

Alameda Point Antiques Faire – Dealer Contract

RECEIVED

JUL 24 2014

PERMIT CENTER
ALAMEDA, CA 94501

Michaan's Auctions presents **THE ALAMEDA POINT ANTIQUES FAIRE** 1000 Booths Available, 1st Sunday of Every Month

Hours

Move in time for sellers 4:00am-7:00am.

Admission Categories for Buyers

VIP Vendor Set-up 6:00am-7:30am

Early Buyers 7:30am-9:00am

General Public 9:00am-3:00pm

Set Up and Move Out

No Prepaid reservations will be held after 7:00am. Set up must be completed by 8:00am.

Seller's vehicles may not move on or off the field from 8:00am - 3:00pm. Unlimited free parking is available.

Seller and helper vehicles must park in the western parking lot at the back of the show. Shuttle service for

Sellers is available from the back gate entrance to all rows from 4:30am to 6:00am. SELLERS MUST NOT BEGIN PACKING UNTIL 3:00PM. GATES OPEN FOR MOVE OUT AT 3:30PM. SELLERS MUST BE OFF THE SITE BY 7:00PM.

Booth Rental

Booths are 15' X 20', fee \$130.00. Prepaid booths by check or cash prior to show day are \$125.00. Only 2 persons may sell per booth. Food Vendor rentals are limited and must be arranged individually by Show Management.

Cancellation

The cancellation deadline is Friday at noon prior to our Sunday show or your prepaid booth rent is forfeited. Credit for cancellation will be applied to future shows or refunded if requested.

Rainout Rollover Date Policy

If a show is rained out we will automatically schedule a make up show for the following Sunday, the 2nd Sunday of the month. The Rollover date will only be scheduled if the show is cancelled by management.

Check the website to see the status of the show. Look for your favorite Vendors in their regular spots, as most of them will be there. We still hold the show in light rain, so how do you know if the show has been rescheduled? There are 3 ways to get this information:

1. Check the website for updates before the faire. We will post a notice that the show has been cancelled, along with the rescheduled date.
2. Sign up for Antiques Faire information. You can sign up on our website to receive email notifications for show reminders, information or rain updates. Look for the registration box on the main page of our website.
3. Call the office to hear updates on our outgoing message. 510-522-7500. So rain or shine we will see you at The Point! If it's a rainout show, we hope to see you on the 2nd Sunday of the month!

If it rains on the 2nd Sunday we will NOT have another rollover. The show will be held on its regular day, the 1st Sunday of the following month.

Vehicles

Vehicles may remain in selling space, one vehicle per space. Vehicles over 20' including trailers or additional vehicles will require the purchase of a second space. The speed limit inside the event is 5 MPH and is strictly enforced. Pedestrians have the right of way at all times. No vehicle movement is allowed between 8:00am-3:00 pm.

Exhibit 2

Item 3-A, 3/17/15

Zoning

Administrator

Hearing

1

EXHIBIT 2

DEALER CONTRACT

Antiques by the Bay

Alameda Point Antiques Faire – Dealer Contract

Helper Policy

EXTRA BOOTH PASSES ARE TO BE USED BY HELPERS WORKING IN BOOTHS ONLY. HELPERS MUST REMAIN IN BOOTH UNTIL 9:00 A.M.

These passes are **NOT** for Free Admission to give away or sell to people who want to shop while legitimate Dealers are setting up.

All other antique shows require "Helpers" to be legitimate workers assisting in vendor booths. Helpers driving vehicles that cannot park in the booth space must park in the Dealer/Vendor parking lot.

From now on this policy is enforced at the Alameda Point Antiques Faire.

Active Filming

There is often active filming occurring at this event. By participating in our Faire, you agree that your image may appear in print, TV, Internet or motion pictures. At our Faire every Vendor fully agrees to this Policy and enters into a full release for these purposes. No Vendor will be asked to participate in any interview unless that Vendor is willing to do so (Addendum to Alameda Point Antiques Faire Vendor Contract).

Electricity

No electricity is available to booths. No generators will be allowed, except as approved by management for Food Vendors.

Tables and Chairs

Supply your own table and chairs. Placing merchandise on the ground in lieu of tables or display cabinets is not acceptable. We do have tables for rent on a first-come, first serve basis, advanced reservation is recommended. The cost to rent tables is \$10 each. The available sizes are 8'x3' or 6'x3'. Please specify the size when you order or an 8' table will be delivered. There is a limited quantity of 6' tables. We do not rent chairs.

Sales Tax

All sellers who sell more than 2 times must have a California State Board of Equalization Resale Permit and provide Show Management with the number or documentation. The State of California allows sellers to sell 2 times without obtaining a Resale Permit, as an Occasional Seller. The State of California form BOE-410d must be completed if you are an Occasional Seller and submitted to our office before you sell.

Licenses

Each seller shall comply with all applicable City, County, State, and Federal laws and shall hold the management harmless against any failure to do so.

Merchandise

Exhibitors will sell only Antiques and Collectibles. However, we require that all collectibles be 20 years or older. No new items will be sold at this event. Exceptions will be books, price lists, and catalogs directly related to the Antiques and Collectibles trade. Also small items, which relate to the restoration and preservation of Antiques and Collectibles, such as polishes, finish restorers, and plate holders. The producers will check the show and any new items or inappropriate items must be removed. The producer will decide any disagreement arising from this issue. Management reserves the right to ask any Vendor to pack up and leave with a full refund or to exclude any Vendor from exhibiting at future events if, in its opinion, that seller's display or merchandise does not meet the standards of the Alameda Point Antiques Faire. No arranging or displaying of any merchandise inside trucks or any vehicle is permitted. All merchandise must be placed on the selling field.

No animals, gas filled balloons, guns or ammunition may be sold. Due to the family atmosphere of the market the management reserves the right to restrict the sale of printed adult (X-Rated) material, photographs, books, and magazines in order to maintain a proper moral and wholesome environment. No Vendor shall display any adult related materials in any manner, which would allow them to be seen by minors. Offensive materials such as Nazi-related memorabilia shall not be sold or displayed at our show.

Alameda Point Antiques Faire – Dealer Contract

Pets

No pets are allowed. Sellers are not permitted to bring pets, even if they remain in a vehicle. The Alameda Point Antiques Faire site is immediately adjacent to a protected area for an endangered species of bird. This is a designated Wildlife Sanctuary. This restriction is to protect that area and will be strictly enforced. Violators are subject to citation. This is a requirement of our use permit and there will be absolutely no exceptions to this rule.

Endangered Species

We do not permit Vendors to sell items that are prohibited by the Endangered Species Act. It is the responsibility of Vendors to know the Law and pay any fines for violations. For detailed information regarding specific items visit <http://www.le.fws.gov> or <http://www.nwr.noaa.gov/>

Property

The seller is advised that the producer assumes no responsibility whatsoever to insure the safety or protect in any way, the property of the seller from fire, theft, malicious mischief, accident, rain, wind, or other perils. The seller is charged with the responsibility of protecting his/her own property at all times during the event.

Liability

In consideration of the producers accepting my booth rent, I and any companions, helpers, family members, or others occupying the booth, intending to be legally bound for myself, my successors, assigns, heirs, executors and administrators, waive and release any and all rights and claims against persons and organizations affiliated with this event: the producers, ARRA, the United States Navy, the City of Alameda, the County of Alameda and the State of California, while participating at this event, traveling to or from this event or at any future time.

Information

Please contact Allen Michaan, Sandra Michaan or Randie Bradley at (510) 522-7500. This application with your check made out to Antiques By The Bay, Inc. should be mailed to P.O. Box 430, Alameda, CA 94501. Booth spaces will be available for this event on first come first serve basis, subject to availability.

ADDENDUM TO ALAMEDA POINT ANTIQUES FAIRE VENDOR CONTRACT

Full Media Release

The undersigned Vendor, by accepting a booth space at our event, specifically acknowledges and accepts the following:

It is the constant and continuing aim of Faire Management to publicize and promote our event to the maximum extent of our abilities so as to result in increased buyer attendance, which benefits the Vendors as well as the Faire. To this end there will be on occasion, film crews, television crews, motion picture crews, newspaper photographers, magazine photographers and other types of media documenting our event.

All Vendors selling at the Alameda Point Antiques Faire agree that by occupying a booth space at this event they acknowledge that their booths or image may appear in promotional materials, print matter and advertising, or on television. By selling at our Faire every Vendor fully agrees to this Policy and enters into a Full Release for these purposes. No Vendor will be asked to participate in any interview unless that Vendor is willing to do so.

Alameda Point Antiques Faire – Dealer Contract

FILL OUT & RETURN THESE PAGES ONLY

NAME _____

ADDRESS _____

CITY, STATE & ZIP _____

RESALE OR D/L # _____

OF BOOTHS REQUIRED _____

HOME PHONE _____ 2nd PHONE _____

TYPE OF MERCHANDISE _____

All people who sell at this Event must sign these Rules and Regulations

I/We _____, registered seller(s) at the Alameda Point Antiques Faire, produced by Antiques By The Bay, Inc., have read and agreed to the above Rules and Regulations, as well as those on the following pages of this document. I further certify that all helpers in my booth will also adhere to the above rules. I strictly acknowledge that the sellers have no vested rights to continued usage of this Antiques Faire in the event that any party terminates this use at some future date. I certify that this agreement and license to sell at the Antiques Faire does not continue beyond the event dates on my confirmation. I/We acknowledge that the current use permit for this event expires on June 30, 2012.

RULES AND REGULATIONS FOR SELLERS

The acceptance of this Sellers Contract constitutes the implied agreement by the sellers to adhere to the Antiques Faire Rules and Regulations. All sellers and their helpers assume all risk of personal injury and loss of property. Management reserves the right to revoke any license granted by this contract.

1. When leaving, your space MUST be in the same condition as when you arrived or you may be banned from future Antiques Fairs. Violators are subject to clean-up charges. This includes cigarette butts.
2. A maximum of two adults will be admitted per space. Any helper must enter along with the vehicle containing the merchandise to be sold. Additional helpers (above 1) or those coming after the vehicle has entered, will be required to pay regular admission. Children under sixteen will be admitted free. Food Vendors are allowed additional staff as needed. Please advise us of the number of passes you require.
3. All dealings conducted by personnel must be performed so as not to infringe upon the rights of the sellers of offend sellers or offend visitors to the event. Should the seller desire to pass out printed material, or other articles, this must take place only from the assigned space subject to prior management approval. No manner of attracting attention in a noisy or an undignified manner will be permitted. No loud music or amplified voice equipment or systems are permitted.
4. The producer retains the rights to restrict, exclude or evict sellers or exhibits which, because of their method of operation, noise or other features, become objectionable or which, in the opinion

Alameda Point Antiques Faire – Dealer Contract

of the producer may detract from the general character of the event as a whole. This includes persons, things, printed matter, or anything else the producer judges to be objectionable. If the above-mentioned action becomes necessary, the producer may retain the rent paid as liquidated damages for breach of this agreement.

5. Sellers booth will be revoked if a seller picks up people outside trying to gain early admission. Any revocation for this violation will be permanent and seller will be banned from any future shows.

6. A reward of \$100.00 will be paid to any person providing information leading to the arrest and conviction of anyone offering for sale, stolen goods at the Alameda Point Antiques Faire or through our website "Own It Now" online gallery. Information must be presented to the manager of the event or to appropriate law enforcement authorities.

7. The management reserves the right to reasonably refuse service and/or booth rental to anyone, or to require any Vendor to leave upon refund of the booth rental fee.

8. All sellers setting up a canopy in a space must have it properly anchored and constructed. The management shall not be responsible or liable for a seller's use of a canopy or its construction. Each seller shall hold the management harmless from and indemnify the management against any injury or property damage that may occur due to the use of a canopy. If a seller erects a canopy, the management reserves the right to require the seller to take it down at any time due to windy conditions, however the management will not be liable for this decision. The management will not give refunds if it requires the removal of canopies. Sellers are not to make any holes in the selling or parking area surfaces. Canopies must be erected within boundaries of the booth and no overhang outside these boundaries will be allowed. Any tent or canopy with a capacity to hold more than ten people must have a State Fire Marshall tag indicating that it is flame retardant.

9. The management reserves the right to formulate additional rules and regulations if necessary and each seller shall abide by such additional rules and regulations, or if unwilling to do so, sellers are entitled to a cancellation refund and will not be admitted to the selling field.

10. Sellers are required to keep their booth area and the area directly in front of their booth clean. All sellers must leave their booth area clean when they exit. Trash, boxes, cigarette butts, or other debris may not be left on the grounds.

11. In consideration to others, there shall be no cigar smoking at anytime by either buyers or sellers.

Any person violating this rule will be asked to leave. This includes parking areas.

12. No liquids shall be transferred or demonstrated at the Alameda Point Antiques Faire. Any liquids (such as paint stripper, etc.) must be kept in sealed containers at all times.

13. No parking shall be allowed at any time within twenty feet of any fire hydrant or fire department connection. Any vehicle illegally parked will be immediately towed.

14. No Vendor is allowed to have any open container or flammable or combustible liquids, or use any flammable or combustible liquids for repair or demonstration purpose. Food preparation liquids and beverages are exempted.

15. All sellers are required to use commercial routes entering and leaving the event. These routes

Alameda Point Antiques Faire – Dealer Contract

are posted to the event website <http://www.AlamedaPointAntiquesFaire.com>. The approved route to enter Alameda is via the Webster/Alameda Posey Tube and travel west on Atlantic Avenue to the event site.

16. Any spillage of liquids must be cleaned up in an appropriate fashion with absorbent spill kits. Vendors will be charged for any such services provided by Faire management. There is to be no washing down of any area. THIS INCLUDES LEAKS FROM CAR OR TRUCKS.

17. The City of Alameda does not allow any overnight sleeping in vehicles. A list of Alameda motel accommodation is available upon request.

18. All merchandise sold at our event must be 20 years old. This is a requirement and is an important policy of our show intended to keep the quality at the highest possible level.

This policy is strictly enforced. If a staff member asks you to remove a non-conforming item, please do so immediately and cheerfully. We would prefer not to be put in the position to have to ask so please carefully sort and check you merchandise as you set up. Exceptions to this rule can be found on the reverse of this form under the heading "Merchandise."

19. We are required to maintain a full, 20-foot fire aisle/lane at all times. Please do not allow your merchandise to protrude beyond the boundaries of your booth.

ADDENDUM TO ALAMEDA POINT ANTIQUES FAIRE VENDOR CONTRACT

Full Media Release

The above signed Vendor, by accepting a booth space at our event, specifically acknowledges and accepts the following:

It is the constant and continuing aim of Faire Management to publicize and promote our event to the maximum extent of our abilities so as to result in increased buyer attendance, which benefits the Vendors as well as the Faire. To this end there will be on occasion, film crews, television crews, motion picture crews, newspaper photographers, magazine photographers and other types of media documenting our event. All Vendors selling at the Alameda Point Antiques Faire agree that by occupying a booth space at this event they acknowledge that their booths or image may appear in promotional materials print matter and advertising, or on television. By selling at our Faire every Vendor fully agrees to this Policy and enters into a Full Release for these purposes. No Vendor will be asked to participate in any interview unless that Vendor is willing to do so.