

# 2023 Hornell for the Holiday's Festival Vendor Application

## November 25, 5:00 PM – 9:00 PM

Limited to first 20 Craft Vendors – Outdoor 10 by 10 spot or 1 table spot

Fully complete **ALL** information and sign **ALL** area's, not doing so will cause HPG to return your application.

Vendor Company Name \_\_\_\_\_

Contact Names \_\_\_\_\_

Mailing address \_\_\_\_\_

Contact Phone \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Emergency Contact Name/Number: \_\_\_\_\_

**List of Products to be sold:** : **No items such as clothing, hats, flags with profanity, confederate flags, BLM, etc.**

Payment Send to: **Hornell Partners for Growth PO Box 643 Hornell NY, 14843**

\_\_\_\_ Free for Non-Profit's, School's Club, HPG Business \_\_\_\_\_ 10 x 10 Outside or \_\_\_\_\_ Indoor Spot

\_\_\_\_ **\$30.00** for indoor Table Spot – This is one table, indoors at the Warehouse – Limited to 8 Spots – **25Nov ONLY**

\_\_\_\_ **\$50.00** for Indoor table spot & able to set up at any of the Santa Days

\_\_\_\_ **\$50.00** **Craft & Game Vendor** – 10 x 10 Outdoor Spot

\_\_\_\_ **\$100** **Food Vendor** – limited spots

**\*\* Event will take place no matter what the weather is, **no refunds after Nov 17.****

**\*\* Check / Money Order ONLY- Make out to: Hornell Partners for Growth, Note: Hornell for Holidiays**

**If you selected \$50.00 Option...Check any other dates & times you want to set up,** note these are just extra days no refund if you do not attend

Saturdays 1:00 to 4:00 PM : \_\_\_\_\_ Dec 2 \_\_\_\_\_ Dec 9 \_\_\_\_\_ Dec 16

Thursdays 5:00 to 7:00 PM: \_\_\_\_\_ Dec 7 \_\_\_\_\_ Dec 14

Point of contact Signature: \_\_\_\_\_

HPG Manager Signature: \_\_\_\_\_

# Indemnity Agreement

WHEREAS, (Write in POC/Business Name) \_\_\_\_\_, a vendor, charitable organization or other type of entity (User) desires to participate in the Hornell Partners for Growth 2021 Hornell for the Holidays Event; and WHEREAS, such organization meets the criteria for participation in the Hornell Partners for Growth 2021 Holiday Event and agrees to obey the rules of Festival and understands the nature of operating within the Hornell event and their responsibilities as a Festival. Vendor or Participant in the festival, including assuming responsibility for safe operation and conduct of their business within the Festival; the User agrees to indemnify, hold harmless and defend the Hornell Partners for Growth, its officers, agents and employees from and against all liability for and all claims, suits, demands, and/or actions for damages, injuries to person (including death), property damage (including loss of use) and expenses including court costs and attorney's fees and other reasonable costs occasioned by or arising out of User's presence within the Festival area permitted by the City of Hornell conducted in connection with or incidental to participation and arising out of or resulting from the intentional acts or negligence of User, its officers, agents, employees, or person participating in the event sponsored by the User.

User further agrees that it shall, at all times, exercise reasonable precautions on behalf of and be solely responsible for the safety of its officers, agents, employees, participants, visitors and other persons as well as their property, while in or on the Festival grounds and surrounding areas. It is expressly understood and agreed that the City of Hornell shall not be liable or responsible for the negligence of User, its agents, servants, employees, customers, visitors and participants.

It is further agreed with respect to the above indemnity, that the Hornell Partners for Growth and User will provide the other with prompt and timely notice of any incident in any way directly or indirectly, contingently or otherwise affected or which might affect the User or Hornell Partners for Growth. User further agrees that this indemnity provision shall be considered as an additional remedy for the Hornell Partners for Growth and not as an exclusive remedy.

\_\_\_\_\_ (initial) As a vendor or participant, I understand that myself, my business/organization, my employees and affiliates are NOT covered by the Hornell Partners for Growth's insurance policy at any event that we participate in. I understand that if I want to be protected, I must obtain insurance. Hornell Partners for Growth strongly encourages all vendors and participants to obtain insurance.

\_\_\_\_\_ (Initial) By signing this document you acknowledge that HPG is not asking for a copy of your insurance paperwork, however, you are confirming that you are fully covered by your insurance policies and that you waive / release Hornell Partners for Growth, the City of Hornell and any of its employees, volunteers or contractors from any legal action taken against you for your named business, booth, products, etc. if you are willing to provide a copy please do with your application.

Business Name: \_\_\_\_\_

Responsible Party/Owner/Manager Name Printed \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Maple City Hornell for the Holiday's Festival Rules  
of Operations Acknowledgement

Vendor Business Name \_\_\_\_\_

Vendor Point of Contact Name \_\_\_\_\_

Vendor Phone Number \_\_\_\_\_

Vendor Email \_\_\_\_\_

Website or Facebook: \_\_\_\_\_

By filling out/signing this letter you agree that you have **received, read, understood, and agree to all rules** as outlined in the HPG Rules of Operations packet. Including but not limited to this paragraph:

***This is a kid friendly event and includes Prohibited Items:***

Yard Sale items, pets (except gold fish games), firearms, knives (except for kitchen cutlery/Fishing), swords, unsafe articles, pea shooters, snappers, tire bats, caps, fireworks, satanic paraphernalia, whips, foul smelling spray, drug paraphernalia, anything deemed offensive, including but not limited to vulgarness, **profanity/swear words**, sexual, hate symbols, racist, threatening etc. will not be permitted on the premises, or on sale in the exhibit area. No items such as clothing, hats, flags with profanity, confederate flags, BLM, etc. Other objectionable items will not be permitted under the discretion of HPG. **If you sell or display political items, please include this information, and specify in your application for the Board to review.**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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# Hornell For the Holidays Festival

Shop Local Saturday

November 25<sup>th</sup> 2022

5:00 PM – 9:00 PM

Parking Lot behind Santa's Cottage  
(Burger King, Texas Café back parking area)

**Set up: 2:30 PM**

**Tear Down: 9:00 PM**

**No refunds if you cancel on/after November 17**

Note: If the event is canceled by HPG – Refunds will be provided.

- Please be courteous with each other, you may have to wait for someone to finish unloading before you can move.
- Cars **WILL NOT** be allowed back into the area
- We may **NOT** have volunteers for set up or tear down so please be prepared.
- This event will take place regardless of weather and is outside, please be prepared.

# Hornell for the Holidays Festival Vendor Rules of Operations & Acknowledgement & Code of Conduct

Minimum expectations for all Hornell for the Holidays Festival vendors are that they be reliable, be set up to greet customers for the opening of the day's events by 4:30 PM and keep a good, positive attitude for the duration of the festival hours.

1. Downtown Hornell is a "Family Friendly" area and all vendors are expected to act appropriately.
2. Vendors are required to wear shoes and shirts at all times. Vendors should wear clean clothing and present a professional appearance.
3. Foul language, profanity, or other rude behavior is not permitted.
4. Incidents of unruliness and verbal disdain will not be tolerated and will result in immediate and permanent expulsion from future HPG events
5. Possession of firearms or consumption of alcohol or use of drugs, or operating under the influence is not permitted and is grounds for permanent eviction from any HPG/City of Hornell sponsored events.

## Festival Vendor Rules and Responsibilities:

1. All vendors must complete and submit a Vendor Application, which includes acceptance of the Hornell for the Holidays Festival Rules and Regulations, and adherence to related governmental rules and permit/insurance requirements.
2. Required applications, permits, licenses, and fees must be complete before vendors will be allowed to participate in the Hornell for the Holidays Festival.
3. All vendors must display a sign in their stall clearly identifying the name of the vendor and their location (county or city). Other information, such as telephone number/ website may be included.
4. Vendors must provide their own table, chairs, signs, and refrigeration (if needed). (10 X 10 tents)  
**■ Note: this will be on pavement so please ensure you have a way of holding your tent in place**
5. Power is not available at this event.
6. Vendors and their employees are responsible for informing themselves about and complying with federal, state, and local health regulations and licensing requirements governing the production, display, distribution, sampling, and sale of their products.
7. Vendors providing samples of their products must comply with the rules governing sanitation and health issues from the City of Hornell Health Department or other authorities.
8. Manufactured food products must meet City of Hornell Health Department requirements, including licensing and permitting rules.
9. Foods and food products produced by "Cottage Food Producers" may be sold at the Hornell for the Holidays Festival pursuant to the rules and regulations established by the State of New York Department of Health.

10. All foods must be properly labeled. No un-labeled packaged or processed foods are allowed.
11. For information on the sale of manufactured canned or other processed foods contact the City of Hornell Health Department.
12. The vendor is solely responsible and liable for any claims and damages resulting from the sale of unsafe, unapproved, or unsound goods.
13. Vendors must supply all materials and containers for customer sales.
14. Vendors are responsible for obtaining a Sales Tax Number if required by the State of New York and collecting and paying any sales tax that may be assessed on their products. The vendor shall be responsible for filing any and all returns required by the State of New York with respect to sales tax collection. The Hornell Partners for Growth Hornell for the Holidays Festival committee will not involve itself in collection, audit, or other related sales tax activities.
15. Trash must be placed in suitable containers. The City of Hornell provides trash barrels for vendor convenience. No trash should be left in the Hornell for the Holidays Festival area.
16. Portable restrooms are available on site.
17. It is the responsibility of the prospective vendor to complete, sign, and return all required paperwork and fees. Incomplete packets will not be processed.
18. Late arrivals are disruptive to other vendors and customers and reflect poorly on the Hornell for the Holidays Festival as a whole.
19. All vendors must sign and return all parts of the application and Indemnity Agreement to the Hornell for the Holidays Festival Manager with payment prior to attending the Hornell for the Holidays Festival.
20. Vendors who leave early may not be approved for future HPG vendor events. Exceptions will be made for emergency cases. Vendors that I know will be leaving early will be placed at the far end of the festival as to not disturb the event.
21. **All Vendors wishing to join us MUST turn in your application & check by November 17th!!**