



Nashville Flea Market License Agreement and Rules

Revised: August 23, 2019 and Effective September 1, 2019

Nashville Flea Market rules are in place to ensure the success of the market, employee, vendor, and guest safety, and to protect assets of The Fairgrounds Nashville. These rules are periodically reviewed and updated as necessary. All vendors are required to provide the Flea Market office a signed copy of the Information and Rules to document receipt and understanding. The vendor's original signed packet will be maintained by the flea market office and will be made available upon request. This document is available on the Fairgrounds' website, www.thefairgrounds.com/fleamarket/info.asp

1.0 GENERAL FLEA MARKET RULES

A. No Partnership with the Nashville Flea Market, The Fairgrounds Nashville, or Metropolitan Government of Nashville and Davidson County

It is specifically agreed and understood that nothing in this agreement shall in any way create a partnership or joint venture between the Nashville Flea Market, The Fairgrounds Nashville, or Metropolitan Government of Nashville and Davidson County and the vendor.

B. Vendors Property and Liability

The Nashville Flea Market and the The Fairgrounds Nashville are not responsible for any vendor's property, liability arising out of negligent acts on behalf of vendor or their employees, or for any injuries sustained by vendors or their employees. Vendors should provide adequate insurance to cover property and liability. Vendor agrees to indemnify, defend, and hold harmless The Fairgrounds Nashville, Nashville Flea Market, Metropolitan Government of Nashville and Davidson County, their employees, officers, and agents from any and all claims for damage arising out of, actions of vendor directly or indirectly.

C. Americans with Disabilities Act

People with disabilities represent a significant portion of the population and are equally reflected in the number of guests attending the Nashville Flea Market and The Fairgrounds Nashville. Ensuring equal participation by all guests is important and beneficial to vendors, businesses, and The Fairgrounds Nashville. The Americans with Disabilities Act (ADA) defines an "individual with a disability" as a person who has physical or mental impairment that substantially limits one or more, major life activities, who has a record of such impairment, or who is regarded as



having such impairment. Every effort will be made to give guests with disabilities the opportunity to participate and enjoy all aspects of the flea market.

D. Soliciting

No solicitation is allowed on the grounds of The Fairgrounds Nashville and/or during the Nashville Flea Market without advanced written authorization from The Fairgrounds Nashville Executive Director. A brochure table is provided in the Flea Market Office. See Flea Market manager for permission.

E. Sales Taxes

All Vendors are required to have either a Tennessee Sales Tax Number or a Certificate of Registration. Certificates of Registration may be purchased in the Flea Market office for \$5.00 per month (limit of 3 per year), \$15.00 quarterly (limit 2 per year), or \$45.00 annually. Vendors must prominently display the certificate within the booth at all times.

F. Business License Requirement and Fee

Vendors are required to obtain a valid Davidson County and/or City Business License to sell at the Nashville Flea Market. Licenses are available at the Flea Market office for \$4.00.

G. Smoking

Smoking and/or the use of e-cigarettes/vaping are prohibited inside all Fairgrounds buildings. Smoking and use of e-cigarettes are also prohibited in all non-enclosed areas of public spaces where smoke or vapor can infiltrate into Fairgrounds buildings. At the Fairgrounds Nashville, non-enclosed public space includes the canopy overhang surrounding the exposition facilities.

H. Animals and Pets

Nashville Flea Market does not allow the sale of any type of animals on the property. No animals or pets are permitted in Fairgrounds buildings except as an approved exhibit, activity, or performance legitimately requiring the use of animals.

- 1. Service animals** are exempt and are regulated by applicable state and federal law. The following guidance will be followed by the Nashville Flea Market and The Fairgrounds Nashville for service animals used by individuals with disabilities to assist with activities referred to and defined as “work tasks.”
 - In Tennessee, only dogs and miniature horses are considered to be service animals.
 - The provision of emotional support, well-being, comfort, or companionship is not included as an appropriate work or task of a service animal.



- An individual with a disability may be asked to remove a service animal from the premises if either the animal is out of control and the animal’s handler does not take effective action to control it; or, the animal is not housebroken.
- The Fairgrounds Nashville is not responsible for the care or supervision of a service animal.
- The Fairgrounds Nashville shall not ask about the nature or extent of a person’s disability or require documentation.
- In determining whether an animal qualifies as a service animal, staff of the Nashville Flea Market and The Fairgrounds Nashville are permitted to ask if the animal is required because of a disability or what task the animal has been trained to perform.

I. Overnight Hours

The Fairgrounds Nashville is not considered a campground and is not designed to accommodate overnight guests. Guests staying at The Fairgrounds Nashville in RV’s with a valid permit issued by the Fairgrounds are an exception. **Vendors electing to stay overnight do so at their own risk.** On Flea Market weekends, indoor facilities will be locked by 11:00 pm and will reopen at 6:00 am Thursday – Sunday.

2.0 BOOTH RENTAL INFORMATION

A. Booth Fees and Dimensions

Indoor table-sized	\$ 50.00	5’x10’
Indoor standard	\$115.00	10’x10’
Indoor corner or end (prime)	\$135.00	10’x10’
Sheds	\$ 75.00	10’x10’
Canopies	\$ 75.00	10’x10’
Arena	\$ 75.00	10’x10’
Lots/Plazas	\$ 75.00	9’x18’

1. Electricity is available in all the buildings, canopies, sheds, arena, and in some lot locations and is included in booth rental fees. An extension cord may be necessary to access an outlet. No more than one extension cord per booth may be used (chaining extension cords is prohibited). Outlets and utility boxes may be shared between the booths. Extension cords must not cross aisles or walkways and must be in good condition with no exposed wires. The Fairgrounds Nashville/Nashville Flea Market does not provide extension cords and reserves the right to remove damaged or inappropriately located cords.
2. All merchandise, chairs, tables, etc., must be inside the booth dimensions.



3. Tents are prohibited in buildings.

B. Rollover

Rollover is when a permanent vendor is unable to attend a monthly flea market and elects to apply the reservation and payment towards the following month. Permanent vendors may rollover no more two (2) times per year. Vendors are required to pay for booth rental during the month not present or the booth space may be reassigned. Notice to the flea market office by the Friday of the week before the flea market (7 days in advance) is required for rollover. No refund or rollover will be issued if notice is not given before 4:30 pm Friday, one week prior to the market. You must speak to someone directly to give notice of rollover or confirmed through email. No "answering machine" rollovers accepted.

C. Booth Cancellation

Absolutely no refunds will be issued for cancellations made after 4:30 pm Friday, one week prior (7 days in advance) to the market. Booths may only be cancelled by speaking directly with a flea market staff member or confirmed through email. No "answering machine" cancellations accepted.

1. If booth payment is not received by the 15th of the month, a vendor's booth(s) will be cancelled automatically.

D. Payments, Refunds and Forfeitures

A \$30 fee will be charged to a vendor for any returned check (i.e., nonsufficient funds, bounced check). Vendors with a returned check will be required to pay all future payments by cash, cashier's check or money order.

1. Cash refunds of booth fees are not available. Vendors will be issued a credit that may be used for booth rental fees at future markets provided that proper cancellation notice was given. Vendors that are no-shows and/or late arrivals will forfeit rented space and will not be entitled to a refund or credit. If a vendor arrives after 7:30 am, prior to unloading, the vendor must report to the flea market office to confirm booth space(s) are still available.

E. Subletting

Subletting, loaning, renting, or selling of booth space to someone else is strictly prohibited. All rights to booth space belong to The Fairgrounds Nashville/Nashville Flea Market. Booths can be reassigned by flea market management, when necessary, for the good of the market.



F. Permanent Vendor Status and Booth Assignment Procedure

Upon request from a vendor, permanent booth spaces, if available, may be assigned following fulfillment of eight (8) consecutive months of rental. A waiting list is maintained for each building, canopy, shed and lot. When space becomes available, flea market staff will contact the first person on the corresponding waiting list based on seniority. If the vendor declines the space, they are moved to the bottom of the list. Permanent vendors are required to pay for each assigned space in advance each month, whether or not in attendance, with the exception of the one month "rollover."

1. Permanent vendors that have not attended the flea market for five (5) months or more will no longer be considered permanent vendors. Consideration may be given for extenuating circumstances and will be given on a case-by-case basis and will not be considered precedent setting.

G. Access and Booth Set-Up

Vendors will not be given access to the flea market area before 7:00 am on Thursday. Outdoor vendors may begin booth set-up at 7:00 am on Thursday. Indoor vendors will be admitted to buildings for booth set-up at 9:00 am on Thursday. Vendors must be set-up by 7:30 am Saturday or the booth space may be forfeited and/or reassigned without notification.

1. If buildings are available, indoor vendors with five (5) or more booths are eligible to drop off booth materials and merchandise on Wednesday evenings for a \$100 fee. No set-up will be allowed and drop-offs will be permitted between 4:30 p.m. and 7:00 p.m. only. Drop-off hours will not be adjusted. Availability of buildings for Wednesday drop-off will be determined by Fairgrounds staff each month. Vendors that wish to participate in this early drop-off program must notify the Flea Market office by Monday, the week of the market, at 4:30 pm to see if early drop-off will be available and, if so, to register and pay in advance.
2. Vendors must unload merchandise and immediately move vehicles and trailers to a parking area. No set-up is to occur until vehicles are parked in a parking area or a designated spot.
3. Merchandise, tables, and chairs, etc. must stay within the boundaries of the assigned booth.

H. Booth Breakdown and Load-Out

Vendors are expected to remain open for business throughout the duration of the flea market. Early breakdown and/or departure, without prior approval from the flea market manager or designee, is prohibited. Tipped workers are not employees of



the Fairgrounds Nashville and agree to indemnify, defend, and hold harmless The Fairgrounds Nashville, Nashville Flea Market, Metropolitan Government of Nashville and Davidson County, their employees, officers, and agents from any and all claims for damage arising out of, actions of the worker directly or indirectly. Tipped workers are prohibited from assisting vendors until after the flea market has closed for the day.

1. No vehicles are allowed in the flea market area for the purpose of loading-out prior to the daily close times. Exceptions are made for inclement weather and emergencies. Approval by police personnel or the flea market manager or designee must be received prior to moving a vehicle during open hours and will require an escort. When loading out, all merchandise must be packed and ready to load before moving a vehicle from the vendor parking area. Doors, sidewalks and roadways must remain clear at all times.
2. Vendors are responsible for leaving booth spaces neat, clean, and all trash bagged and secured. All boxes and cardboard are to be broken down and stacked neatly in the designated collection areas within each building, canopy, shed, and arena. A clean-up fee may be assessed if vendors leave behind merchandise or excessive trash.
3. Vendors must vacate the premises by 11:00 pm on Sunday. Vendors will be assessed a \$50.00 fee for each 30-minute increment past 11:00 pm. For example, if a vendor leaves the property at 11:15 pm, the \$50.00 fee will be charged. If a vendor leaves at 11:35 pm, a \$100 fee will be charged.

3.0 MERCHANDISE RULES

A. Prohibited Items

- No food, drink, or concession items can be sold at the flea market without prior management approval
 - racist
 - culturally-insensitive
 - pornographic or explicitly sexual
 - stolen
 - counterfeit
 - outdated medications or merchandise
 - drugs or drug paraphernalia
1. Vendors may not sell any item that violates federal, state, or local laws. Fairgrounds management reserves the right at any time to prohibit certain additional items from being sold, traded, or given away and to deny



admission to any vendor. Vendor agrees to indemnify, defend, and hold harmless The Fairgrounds Nashville, Nashville Flea Market, Metropolitan Government of Nashville and Davidson County, their employees, officers, agents, from any and all claims for damage arising out of actions of vendor directly or indirectly.

B. Sale of Food and Beverage Items

Vendors may sell both pre-packaged and ready-to-eat food and beverage items; however, the items must be reviewed prior to set-up and have pre-approval from the flea market manager or designee and food and beverage contractor. Additional fees may apply to items considered ready-to-eat. Generally, ready-to-eat items do not include whole pies and cakes greater than 8-inches in diameter, pre-packaged candy, cookies, chips, fudge, and nuts sold in amounts not less than (3) pounds.

C. Food Prepared in Domestic Kitchens

An update to the State of Tennessee's Domestic Kitchen Laws was signed into law on April 17, 2017. These laws address individuals wishing to prepare foods in their domestic (i.e., home) kitchens for sale. Vendors wishing to sell food prepared in a domestic kitchen must comply with any and all applicable permitting and labeling requirements outlined in local, state and federal law.

1. Only foods considered non-potentially hazardous can be made in domestic kitchens and be sold at the Nashville Flea Market. Examples of these foods include, but are not limited to:
 - baked goods that do not require refrigeration
 - jams, jellies and preserves
 - candy
 - dried baking or spice blends

2. Potentially hazardous food products that cannot be made in a domestic kitchen and, therefore, are prohibited for sale at the Nashville Flea Market include:
 - pickled vegetables and eggs
 - sauces and dressings
 - products that contain meat or poultry
 - food that must be refrigerated

D. Sale of Nursery Stock

Nursery stock and live plants must meet special requirements and have a current Plant Certification License prior to setting up. Vendors understand that they may not sell any item, which violates federal, state, or local laws. Fairgrounds management reserves the right at any time to prohibit certain additional items from being sold,



traded or given away and to deny admission to any vendor that does not support The Fairgrounds Nashville's mission or vision. Vendors agree to indemnify, defend, and hold harmless The Fairgrounds Nashville, Nashville Flea Market, Metropolitan Government of Nashville and Davidson County, their employees, officers, agents, from any and all claims for damage arising out of actions of the vendor directly, or indirectly.

E. Merchandise Pick-up

For the safety of employees, customers, and vendors, the flea market area is closed to all vehicular traffic during the following hours:

- Friday: 9:00 am until 5:00 pm (except for vendors actively unloading merchandise for booth set-up)
- Saturday: 7:00 am until 6:00 pm
- Sunday: 7:00 am until 4:00 pm

1. During the hours the flea market area is closed to vehicles, pick-up points have been established at the edge of the flea market for customers to pick-up and load purchased merchandise. Customers must have pick-up passes to access the pick-up points. It is the vendor's responsibility to provide the customer with a Merchandise Pick-Up Pass and transport the item to the pick-up point. Passes are available in the flea market office.

4.0 VEHICLES AND PARKING

A. General

1. Vendor passes must be displayed prominently in the vehicle's front window at all times. Vendors without a valid vendor pass will be directed to the flea market office prior to entering the flea market area.
2. Vehicles are prohibited from driving inside the buildings.
3. Vendors are prohibited from driving within the flea market area during the following times:
 - Friday: 9:00 am until 5:00 pm (except vehicles actively unloading merchandise for booth set-up)
 - Saturday: 7:00 am until 6:00 pm
 - Sunday: 7:00 am until 4:00 pm
4. Vehicles are not allowed to park in the fire lanes, in doorways, or places not designated as loading zones. Vendors parking in reserved spots assigned to other vendors will be required to move immediately. Vehicles found to be parked or left unattended in a restricted or prohibited area will be towed at owner's expense.



B. Recreational Vehicles (RVs)

The Fairgrounds Nashville has RV parking spots available for both self-contained units and those requiring or desiring electrical, water, and sanitary sewer hook-ups. Flea market vendors are eligible for a discount on RV spots during flea market weekends (i.e., Wednesday – Sunday). Vendors must comply with established RV Rules as posted on The Fairgrounds Nashville website.

5.0 PROTECTION OF FAIRGROUNDS PROPERTY

A. Security and Medical Services

For your safety and security, police personnel, security personnel, and medical staff are contracted to be on-site during certain hours of the Flea Market. Security is hired to enforce rules, regulations, and the law, and assist with traffic control. The Fairgrounds Nashville, Nashville Flea Market, security, nor police assume any responsibility for a vendor's property. In the event of an emergency, dial 911. On-site first aid (non-emergency) and security may be contacted, when on-site, by calling the flea market office or notifying staff directly.

B. General

1. No signs, banners, or advertising material may be placed on the buildings, walls, windows or doors.
2. Use of tape, adhesive, nails, screws, or similar items may not be used on walls, doors, windows, floors, or any other building, canopy, shed or arena surface.
3. Hanging of merchandise or other items from fencing, downspouts, gutters, columns, cross bracing, ceilings, beams, or metal wall panels is strictly prohibited.
4. Staking of tents or other structures is prohibited. Tents may be secured with sand bags, water barrels, concrete blocks, or by another similar method.
5. Free-standing tents and canopies for use in outdoor, uncovered areas are allowed provided they have a flame spread certificate NFPA 701.
6. Open-flame heaters are strictly prohibited. Use of space heaters within the buildings is prohibited. Outdoor heaters must be kept at least three feet away from other heaters and from any combustible or flammable materials. Heaters may only be located on the ground to minimize instability and the potential of being knocked over. Heaters must be unplugged when not in use and must be monitored while in operation.



7. Vendors utilizing water or liquids in displays or merchandise (e.g., fountains) in indoor booths must have pre-approval from the flea market manager or designee and may be required to take extra precautions to protect in-floor electrical boxes from damage.
8. Vendors are responsible for reporting to Fairgrounds staff immediately any damage to Fairgrounds property they themselves cause or damage caused by another person.
9. The cost to repair damage (including, but not limited to, labor and materials) to Fairgrounds property will be invoiced to and the responsibility of the vendor that caused the damage.

C. Weekend Equipment Rental

Tables and chairs are available for rent. Vendors must make payment for furniture rentals at the Flea Market office. Once payment is received, vendors will be provided a rental ticket and receipt that will reflect the items rented. Vendors will present the rental ticket to staff at the rental area to receive items. Vendors must retain the copy of the receipt as it cannot be reprinted or replaced if it is lost.

Staffed rental hours:

Thursday, 8:00 am – 9:00 pm
Friday, 8:00 am – 9:00 pm
Saturday, 7:00 am – 8:00 am

Rental Fees:

6-foot table	\$10.00	3'x6'
8-foot table	\$10.00	3'x8'
Chair	\$ 5.00	Metal folding

1. Rented items may remain in the booths after the Flea Market. Staff will check-in the items upon collection to verify quantity and condition.
2. Vendors will be assessed a fee at full-replacement cost for any unreturned or damaged furniture.
3. Fees for unreturned or damaged items will be charged to the vendor's account and payment is due upon invoice or prior to the following month's flea market. Unpaid fees may result in a suspension from the flea market until fees are paid in full.



Nashville Flea Market Rates and Fees

Effective September 1, 2019

BOOTHS

Indoor table-sized	\$ 50.00	5'x10'
Indoor standard	\$115.00	10'x10'
Indoor corner or end (prime)	\$135.00	10'x10'
Sheds	\$ 75.00	10'x10'
Canopies	\$ 75.00	10'x10'
Arena	\$ 75.00	10'x10'
Lots/Perimeter	\$ 75.00	9'x18'

RENTAL EQUIPMENT

6-foot table	\$10.00	3'x6'
8-foot table	\$10.00	3'x8'
Chair	\$ 5.00	Metal folding
Unreturned or damaged	Full cost of replacement or repair	

RECREATIONAL VEHICLE (RV) SPOT RENTAL

Full-service (water, electricity, sewer)	\$30.00/night with vendor discount
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LICENSES AND TAX

City Business License	\$4.00
Certificate of Registration	\$5.00 (monthly but no more than 3/year) \$15.00 (quarterly but no more than 2/year) \$45.00 (annual)

MISCELLANEOUS

Returned check fee	\$30.00
Late move-out on Sunday	\$50.00 for each 30-minute increment (full or partial) past 11:00 pm
Property damage	Full cost of repair or replacement
Excessive clean-up	Full cost of clean-up and/or removal of waste/merchandise



I have received, read, understand, and agree to abide by the License Agreement and Rules, Revised August 23, 2019, for the Nashville Flea Market at The Fairgrounds Nashville.

(Date)

(Printed Name)

(Signature)