

State of Illinois

Department of Agriculture



Illinois State Fair and DuQuoin State Fair

Fair Administrative Rules and Regulations



TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER j: FAIRS

PART 270
GENERAL OPERATIONS OF THE STATE FAIRS AND FAIRGROUNDS

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AUTHORITY: Implementing and authorized by the State Fair Act [20 ILCS 210]; implementing Section 40.14 and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16 and 40.14].

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SUBPART A: DEFINITIONS: POLICY: VIOLATION

Section 270.10 Definitions

Unless the context otherwise requires, the terms shall have the following meanings:

"Authorized Vehicle" is an on-road or off-road vehicle operated by the Department of Agriculture.

"Business Day" is a day that the State of Illinois is open for operations.

"Calendar Day" is the period of time from one midnight to the following midnight.

"Concessionaire/Commercial Exhibitor" means any person selling directly to the public or taking orders for future sales pursuant to an annual space rental contract.

"Division" means the Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281.

"DuQuoin State Fair" means only that annual event at DuQuoin.

"Exhibitor" means any person who displays his/her goods, displays his/her person, or distributes information and is not engaged in sales pursuant to an annual space rental contract, or participates in programs offered by the Department.

"Illinois State Fair" means only that annual event at Springfield.

"Person" means any individual, partnership, corporation, association, governmental or religious entity.

"Space Rental Contract" means a written contract entered into between the persons desiring to put on an exhibit or operate a concession and the Department.

"Space Rental Office" means the office in charge of space rental, Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9427 or the office in charge of space rental for the DuQuoin State Fair, Division of Fairs and Promotions, Department of Agriculture, Fairgrounds, DuQuoin, Illinois 62832.

"Special Agreement" means a multiple year or single year lease subject to a negotiated rate. This type of agreement would include persons building permanent structures, multiple year off season rentals, single or multiple year fair-time leases, etc.

"State Fair" means the annual event that is held at Springfield or the annual event that is held at DuQuoin for the purposes as set forth in Section 270.15.

"State Fairgrounds" means all the land and water areas, including all buildings and facilities located thereon, known as the State Fairgrounds at Springfield or DuQuoin.

"State Fairgrounds at DuQuoin" means only the State Fairgrounds at DuQuoin.

"State Fairgrounds at Springfield" means only the State Fairgrounds at Springfield.

"Superintendent of the Division of Fairs and Promotions" means the Superintendent of the Division of Fairs and Promotions, Department of Agriculture, State Fairgrounds, Springfield, Illinois 62794-9281.

(Source: Amended at 35 Ill. Reg. 19143, effective December 1, 2011)

Section 270.15 Policy

- a) It is the policy of this State that the Department operate the Illinois State Fair as a showcase for the nation and world to view Illinois agriculture, to provide for industrial, cultural, educational, trade and scientific exhibits, to promote the sport of horse racing and other competitive sports and for the entertainment and enjoyment of the people of the State of Illinois (Section 3 of the State Fair Act (Ill. Rev. Stat. 1991, ch. 127, par. 1703) [20 ILCS 210/3]). The annual Illinois State Fair, located at Springfield, will be held commencing not earlier than the Thursday that is twenty five days prior to Labor Day. The DuQuoin State Fair will be held commencing not earlier than the Saturday that is nine days prior to Labor Day.
- b) The policy governing the general operation of the Illinois State Fair and the State Fairgrounds at Springfield shall be applicable to the general operation of the DuQuoin State Fair and the State Fairgrounds at DuQuoin.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.20 Violation of Rules; Administrative Hearings

All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act [5 ILCS 100] and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, proceedings, contested cases, declaratory rulings and availability of Department files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act and 8 Ill. Adm. Code 1. Subpart B.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

SUBPART B: CONCESSIONS AND EXHIBITS AT THE STATE FAIR

Section 270.25 Categories of Exhibits

Exhibits for the State Fair shall be allowed in the following general categories:

- a) Agricultural exhibits;

- b) Industrial exhibits;
- c) Labor and management exhibits;
- d) Governmental and public service exhibits;
- e) Religious exhibits;
- f) Educational exhibits; and
- g) Artistic and athletic exhibits.

Section 270.30 Privilege to Operate a Concession or Exhibit

The privilege to operate a concession or exhibit shall be conducted according to the laws of the State of Illinois and without infringement upon the rights or privileges of others. Lessee will not handle or sell any commodity or transact any business upon and within the State Fairgrounds except that which is expressly stipulated in the contract. A lessee must confine the business and the promotion and advertising of same on the State Fairgrounds to the assigned space.

Section 270.35 Application for Reassignment of Space

Application for reassignment of space will be provided in the following manner:

- a) Following the close of the most recent State Fair, all concessionaires/exhibitors will be evaluated with regard to performance (i.e., payment of fees, violation of public health rules (if applicable), appearance of concession/exhibit, revenue generated, compliance with State Fair rules (Subparts A through I of this Part, as applicable), and any formal written complaints from the public arising out of the performance of activities on the fairgrounds.
- b) Those concessionaires/exhibitors that perform in an acceptable manner based on the criteria described in this Section shall be mailed an application to apply for reassignment to the same space or relocation of space. The application will be mailed to the address on file with the Department not later than December 15 preceding the next year's State Fair. It shall be the responsibility of each concessionaire/exhibitor desiring reassignment or relocation of space to return its application to the Space Rental Office no later than February 1. Failure to receive the application for reassignment or relocation of space shall not relieve the concessionaire/exhibitor from its responsibility to request reassignment or relocation of space prior to the February 1 deadline.
- c) After evaluating reapplication for space submitted pursuant to subsection (a) of this Section, and after spaces have been assigned by the Director or a designated representative, all new applications for space rental will be evaluated.

(Source: Amended at 39 Ill. Reg. 7241, effective May 8, 2015)

Section 270.40 New Applications for Space Rental

Applications for new concessionaires will be available on-line or by contacting the Space Rental Office. These applications for new concessionaires will be considered after February 1 at the close of the reapplication process.

- a) All new applications for space rental shall be sent to the Division and shall be accompanied by a photograph or drawing of the concession/exhibit. If the proposed concession/exhibit differs significantly from the photograph or drawing submitted with the application, the Department reserves the right to reconsider the application for space. Factors that would affect the approval of the application would be physical limitations and restrictions, the general appearance of the structure, possible interference with existing structures, power sources, sewage, and water service.
- b) All new applications for space rental will be classified by the Department as to type of concession/exhibit that will be operated.
- c) All new applications for space rental will be considered after all reapplications and relocations have been completed pursuant to Section 270.35.
- d) Granting the privilege to operate a concession/exhibit shall be based on the following criteria:
 - 1) the Department at all times shall attempt to promote the current theme of the State Fair;
 - 2) the current number of similar concessions/exhibits operating on the grounds;
 - 3) the general appearance of the concession/exhibit, revenue potential to the Department, stand design, structure, sanitation requirements and physical constraints.

(Source: Amended at 39 Ill. Reg. 7241, effective May, 8, 2015)

Section 270.45 Substitute Locations or Discontinuance of Contracts

Alterations in the Fairgrounds or space may make it necessary to eliminate previously available or contracted space from one year to the next. In these cases the Director or a duly authorized representative reserves the right to offer substitute locations or discontinue contracts completely.

Section 270.50 Reassignment of Space by Department (Repealed)

(Source: Repealed at 39 Ill. Reg. 7241, effective May 8, 2015)

Section 270.55 Number of Stands Permitted

Each concession/exhibit location shall be under a separate contract with the Division.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.60 Policy Governing Exhibits/Concessions and Approval to Conduct Business

The Department reserves the right to license and regulate all concessionaires/exhibitors on the Fairgrounds. The business conducted under a space rental contract shall be at all times in accordance with Subparts A through I (as applicable) of this Part, the provisions of the space rental contract and the statutes of the State of Illinois.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

Section 270.65 Policy of Permitting Space Without Monetary Charge

To promote the dissemination of free information and/or to provide for the free entertainment of fairgoers, the Department may provide space and/or facilities to exhibitors without monetary charge for industrial, cultural, educational, trade and/or scientific exhibits, provided that the exhibits fit into the general theme of the State Fair, space is available, and no direct sales to the public are made on the fairgrounds. Space shall be afforded without charge to the Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Comptroller, President and Minority Leader of the Senate, and Speaker and Minority Leader of the House of Representatives for the purpose of disseminating information to the public about their respective constitutional office.

(Source: Amended at 10 Ill. Reg. 14282, effective August 20, 1986)

Section 270.70 Exercising Constitutional Freedoms

The Department recognizes that the State Fair is a proper forum for the free exchange of ideas in a free society. For any person desiring to distribute information and/or solicit contributions on the fairgrounds in the exercise of constitutional freedoms, the Department shall designate an area or areas in which the proposed activities may be conducted. All activities shall be conducted from within, and not from without, the area or areas as designated by the Director, or a designated representative, for such purpose. All persons requesting such space shall apply for space pursuant to Sections 270.35 and 270.40 except that the revenue generating evaluation criteria of those Sections shall not apply. Privilege granted pursuant to this Section shall be provided at no charge. The provisions of Section 270.115 relative to broadcasting devices shall pertain to all persons exercising their constitutional freedoms.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

Section 270.75 Assignment of Contracts

State Fair exhibit or concession contracts or any portion thereof shall not be assigned, interest

therein hypothecated or otherwise disposed of without the written consent of the Department. Obligations provided for in said contracts, including payments for space, electric service, or gas, shall remain the obligation of initial lessee, irrespective of approved subleasing or assignment otherwise provided. It is the Department's policy that contracts shall not be assigned unless death, injury or sickness of the original lessee makes assignment necessary in order to perform the provisions of the lease for that year's fair. Approved subcontracting does not transfer any rights to reapplication to the subcontractor, and it is the policy of the Department that subcontracting is only valid for the current year's fair.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.80 Inspection of Premises

The premises contracted for by the lessee shall at all times be open to any official or designated inspector of the Department, law enforcement officer, or other authorized officials in the performance of their duties.

Section 270.85 Removal or Denial of Acceptance

- a) The Department reserves the right to deny admittance or to remove from the State Fairgrounds any person, exhibit, animal, concession, or show that:
 - 1) is falsely entered or represented to the Department.
 - 2) is in violation of its exhibitor, concessionaire, space rental, or any other type of contract entered into with the Department for performance at the State Fair.
 - 3) is detrimental to the health, safety, or welfare of the fair-going public.
- b) The Department also reserves the right to remove any sign, banner, display or advertising material if such material is in violation of the Department's public policy as stated in Section 3 of the State Fair Act (Ill. Rev. Stat. 1991, ch. 127, par. 1703) [20 ILCS 210/3].
- c) In the event that the Director or a duly authorized representative determines that any person, exhibit, animal, concession or show should be removed from or denied acceptance to the State Fairgrounds, that decision shall be effective immediately.
- d) Any person or persons objecting to the decision of the Department pursuant to this Section may file a petition according to the Department's administrative procedure (8 Ill. Adm. Code 1.50(b)). If the Director's response pursuant to 8 Ill. Adm. Code 1.265 is that administrative proceedings should be initiated in regard to the petition, the administrative hearing shall be held within 15 hours from the time the removal notice or denial is given.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.90 Concessions and Exhibits Prohibited

No roving concessions or exhibits shall be permitted. No shows or exhibitions featuring obscenity as defined in Section 11-20 of the Criminal Code of 1961 (Ill. Rev. Stat. 1991, ch. 38, par. 11 20) [720 ILCS 5/11-20] will be permitted.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.95 Liquefied Petroleum Gas

No liquefied petroleum gas installations will be allowed on the State Fairgrounds until the lessee has received approval from the State Fire Marshal (see 41 Ill. Adm. Code 200). No liquefied petroleum gas will be allowed in any State building at any time.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.100 Merchandising Permits

Parties desiring merchandising permits to solicit orders for and deliver articles of food, tobacco, soft drinks or other articles of merchandise to restaurants, refreshment stands, exhibits or concessions upon the State Fairgrounds shall purchase permits from the Space Rental office. Delivery trucks not properly identified with said merchandise permits shall be prohibited from entering the grounds at any time during the period of the State Fair. All delivery trucks must use only that gate specified for and exclusively for delivery trucks. The fee for such permits shall be set annually and shall appear in the Schedule of Space Rental Fees which shall be on file in the Department and available upon request.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.105 Measuring Space

Outside space will be measured from tie in to tie in, overhang to overhang, awning to awning or trailer hitch to bumper. Stands will be measured from lot line to lot line. Storage or service areas occupied by the lessee on either side of the main structure will be considered as part of the main structure in determining rental charge.

Section 270.110 Electricity

All electric consumption, wiring and installation of electrical apparatus will be at the expense of the lessee and under the supervision of the State Fair Electrical Foreman or his designated representative. Each exhibitor or concessionaire must furnish a suitable fuse box and all wiring within the exhibit or concession. Wiring must be brought to within five feet of the power source. All service shall be properly grounded. All wiring shall meet the approval of the State Fair Electrical Foreman or his designated representative. Since the concessions and exhibits at the State Fair are temporary structures, they are not required to meet the provisions of the Building Code. The State Fair Electrical Foreman or his designated representative shall approve all wiring based upon safety, i.e., no bare wires, sufficient fuses and fuse boxes, etc. A supplementary electrical

consumption specification form shall be completed and signed by the exhibitor or concessionaire and approved by the State Fair Electrical Foreman or his designated representative before a hook up form may be obtained from the Space Rental office and a hook up made. The Department is not responsible or liable for failure of gas and/or electric service.

Section 270.115 Broadcasting Devices

No loud speakers, radios, amplifiers or other broadcasting devices can be used on the location described in said contract without the written consent of the Superintendent of the Division or a duly authorized representative endorsed thereon. Permission to use or continue to use broadcasting devices shall be based upon the Department's determination of whether the use of such device will interfere with the normal and usual conduct of business by adjoining or adjacent concessionaires/exhibitors.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.120 Display of Exhibit or Concession Number

Each lessee shall display the concession or exhibit number in a conspicuous place near the front of the stand or place of business.

Section 270.125 Protection of the Public and Lessee's Property

Lessees shall take precautions (e.g., use of safety equipment, restraining public access), as necessary, when machinery, equipment or working demonstrations are involved so as to avoid injury to any person or the loss or damage to lessee's property.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.130 Distributing Literature or Display Advertising

A lessee may distribute literature or display advertising signs within the rented space only. Under no circumstances will any person, firm or organization be permitted to place advertising on State buildings, exterior or interior, fences, trees, or poles within the Fairgrounds. Notwithstanding anything in this Section, the Department has the right to place corporate sponsor's acknowledgement on buildings, fences, or poles within the fairgrounds.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.135 Payment of Space Rental Contract

- a) Inside Concessionaires: The signed contract (front and back) must be accompanied by payment in full for space and electric, if applicable, no later than July 1. If a new concessionaire is approved later than July 1, the full payment is due at the time of contract submission.

- b) Outside Concessionaires: The signed contract (front and back) must be accompanied by 1/3 space rental payment due and electrical, if applicable, no later than July 1. The remaining 2/3 payment is due no later than the Monday of the Illinois State Fair. These figures and dates are shown on the front side of the contract. If a new concessionaire is approved later than July 1, 1/3 payment is due at the time of contract submission, with the remaining 2/3 due no later than Monday of the Illinois State Fair.
- c) Payment of fees shall be in the form of personal or business checks, cash, money orders, or certified or cashier checks.

(Source: Amended at 39 Ill. Reg. 7241, effective May 8, 2015)

Section 270.140 Operational Hours

All outdoor concessionaires (vendors and exhibitors) shall be ready in Springfield by 10:00 a.m. and in DuQuoin by 10:00 a.m. on the opening day of the annual State Fair. Buildings shall be open at 9:00 a.m. and shall close at 9:00 p.m. daily. If the situation warrants an earlier closing (e.g., electrical failure, natural disaster, adverse weather conditions), it may be allowed but permission to do so must be granted by the State Fair Manager or a duly authorized representative.

(Source: Amended at 39 Ill. Reg. 7241, effective May 8, 2015)

Section 270.145 Sales Prior to the State Fair

All goods and services sold other than during the published dates of the State Fair shall be subject to non fair space rental rules (Subparts J and K of this Part).

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.150 Sales During the State Fair

For those persons subject to a percentage rental contract, the State of Illinois shall be entitled to a percent of all gross sales during the State Fair. The percentage rate shall be subject to a negotiated written contract between the concessionaire and the Department. The percentage rate in the contract shall be based on the following factors: cost of operation of the concession, profit margin, anticipated gross revenue of the concessionaire, previous experience, selling price, and other factors which could influence the negotiated rate.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.155 Property Shipped to the State Fair

All property shall be shipped in the name of the lessee, addressed c/o Illinois State Fair, Illinois State Fairgrounds, Springfield, Illinois 62706, or (if exhibiting at DuQuoin) c/o DuQuoin State Fair, DuQuoin, Illinois 62832, also giving the name of the building and space number. Positively no property will be accepted upon which there are charges of any kind. Shipments scheduled to

arrive more than seven (7) days before the opening of the event should be consigned to some storage and/or transfer agency.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.160 Removal of Property

Under the terms of the Fair time Space Rental contract, it is understood and mutually agreed that all property and/or equipment belonging to the lessee must be removed from the Fairgrounds no later than September 1 following the close of the Fair at Springfield or September 15 at DuQuoin. For any property not so removed, it is lessee's responsibility to have entered into a written space rental contract prior to September 1 or September 15, as the case may be, following the close of the Fair. For any property remaining and/or equipment remaining on the fairgrounds after September 1 or September 15, as the case may be, following the close of the last Fair and for which no non fair space rental contract has been executed nor payment of the required fees made, said property and/or equipment shall be considered abandoned and all rights, title and ownership of same shall thereafter pass to and belong to the Illinois Department of Agriculture.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.165 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages

- a) No roving gambling, games of chance or skill, raffles, selling tickets or taking donations on a chance to win a prize will be permitted.
- b) The lessee will neither use nor permit to be used any games of chance or skill, raffles, selling tickets, taking donations, gambling devices, or intoxicating beverages, unless approved in writing by the Superintendent of the Division. Such approval shall be granted if the lessee's activities are not prohibited by Article 28 of the Criminal Code of 2012 [720 ILCS 5/Art. 28] and if the lessee agrees to abide by subsection (b) of this Section. A raffle means when a person purchases a ticket for the purpose of winning a specific item. A drawing means when a person is entitled to win a specific item without purchasing a ticket for such purpose.
- c) The lessee shall abide by the following requirements when permitted to solicit at the State Fair for prizes to be given through drawings:
 - 1) The drawings and solicitation must be approved in advance of the starting of the State Fair by the Superintendent of the Division or a duly authorized representative. Approval of the drawing time, place and date will be based on the fact that there is no conflict with nor a detrimental effect on other events or exhibits.
 - 2) The prizes shall be on display the entire length of the State Fair.

- 3) The date and time of the drawing shall be advertised in advance so the participants and other interested persons may witness the drawing.
- 4) In the event of inquiry by the public, the Department shall require the lessee who held the drawings to furnish to the Space Rental Office, the name, address, and telephone number of the winners.

(Source: Amended at 39 Ill. Reg. 7241, effective May 8, 2015)

Section 270.170 Inside Exhibits

Inside exhibits shall not exceed 8 feet in height on back wall. Booth side walls or wings from the center of the booth to the aisle shall not exceed 3 feet in height.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.175 Posting Food Prices

The lessee shall post in a conspicuous manner inside the stand and at the outside entrance to the place of business, a sign showing the price to be charged for meals, lunches, drinks or other food or articles to be sold under the contract. All prices shall be posted before a stand opens and during its operating hours.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.180 Clean-Up

All dining halls, lunch booths, refreshment pavilions or other stands shall be substantial in structure and neat in appearance (e.g., wood or metal frame, paneled, painted or decorated). Only paper cups will be used. The Department shall be responsible for cleaning aisles for pedestrian traffic in all buildings. A lessee is responsible for keeping the area contracted for in a neat, clean and orderly manner. The Department shall contract for clean up services and bill the lessee who fails to perform this service. The Department shall not issue a release of the lessee's property until all charges are paid.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.185 Public Health

A lessee shall be responsible for determining that an employee in a food or drink stand or dining hall does not have or is not suspected of having a communicable disease or does not have sores or skin eruptions which could be detrimental to the public. A suspect may be requested to submit to a health examination at the first aid station on the State Fairgrounds or provide other medical information to the Department as necessary.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

Section 270.190 Food and/or Drink Service Operations

Food and/or drink stands and dining halls shall comply with the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 501 et seq.) [410 ILCS 620], the Sanitary Food Preparation Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 67 et seq.) [410 ILCS 650], and the rules relating to Food Service Sanitation (77 Ill. Adm. Code 750) as enforced by the Department of Public Health.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.195 Release Procedure

All exhibitors/concessionaires shall remain open and in operation until after the start of the last scheduled grandstand event or 6:00 p.m., whichever is later, on the last day of the State Fair. No release forms will be issued prior to that date and time, unless due to extenuating circumstances (e.g., death, natural disaster, equipment failure, theft of merchandise) earlier removal is permitted in writing by the Superintendent of the Division. All releases will be issued by the State Fair Electrical Foreman or his designated representative at the time of electrical cut off. Proof of payment of space rental fees and final payment of sales tax must be shown at the time release is issued. Failure to adhere to the requirements as set forth in this rule will be grounds for refusal of future participation in the State Fair.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.200 Security

Lessee is responsible for security relating to the event, concession or exhibit contracted for on the State Fairgrounds. Security guards are to be at lessee's sole expense and are subject to authority of the head of security for the State Fairgrounds. The requirements of this rule are in addition to the general powers of the Department to secure and police the Fairgrounds, which security the Department maintains on a regular basis without guaranteeing, in any method or manner, the safety and security of lessee, its property or persons.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.205 Liability

The Department shall not be responsible or liable for any damage or loss of property or for any personal injury or death of any employee, agent or servant of the lessee during the period that the lessee is located upon the premises of the State Fairgrounds while engaged in the performance of the contract. The lessee shall agree to provide Workers' Compensation Insurance as required by the Workers' Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 138.1 et seq.) [820 ILCS 305].

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.210 Concessionaire's or Exhibitor's Trailers

a) Springfield State Fair:

A trailer used for storage of supplies or as an office, with a direct relationship to a specific exhibit or concession, will be assigned to a vendor supply vehicle storage area. All living units will be located in the regular campground at the appropriate fee. All storage vehicles must be properly identified with a paid supply vehicle sticker.

b) DuQuoin State Fair:

A trailer used for storage of supplies, as an office, or for camping, with a direct relationship to a specific exhibit or concession, will be allowed to park at the rear of said exhibit or concession only when:

- 1) it is out of public view;
- 2) it is located within the limits of leased space as provided for in the contract;
- 3) it does not infringe upon parking or access areas; and
- 4) it is properly identified with a paid supply sticker.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.215 Failure to Abide by Rules or Contract Provisions

- a) Failure of any person to abide by Subparts A through I (as applicable) of this Part, the provisions of the contract or the laws of the State of Illinois shall be grounds for immediate revocation of the contract and for a prohibition of said person to utilize the State Fairgrounds or participate in activities conducted, in whole or in part, upon the State Fairgrounds. The Department in accordance with its administrative hearing rules shall notify said person and conduct a hearing before revoking a contract or prohibiting said person from utilizing the State Fairgrounds or participating in activities conducted, in whole or in part, upon the State Fairgrounds. Any contract revoked due to violation of these rules, the provisions of the contract or the laws of the State of Illinois shall not be subject to reimbursement of the contract payment or of any fees paid thereunder, except in the event of an Act of God or a State or National emergency as declared by the President or Governor of Illinois whereby the State Fair cannot be held.
- b) Lessee consents and acknowledges that the Illinois Department of Agriculture maintains a list of persons and/or entities for whom access to and use of the facilities or portion of the facilities comprising the State Fairgrounds is prohibited. Said list of persons shall be comprised of persons defined in Section 270.215(a) as having violated the rules or contract provisions. Lessee acknowledges that as part of the contract that it has received a copy of said list of prohibited or suspended persons and will as part of this contract deny access to and participation in any programs which lessee carries

out on said State Fairgrounds to all of said prohibited persons and/or entities. If a person is prohibited, any animal which said person trains, owns, or has exhibited or has any direct or indirect interest in is prohibited from being exhibited in any program on the State Fairgrounds, as well as any equipment which said person or entity has any interest in or owns. Any corporation is prohibited if a person who is prohibited is an officer, director, employee or stockholder of same.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.220 Lessee's General Standard of Conduct

Lessee shall refrain from engaging in any fraudulent activity, misrepresentations or illegal activity towards any patron or any officer, agent or employee of the Department, either in a procurement of a contract or in the use of any space or the operation of any concession. Lessee shall not give any false or materially misleading information on any contract application form.

Section 270.221 Emergency Closing

In emergency circumstances, the State Fair Manager reserves the right to close concessions and limit operations when such actions are deemed necessary for the public health, safety, or welfare.

(Source: Added at 18 Ill. Reg. 9400, effective June 12, 1994)

SUBPART C: HORSE RACING AT THE STATE FAIR

Section 270.225 Categories of Horse Racing

Horse racing shall be permitted at the State Fair in the following general categories:

- a) State Fair Colt Stakes;
- b) Review Futurity Stakes;
- c) Illinois Trotting and Pacing Colt Stakes;
- d) Quarter Horse Races; and
- e) World Trotting Derby (DuQuoin).

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.230 State Fair Colt Stakes Races

The State Fair Colt Stakes and all races to be run thereunder shall be run in accordance with the Department's rules (8 Ill. Adm. Code 290.110) relating to Section 31 of the Illinois Standardbred and Thoroughbred Breeding and Racing Programs promulgated pursuant to the Illinois Horse

Racing Act of 1975 (Ill. Rev. Stat. 1991, ch. 8, par. 37 31) [230 ILCS 5/31].

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.235 Review Futurity Races

The Department shall contract each year with the Review Futurity Association for said association's management and supervision of all races in the Review Futurity. Copies of the contract between the Department and the Review Futurity Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.240 Illinois Trotting and Pacing Colt Races

The Department shall contract each year with the Illinois Trotting and Pacing Colt Association for the association's management and supervision of all races in the Illinois Trotting and Pacing Colt category. Copies of the contract between the Department and the Illinois Trotting and Pacing Colt Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.245 Quarter Horse Races

The Department shall contract each year with the Illinois Quarter Horse Association for the Association's management and supervision of Quarter Horse racing. Copies of the contract between the Department and the Illinois Quarter Horse Association shall be available upon written or oral request from the Division.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

SUBPART D: PREMIUMS AND RULES GOVERNING EXHIBITS OR EVENTS

Section 270.250 Premiums Offered

Premiums shall be offered at the State Fair in the following general categories:

- a) Livestock;
- b) Society Horse Show;
- c) Western Horse Show;
- d) Junior Division Show; and
- e) General

Section 270.255 Premium Books

- a) On or before July 1 of each year the Department shall establish and make available a premium book for each of the categories set in Section 270.250 which shall state the following information:
 - 1) Kinds and classes of events or exhibits in each general category;
 - 2) Entry requirements for each event or exhibit;
 - 3) Conditions under which entries shall be received, stalled and cared for, fees and qualification and disqualification requirements; and
 - 4) The amount of premium to be offered in each class. (The amount of premium offered shall be based on approved appropriations.)
- b) When considering the kinds of classes, entry requirements, conditions under which entries shall be received, stalled and cared for, entry fees and qualification and disqualification requirements, the Department shall take into consideration experience of previous Illinois State Fairs and other state fairs, changes in the industry which make it reasonable to adopt new provisions, available facilities, industry recommendations, changes in other classes or events, available appropriations, and any other matter which may affect the event or exhibit.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

Section 270.260 Payment of Premiums

Premiums shall be paid by check written by the Department directly to the winner or participant in each competitive event or exhibit.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.261 Land of Lincoln Breeders Awards for Purebred or Registered Livestock

- a) In accordance with the provisions of Section 11.1 of the State Fair Act, fair management with the advice of the Land of Lincoln Purebred Breeders Association shall set the percentage of the appropriation made for the Land of Lincoln Breeders Awards for Purebred or Registered Livestock for each class or show of livestock and publish these percentages in the Illinois State Fair premium book annually.
- b) The Department shall establish and promote contests and exhibitions of various classes of livestock to be known as the "Land of Lincoln Breeders Awards for the Purebred or Registered Livestock." Only animals bred, born and maintained in Illinois and owned and exhibited by Illinois residents shall be eligible to participate in such

contests and exhibitions; however, such animals shall be permitted out of this State for a reasonable period of time for showings, exhibitions, breeding or reproductive purposes, or medical treatment (Section 11.1 of the State Fair Act [20 ILCS 210/11.1]). For the purposes of determining compliance with this Section, a reasonable period of time for permitting animals to be out of the State for showings, exhibitions, breeding, reproductive purposes or medical treatment shall be a maximum of 90 days during a fiscal year (July 1 through June 30).

(Source: Amended at 21 Ill. Reg. 5530, effective April 22, 1997)

SUBPART E: JUDGES: STATE FAIR

Section 270.265 Professional and Artistic Contracts

Judges of exhibits or events, including, without limitation, livestock and agricultural exhibit judges, shall be contracted for by the Department to perform the function of judging entries in exhibit competition.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.270 Judge's Salary

Judges of exhibits or events may be contracted on a "flat fee" basis, a "per event" basis or a "per day" basis and their employment remuneration may include reimbursement for expenses and transportation as may be specified in the contract. Judges may be contracted on a "gratis" basis where said judge is a member or affiliate of an association or organization which is sponsoring or participating in the management and supervision of an exhibit or event.

Section 270.275 Selection of Judges

Judges of exhibits shall be selected by and be subject to approval by the Department. Selection of judges shall be based upon their reputation, experience and expertise in the exhibit category or categories in which they are employed as judges.

SUBPART F: CERTIFICATES OF AWARD: STATE FAIR

Section 270.280 Certificates, Ribbons and Trophies

Certificates of awards, including but not limited to ribbons and trophies, shall be purchased by the Department through competitive bidding in accordance with the Illinois Purchasing Act (Ill. Rev. Stat. 1991, ch. 127, par. 132.1 et seq.) [30 ILCS 505] and the rules promulgated under the authority of the Illinois Purchasing Act by the Department of Central Management Services. This rule shall not be deemed to prohibit or limit the right of any association which governs an exhibit or racing area from presenting its own trophies or awards to participants in such exhibits or racing.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

SUBPART G: FEES FOR ADMISSION TO THE STATE FAIR

Section 270.285 Daily Admission Charge

Admission to the State Fairgrounds shall be limited to those persons who have purchased an admission pass or ticket, unless exempted by Sections 270.295 or 270.300. Each person gaining admission to the premises of the fairgrounds during the presentation of the State Fair shall pay a daily admission fee. Notwithstanding the foregoing, the Department may issue and make available for purchase season admission tickets covering the duration of each year's State Fair.

Section 270.290 Special Events

Admission prices may be charged to any event within and on the premises of the State Fairgrounds which is a part of the State Fair program. Admission charges for special events shall be in addition to the gate admission for entry onto the premises of the State Fairgrounds and the amount of the charge shall be set by the Department prior to the performance of such event or events and the price of admission to such event(s) shall be conspicuously posted for the benefit of the public.

Section 270.295 Designated Days

The Department shall have the discretion to waive or reduce the gate admission charges for entry onto the premises of the State Fairgrounds for any special group or classification of persons who attend the State Fair on specially designated days honoring said group or classification of persons. (Example: The Department may waive or reduce the gate admission charges for senior citizens on Senior Citizen's Day). In accordance with Section 6 of the Act, honorably discharged veterans and members of their families shall be admitted without admission charge upon presentation of the proper identification on Veteran's Day. The Department may reduce or waive the gate admission for children and senior citizens.

Section 270.300 Gate Admission Charge Waived

The Department shall waive the gate admission charge for employees of the Department and of other governmental agencies, who are engaged in their employment and for other persons deemed to be participating in or promoting the activity and presentation of the State Fair, i.e., State police, inspectors of the Department of Public Health, firemen.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

Section 270.305 Schedule of Admission Charges and Fees

On or before July 1 of each year, the Department shall establish and publish a State Fair Schedule of Fees and Admissions for that year's fair. The Department shall make available upon request the State Fair Schedule of Fees and Admissions and shall make reasonable efforts to inform the public of the fees and admission charges.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.310 Admission of Motor Vehicles

Motor vehicles (autos and trucks) may be admitted to the State Fairgrounds provided a vehicle parking permit is purchased. The charge for vehicle admission shall be as set forth in the State Fair Schedule of Fees and Admissions. Bicycles shall not be permitted on the State Fairgrounds, except for competition, demonstration or exhibition purposes. It is the policy of the Department that motorcycles shall be permitted on the grounds pursuant to the payment of the proper admission fee and in a specified parking area only. It is the policy of the Department to keep motor vehicles, except in designated parking areas, to an absolute minimum to effectively and efficiently operate the State Fair. Golf carts shall obtain a permit.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

Section 270.315 Employees of Exhibitor/Concessionaire

In order to obtain a commercial admission ticket, employees must furnish proof to the Paid Credentials Office, Division of Fairs and Promotions, of their employment by a particular exhibitor or concessionaire.

(Source: Amended at 19 Ill. Reg. 9400, effective June 29, 1995)

SUBPART H: TRAFFIC CONTROL, PARKING AND CAMPING: STATE FAIR

Section 270.320 Camping Location

Overnight camping for campers, trailers, goosenecks or tents shall be allowed in camping area(s) as may be designated from time to time by the Department. Camping is restricted to designated area(s) only unless the camper or trailer can meet the provisions of Section 270.210(b).

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.325 Fee for Camping

The fee for overnight camping during the State Fair shall be as established annually and published by the Department by July 1 in the Space Rental Fee Schedule. In determining the fee, the Department shall take into consideration the fees charged in previous years, the available facilities and their condition, fees charged by county and other state fairs, anticipated profit, the cost of providing such services as electric, water, sewage disposal, restrooms and showers and other pertinent matters.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.330 Camping Sticker

Persons wishing to camp overnight must obtain a camping sticker which is issued by the Division upon payment of applicable fees. Camping stickers shall be prominently displayed near the

entrance to the living quarters or on the vehicles.

(Source: 6 Ill. Reg. 8958, effective July 9, 1982)

Section 270.335 Removal of Illegally Parked Vehicles

Any vehicle parked in an unauthorized parking area, not parked in its designated parking area or not displaying a camping sticker indicating space rental fee has been paid for that day shall be towed to a designated lot on the Fairgrounds where the owner may claim the vehicle upon payment of the towing charge.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.340 Extension Cords

No extension cords from barns, stalls and unauthorized poles to the camper or motor home will be allowed.

Section 270.345 Traffic Control and Parking; Spraying Livestock Trucks

The Department reserves the right to regulate traffic and parking of all motor vehicles within the State Fairgrounds for purposes of insuring the security of the Fairgrounds and on going uses therein and for purposes of providing for the safety of the property and persons lawfully present on the Fairgrounds. No automobiles, trucks, trailers, or golfcarts shall be permitted to park in areas marked as loading or unloading zones or in no parking zones. All livestock trailers and fifth wheels must be parked in the half mile track or any other area designated for such use. All trucks transporting livestock must be sprayed on the grounds before leaving the fairgrounds. At the time of spraying a sticker will be affixed to the livestock trailer. Golfcarts will not be allowed, except for official vehicles between the hours of 10:00 a.m. and 11:00 p.m. It is the policy to keep all vehicles, except in designated parking areas, to an absolute minimum.

(Source: Amended at 10 Ill. Reg. 20468, effective November 26, 1986)

SUBPART I: MISCELLANEOUS RULES GOVERNING THE OPERATION OF THE STATE FAIR

Section 270.350 Pets

Pets are not allowed to be in public areas of the fairgrounds during the State Fair, except confined to campground areas as defined by the Division administrator or Division administrator's designee. Pets used for assistance to disabled persons, authorized competitive exhibits, shows or demonstrations at the State Fair or other approved purposes will be allowed. Violation of this Section will be cause for termination of any contract or privilege and for removal of the pets and owners from the Fairgrounds.

(Source: Amended at 34 Ill. Reg. 8996, effective July 1, 2010)

Section 270.355 Structures of Lessee

All plans for buildings or structures, whether permanent or temporary, shall be approved by the Department before construction is begun. Approval to construct a building or structure and the duration that such building or structure may stay on the Fairgrounds shall be stated on the lessee's contract. The Department shall consider in granting approval to construct a building or structure the over all plans and development of the Fairgrounds, the purpose of the building or structure, costs of utilities and maintenance, and other relevant data. Provisions governing the building use and charges shall be stated on the lessee's contract.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.360 Restrictions

- a) There shall be no cooking or smoking in the horse/cattle barns or other barns and stall areas located on the Fairgrounds.
- b) Storing of sawdust, straw, feed or any other material will not be permitted in the aisle of any barn. Blockage of aisles with tack or carts will not be permitted.

(Source: Amended at 8 Ill. Reg. 6103, effective April 25, 1984)

Section 270.365 Intoxicating Beverages

The Department shall enter into a Space Rental contract with a concessionaire(s) for the rental of space for the sole purpose of selling beer on the State Fairgrounds. The Department reserves the right to assign the area of concession as previously stated in Sections 270.35 and 270.40. It is mutually agreed that the concessionaire(s) must comply with the Liquor Control Act of 1934 (Ill. Rev. Stat. 1991, ch. 43, par. 93.9 et seq.) [235 ILCS 5] concerning the selling of intoxicating beverages. Granting of this privilege is in no way to be construed to restrict or prohibit any distributor of beer from engaging in sales to the concessionaire(s) granted the privilege to sell beer under this rule.

(Source: Amended at 18 Ill. Reg. 9400, effective June 12, 1994)

Section 270.370 Tickets/Refunds

- a) All tickets sold by the Department shall be at the prices published to the public. The Department may barter or exchange tickets for services, advertising, marketing, promotions, donations or any other contribution for the benefit of the fairs. A record of the distribution of tickets that are bartered or exchanged and the benefit to the fairs of that barter or exchange shall be maintained by the Department.
- b) Grandstand event tickets will be sold with refund provisions. This policy applies to all paid events in the Grandstand, such as tractor pulls and nightly entertainment. The Department will not refund on events that are rescheduled or where a rain date is provided. The Department shall make the determination of when Grandstand events

shall be cancelled. Events may be cancelled because of weather, the facility and performers' failure to perform. Refunds will be made when the tickets are presented at the designated place for filing for refund.

(Source: Amended at 37 Ill. Reg. 780, effective February 1, 2013)

Section 270.371 Leasing Facilities During the State Fair

The Department has the right to lease various facilities during the Illinois State Fair. This lease shall be subject to a negotiated rate and shall be a special agreement. In evaluating the leasing arrangement, the Department shall consider one or more of the following criteria in determining whether to grant a privilege to a prospective lessee:

- a) The availability of the physical plant or plants on the Fairgrounds, taking into consideration the priority of preparation for the actual holding of the State Fair and the priority granted to long term tenants or users of the premises;
- b) The physical limitations and availability of space when considered in conjunction with the proposed usage and number of participants, expected visitors or patrons to the event conducted by the lessee;
- c) The security of both the physical premises and persons upon the premises of the Fairgrounds;
- d) The costs and expenses ultimately incurred by the Department in providing security for any operations of lessee;
- e) Reasonably foreseeable problems with security caused by either the nature of the usage or the identity of the proposed lessee or his patrons;
- f) A major consideration will be the potential profit to be derived after examination of revenues versus expenses by the Department, including any budgetary constraints on the Department;
- g) The welfare of the general community;
- h) The public service to the general community offered by the proposed usage;
- i) The financial responsibility of the proposed lessee and his/her ability to provide any special requirements that may be necessary to insure the safe, healthy and efficient usage of the premises;
- j) The legality of the proposed use of the premises;
- k) Prior experience either with a specific lessee or a specific usage to the extent that such prior experience illustrates a failure, refusal or inability of the proposed lessee to comply with the rules of this Part and/or the prior experience with a particular usage to

the extent such usage results in violation of the rules of this Part or affects the general good and welfare of the Department;

- l) The safety of the public and participants and of any equipment proposed to be used by lessee;
- m) The reputation of the proposed lessee in both the local community and/or in the service or trade community in which he/she does business.

(Source: Added at 18 Ill. Reg. 9400, effective June 12, 1994)