



Tottenham Artisan Market (TAM)

This agreement will affect your legal rights so please read it carefully before signing.

I hereby make application to sell wares, products, or offer or demonstrate products or services to the public at the Tottenham Artisan Market (referred to as TAM) and I have read, understand and agree to each and all of the following terms and conditions.

1. Photographic Consent

TAM reserves the right to take photographic or film of its Market Vendors, Entertainment, events and I/we hereby agree that TAM may use any such photographic or film records for promotional and or commercial purposes, as well as approve such use by third parties with whom TAM may engage in marketing, without any remuneration to me. I hereby assign all right, title and interest I may have in or to any and all media in which my name or likeness might be used by TAM in any form of media.

2. Waiver of Liability & Indemnity Agreement

A Vendor shall not be permitted to participate at TAM unless a "Waiver of Liability & Indemnity Agreement" in the form provided without amendment, is properly signed, witnessed and delivered to TAM failure to provide same permits TAM to disallow participation, or to be removed from the TAM Site.

In consideration of TAM accepting my application for and permitting me to participate in the TAM, on lands owned by or under the control of the Town of New Tecumseth, the County of Simcoe, or other private property owners, the following waiver releases the Town of New Tecumseth, the County of Simcoe, private property owners, BTBIA and TAM, and I am aware I am responsible for risks, and agree not to sue for the benefit of the named parties.

3. Waiver & Release from Liability

I waive any and all claims that I have or may in the future have against TAM, and I release from all liability and agree not to sue TAM, BTBIA, Town of New Tecumseth, County of Simcoe and any of their shareholders, directors, officers, employees, members, employees, servants, agents, volunteers, contractors, suppliers, representatives, (collectively, the "Personnel") for any personal injury, death, property damage claims arising from my participation in TAM, whether it arises from facilities, activities, other loss that I sustain as a result of my participation in TAM from to any cause whatsoever, on the part of any one or more of TAM, BTBIA the Town of New Tecumseth, the County of Simcoe, the personnel or others, including but not limited to: (a) negligence (the meaning of which includes failure to use such care as a reasonably prudent and careful person would use under similar circumstances; and (b) breach of any other duty imposed by law, including any duty imposed by occupiers liability or other legislation; and (c) breach of any contract; and (d) mistakes or errors in judgment of any kind.

I understand that by signing this document (which I acknowledge having had the opportunity to read before signing) that I am giving up rights I may have at law to claim for damages against the parties named herein.

Indemnity Agreement

Further, in consideration of being allowed to operate at TAM, I agree to indemnify and hold the TAM, harmless from any claims, demands, suits, or actions howsoever, wheresoever, and whensoever arising from my participation in the TAM. This agreement is a binding upon my family, heirs, and assigns. I understand that insurance coverage is a condition of being permitted to operate vendor's concession at the TAM and my failure to provide proof of insurance to TAM, is the reason I am signing this document. If TAM is sued or has to pay any money because of my actions or products, no matter what they are, or how they happen, I understand this agreement means that I must pay TAM any money that it may be required to pay to others due to or arising from my actions or my failure to act, whether I intend them or not. I am responsible for all of their costs, including any legal fees or out of pocket expenses. I am signing this agreement as a condition, and in consideration of being permitted entry and being allowed to set up a vendor's concession or an information booth at TAM.

Applicant's Signature: _____ **Date** _____