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Thank you for your interest in the 2011 Heritage Harbor Days Festival. Please read the following information carefully and complete the enclosed **Concessionaire Application**. *All information must be completed.* Please do not omit any sections, as incomplete applications will delay placement process.

General Information:

- * Festival Dates – Saturday, November 5 and Sunday, November 6, 2011– Rain or Shine
- * Hours of Operation – Saturday 9:00 am –6:00 pm; Sunday 9:00 am – 6:00 pm
- * Locations **must** be open all days and hours in which the Festival site is open to the public.

Concession Locations & Fees:

- * Fees required for Heritage Harbor Days Concession Rights:

Location fee – \$200 per– **regardless of location or product/service being sold.** Location fees will be different for local non-profit organizations.

- **Electrical Connection** – \$75 fee
- * Each location contains festival frontage and depth of at least fifteen feet (15')
- * **No refrigerated or storage trailers/trucks will be allowed on festival site.**
- * Applications are reviewed and considered on a first come, first serve basis.

Sales Tax: All concessionaires are responsible for payment of applicable sales tax to the State of Alabama and Baldwin County . Forms will be provided.

Operating Permits/Licenses:

- * All Concessionaires are required to obtain applicable licenses, as well as city and county health permits required for operating concessions on-site.

Insurance Requirements:

- * All vendors are required to furnish Heritage Harbor Days with a Certificate of Insurance with the following coverage:
 - Minimum of \$1,000,000 combined single limit, general liability coverage;
 - Statutory Worker's Compensation with employer's liability of not less than \$100,000/\$500,000/\$100,000;
 - Heritage Harbor Days and the City of Foley, AL must be listed as an additional insured.

Menu Requirements:

- * All menu items concessionaire intends to offer must be listed on the **Concessionaire Application**.
- * Heritage Harbor Days reserves the right to require concessionaires to sell official products of its sponsors and official suppliers; Heritage Harbor Days will set the prices for all sponsor products.
- * Heritage Harbor Days will determine which items are approved for sale by each vendor in an effort to provide the best balance, variety of products, and quality of service to the public.

Remittance:

- * The \$200 remittance is a fee for location and festival space. If your application is not accepted, the fee will be refunded.
- * Heritage Harbor Days will determine which concessionaires are approved.
- * Applications are date stamped upon receipt and are processed in that order.

HERITAGE HARBOR DAYS is produced and managed by City of *Foley*
251.943.1300 ◆ 251.943.1222 (fax)
WEB SITE: www.foleycvb.com ◆ E-MAIL: lhula@cityoffoley.org

RELEASE AND INDEMNIFICATION AGREEMENT

For good value and consideration, including participant being permitted to participate in the 11th Annual Heritage Harbor Days festival ("EVENT")to be held November 5, and 6, 2011 at Heritage Park and John B. Foley Park at the corner of Hwy. 98 and 59 in Foley, Alabama, the undersigned participant, for myself and my successors, heirs, employees, agents and affiliates (and in case of corporation, its officers, directors, and shareholders), (collectively the PARTICIPANT") forever release and discharge the 11th Annual Heritage Harbor Days, the City of Foley and the City of Foley and each of its officers, directors, employees, agents and affiliates (herein collectively referred to as "11th Annual Heritage Harbor Days festival") from all claims, demands, losses, costs, and expenses, suits, damages, obligations, liabilities, causes of action and judgment whatsoever, in law or in equity which any of the foregoing, any or all of the PARTICIPANT ever had, now or which they hereinafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever existing out of the EVENT.

The participant AGREES TO AND DOES HEREBY ASSUME ANY AND ALL RISKS OF PERSONAL INJURIES TO THE participant, including death, and damages to PARTICIPANTS property, caused by or arising out of PARTICIPANT'S INVOLVEMENT IN THE event. The participant HEREBY AGREES TO DEFEND, INDEMNIFY AND HOLD THE 11TH Annual Heritage Harbor Days and the City of Foley harmless from and against any claim, demand, suit, loss causes of action, damages, liabilities, obligations, costs, expenses, and judgments (including without limitation death and damages to property) caused by PARTICIPANTS acts or omission.

* UNSIGNED APPLICATIONS WILL NOT BE CONSIDERED*

Print Name

Applicant's Signature

Date