

TEMPE FESTIVAL *of the* ARTS

Artist Rules & Regulations

By participating, you are agreeing to all rules and regulations in this document.

Permitted Age of Artists - Tempe Festival of the Arts is open to all artists 18 years of age or older.

Artist Must Be Present - The artist/artists who sign the contract MUST be present at the show for the entire three-day event. Representatives may not attend in place of the artist. Photo I.D. will be required at check-in. This is intended to give our audience an opportunity to engage with the artists themselves, which creates a greater connection to the works.

Rain or Shine Event – Artists agree to be present despite weather conditions. Though rain is not common in the Desert Southwest, each participant is responsible for preparing their displays to withstand weather fluctuations including rain and wind.

Collaborators - Exhibitor assures that he or she has direct hands-on involvement in the creation and execution of each piece of work to be exhibited. Collaborating artists, if accepted, may show only their collaborative works and their names must be listed as collaborators on the show application. Collaborations are intended to be true artistic collaborations rather than business partners. The creative contribution of each artist in the collaboration must be identified on the application.

Good Neighbor Policy – We expect all our exhibiting artists to show respect and courtesy to their booth neighbors. Please do not engage in any activities that will decrease your neighbor's ability for success. Do not be rude, loud, encroach on their space, engage their customers inappropriately, use strong smelling chemicals, play music too loudly, or in any way be disrespectful.

No Distributors Allowed - Artists involved in distributing volume production for others are not permitted to exhibit. If the artist himself/herself is a distributor or wholesaler, then only work personally created and made by the exhibiting artist is allowed to be presented in the festival.

Original Work - The Tempe Festival of the Arts has the right to investigate the origins of all artwork presented. If any artwork is found to be not original of the applicant's creation, the Tempe Festival of the Arts has the right to refuse participation without refund. All work - in every category - must be the original work produced by the exhibiting artist. No "buy/sell," mass-produced component assembly, or other art that is not personally created and produced by the applying artist is permitted. Work which has been produced with commercially acquired kits, molds, patterns, plans, prefabricated forms or other commercial methods is not permitted.

Jewelry - Jewelry can only be present in the booths of those artists in the jewelry category. Please do not sell jewelry or pins if you have not been juried and accepted as a jewelry artist. Chains and chokers not made by the artist may be sold by jewelry artists as part of a unit, but they may not be

sold by themselves if they are not original works of the artist. If you apply in another category but the work is jewelry, we will move you in the Jewelry category.

Reproductions - Reproductions of 2D works are to be in limited editions and numbered. Original works should occupy a minimum of 60% of any artist booth, leaving 40% for reproductions. 2D reproductions must be matted.

Only Approved Inventory May Be Included - Work displayed on-site must be consistent with the work shown in the digital images submitted. No work outside of your juried category will be allowed. A complete list of your proposed inventory of for-sale items must accompany your application and only those items approved may be included in your on-site booths and sales. All displayed work must have been accepted by the jury process.

No Promotional Additions Are Permitted - Exhibitors are prohibited from selling non-original promotional items (i.e., posters, postcards, calendars, tee shirts, mugs, videos, DVDs, etc.) at the Festival. All items exhibited must be submitted for jury approval in their appropriate categories listed on the artists' application inventory.

Disclosure of Licensed Image Sales - If artist has sold or licensed images of his/her original work to commercial concerns and those images which will be displayed at the Festival, the artist must disclose that licensing through on-site public disclaimer signage stating that some of the images being presented have been licensed for reproduction and may be found at commercial sale as reproductions being sold at discounted prices.

On-Site Set-Up/Strike Requirements - All applicants are required to check in prior to setting up. Photo identification is required. Booths must be set-up by 9AM, open by 10AM and remain open until the official close all three days. Applicants must claim their assigned booth space no later than 8AM Friday or it may be forfeited. Applicants are responsible for removing debris and ensuring the general cleanliness of the area surrounding their booths throughout the Festival and following its conclusion. All artists must complete their load-out by 11:59PM on the last day of the festival. No on-site storage is available unless it is arranged during the booth application process.

On-Site Safety & Security - Applicants shall display all work at their own risk. The Tempe Festival of the Arts and Downtown Tempe Foundation, Inc. are not responsible for damage, theft or loss of artwork or display furnishings. All participants are responsible for their own replacement, comprehensive and liability insurance. Applicants must obey all pertinent safety codes and laws, including, but not limited to fire, safety, and parking regulations.

No Show - If an artist does not check-in and set up for the festival and does not contact the Director, they are considered a "no-show". We understand that emergencies do happen and there will be latitude for such circumstances; however, a no-show will result in forfeiting any future participation in the festival. Should an emergency or last-minute situation arise, contact the Director immediately.

Tents - Canopy tents must be fire retardant and must be tied down with a minimum of 40 pounds of weight on each leg at all times.

Images - Artists agree that the images provided will be used for the jury process and may also be used for specific event-related publicity. Any other proposed image usage will be arranged through a separate consent agreement with the artist. Event participants agree to allow use of videos and photographs taken at the event for promotional purposes. Any photos taken by the event are the property of the festival.

Theft/Damage - By participating in the festival, all vendors agree to allow Downtown Tempe Foundation staff and Tempe Festival of the Arts staff to act on their behalf in the event that any theft or damage occurs overnight during the festival. Staff will take any reports, notify police, and proceed with prosecution of individuals on behalf of the artist/vendor. The artist will also be immediately notified.

Removal - Festival staff reserves the right to ask any artist to pack up and leave the festival. Reasons for removal of an artist may include the presence of buy/sell in their booth, conduct unbecoming to the festival and offensive to other artists, staff or attendees, selling of items in their booth that were not included in their application, etc.

Taxes – Artists retain all sales from the festival. It is the responsibility of the artist to collect and remit the 8.1% combined City and State taxes. For more information, visit the Arizona Department of Revenue. <https://www.azdor.gov/Business/TransactionPrivilegeTax.aspx>

COI – All artists that create and sell product that can be consumed or applied to the body (typically Cottage Goods & Craft) **WILL BE required** to provide a Certificate of Insurance for \$1,000,000 with specific language on the COI. Details will be provided upon acceptance to the festival.

Laws/Codes/Rules - Applicants must comply with all Festival, municipal and state laws, rules, regulations, and policies listed in this application, or policies included in the applicant acceptance notification. Any noncompliance will cause elimination and applicant may be immediately removed from the Festival with no refund of fees or compensation for expenditures. Applicants also may be barred from acceptance to future Tempe Festivals of the Arts and Downtown Tempe Foundation, Inc. events. Tempe Festival of the Arts and Downtown Tempe Foundation, Inc., in their sole discretion, may reserve the right to refuse participation by any applicant, entertainer, food vendor or any other such participant for any reason. Downtown Tempe Authority, Inc. and Downtown Tempe Foundation, Inc. and the Tempe Festival of the Arts are not liable for refunds or any other liabilities whatsoever for applicant's failure to obey the rules and regulations or due to the unstable condition of the area in which the Festival is produced, caused by, but not limited to, weather, fire or other calamity, and act of nature, public enemy, strikes, statutes, ordinances of any legal authority or any other cause beyond DTF, Inc.'s control.

Hold Harmless and Indemnification: By completing the application and engaging in participation, all applicants release and holds harmless Downtown Tempe Authority, Inc., Downtown Tempe

Foundation, Inc., the Tempe Festival of the Arts, the City of Tempe, Maricopa Count, the State of Arizona, and all event sponsors from any and all liability, as outlines in the rules and regulations. Artists shall be solely responsible for any and all injuries to persons or damages of property or any other injury, claim, damage or loss of whatever nature, arising directly or indirectly from Tempe Festival of the Arts. Artists shall **INDEMNIFY, SAVE AND HOLD HARMLESS** Downtown Tempe Foundation, Inc., the Tempe Festival of the Arts, the City of Tempe, Maricopa Count, the State of Arizona, and all event sponsors and its employees, agents and volunteers from and against all liability, loss, damages, claim, damage, loss, cost or expense arising from the Tempe Festival of the Arts.

Note about the Fall 2024 Festival

Downtown Tempe is in the midst of a major streetscape project that includes Mill Ave and 5th Street that will affect the layout for the Fall 2024 art festival and possibly future festivals. We are working with stakeholders to determine the impact but anticipate having to adjust some booth spaces. We are currently exploring options and will make every effort to minimize the impact to the booth layout. There is a possibility that once booth assignments are complete, these booths may need to be adjusted due to construction progress.