

303 KAR 1:100. Exposition Center grounds; sales and dissemination of real property, fixtures and goods, solicitation of contribution or sales during annual State Fair; rental of space; use of sound amplification equipment.

RELATES TO: KRS 247.145

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: To regulate sale and dissemination of real property, fixtures and goods, solicitation of contributions and sales, and use of sound amplification equipment on the Kentucky Fair and Exposition Center grounds during the annual Kentucky State Fair in order to insure orderly movement of crowds and the safety and convenience of state fair patrons and provide exhibitors with equal and adequate access.

Section 1. Administrative Regulation 303 KAR 1:080 will not apply to the Kentucky Fair and Exposition Center grounds during the annual Kentucky State Fair.

Section 2. During the annual Kentucky State Fair, no person shall make sales or distribution of real property, fixtures or goods, including but not limited to all printed or written material, solicit for either contributions or sale, make sales promotions or sales demonstrations, carry placards, or post, distribute or display signs or any other printed or written materials, except from within the confines of a booth or fixed location rented from the Kentucky State Fair Board or, in the case of locations in the carnival midway area, from the Fair Board's lessee of the carnival midway area.

Section 3. A rental will be charged for each booth or fixed location assigned and leased from the Fair Board in accordance with this administrative regulation, and such rental shall be set according to the size, location, and use (sales, nonsales commercial, or nonprofit) of the space assigned.

Section 4. The spaces available from the Fair Board for booths or fixed locations will be assigned on a first come, first served basis after May 1 of each year, except that:

(1) The sponsor of an event during the state fair may be authorized by his contract with the Fair Board to sell or distribute his goods specified in the contract from locations in the area of the event which are specified in the contract;

(2) The Fair Board reserves the right to limit the assignment of booths and locations in designated "theme" areas of the state fair to applicants whose proposed design and use of the booths or locations conform to the Fair Board's specifications and theme for the respective theme areas, and, in the case of the Made in Kentucky Showcase, to applicants displaying goods of the required origin;

(3) The Fair Board reserves the right to limit to the civic midway area the number and location of vendors who will sell substantially the same items;

(4) In order to attract and maintain high-quality concessions and exhibits, the executive vice president may annually, at a time on or before April 30 of each year, extend to the renters of space from the prior year's state fair the opportunity to renew their space rental contracts for the next state fair on the basis of a renewal for the same space, purpose, and ownership as in the prior year. Even when renewals are so offered to renters from the prior year, the Fair Board reserves the right not to renew any space rental contract where the renter has violated any administrative regulation of the Fair Board or any state or federal law in previous use of the booth.

Section 5. No sales or distribution of food or drink shall be made from booths or fixed locations rented from the Fair Board under this administrative regulation unless the rental contract specifically allows such sales or distribution.

Section 6. Unless specifically authorized by the Fair Board, no person shall use on the grounds of the Kentucky Fair and Exposition Center during the state fair any sound amplification equipment or any device with a speaker emitting loud sound. (8 Ky.R. 1197; eff. 6-2-82; Am. 9 Ky.R. 1166; eff. 5-4-83.)