 1100 S. St. Francis Dr. Santa Fe NM, phone number (505) 827-0700.

Section 7-1-3 (F) NMSA, 1978 states that any vendor engaged in the sale of goods and or services in the State of New Mexico is subject to Gross Receipt Tax. The Gross Receipts Tax should be remitted directly to the NM Taxation and Revenue Office, unless otherwise directed by the Fair. During the Fair, representatives of the Taxation and Revenue Department will issue tax permits from their office.

### **INTERNAL REVENUE SERVICE**

If you operate a vending booth you may be an employer. If you are an employer, you will have employment tax obligations and responsibilities that affect how you operate your business.

There are several factors that are considered to determine if there is an employer-employee relationship. Generally, an employer is a person or organization for which a worker performs service and usually provides the tools and a place to work. The employer has the right to fire the worker. An employer usually controls what will be done and when it will be done. This is so even if the employee has the freedom of action. What matters is who has the legal right to control the method and result of the services.

Generally, people in business for themselves are not employees. If required to report employment taxes or give tax statements to employees or annuitants, an employer needs an employer identification number. An employer would request one on Form SS-4, Application for Employer Identification Number, which can be found at the IRS or Social Security Administration Offices. More information can be found in Publication 15, which is available from the IRS. You may order a copy of this publication by calling 1-800-829-3676. For further information call or write the Internal Revenue Service at 5338 Montgomery, NE, Albuquerque, NM 87109, (505) 837-5631, or toll free 1-800-829-1040.

### **WAGE REQUIREMENTS**

Should you have any questions concerning minimum wages, overtime, payment of wages, or child labor statutes contact the NM Department of Labor, Labor and Industrial Division, 501 Mountain Rd. NE, Albuquerque, NM, 87102, (505) 841-9300.

### **WORKER'S COMPENSATION**

For information regarding Worker's Compensation Act contact the Workers Compensation Division Administration, PO Box 27198, Albuquerque, NM, 87125-7198 or call (505) 841-6000, or statewide toll-free at 1-800-255-7965.

### **HOTEL ACCOMMODATIONS**

Lovington and Hobbs have several excellent motels and trailer parks. You may call the Chambers of Commerce for further information.

LOVINGTON CHAMBER OF COMMERCE	(575) 396-5311
HOBBS CHAMBER OF COMMERCE	(575) 397-3202

### **SCHEDULE OF FEES AND CHARGES**

- Fees are based on the size, location, and whether you are operating for profit or not.
- Food concessions vary depending on location.
- The concession operator must provide or construct an acceptable structure at his/her own expense.

**INDOOR EXHIBITS and CONCESSIONS**

**Indoor Commercial (IN COUNTY)**

10 x 8.....	\$120.00
20 x 8.....	\$240.00
Non-profit/Government per 10x8.....	\$ 70.00

**Indoor Commercial (OUT OF COUNTY)**

10 x 8.....	\$200.00
20 x 8.....	\$400.00
Non-profit/Government per 10x8.....	\$ 70.00

**Indoor Food Concession (2 available)**

*Chaparral Building.....\$300.00*

**Outdoor Concessions**

15 x 24.....	\$1,000.00
Additional Footage.....	\$40.00/foot

**Concessions (permanent buildings)**

North Rodeo.....	\$600.00
Southeast Rodeo.....	\$600.00
Southwest Rodeo.....	\$600.00
North Fair(2 windows).....	\$600.00
South Fair (1 window).....	\$400.00

**Additional Items**

Tables.....	\$15.00
Wireless Internet Access.....	\$25.00

- Additional tables will be on hand for a fee of \$15.00 per table. This will be done on a first-come, first-serve basis. You will need to check with the office for extra tables.

**PAYMENT SCHEDULE:**

- **Payments that accompany applications will be returned until approved by Fair Board.**
- **The Fair must receive full payment by the indicated date on the contract. The payment should accompany the return of the signed contract to the Fair.**
- **Contracts issued on or after the contract date must be paid in full on or before the due date indicated on the contract.**
- There are no implied extensions.
- Payments can be paid in the form of cash, personal or cashiers checks, money order, or credit cards (Visa MasterCard, Discover).
- Any service or utility fee not included in the original contract is due upon receipt of a bill from the Fair.

**CANCELLATIONS AND REFUNDS:**

- A concession operator or vendor desiring to cancel a contract after having made a payment must notify the Fair in writing on or before the close of business on **June 12, 2010**.
- Upon receipt of such a cancellation request, ninety percent (90%) of all payments received will be refunded.
- All monies received on or **after June 12, 2010** are non-refundable.

**NO SHOWS:**

- Should a concession operator or vendor fail to show by 5:00 p.m. August 2, 2010, the contract will be cancelled and all payments and fees will be forfeited.
- In case of an emergency that delays arrival, phone contact should be made with the Fair Office to avoid forfeiture or cancellation.
- If a concession operator or vendor packs up and leaves without the written permission of the Fair before 10:00p.m. on Saturday, August 7, 2010 they will not be considered for a Booth Space at future Fairs.