



The Claremont Forum | Claremont Farmers & Artisans Market

Buskers & Nonprofit Organizations Policy

Updated Jan 2021

1. For this policy, the following definitions shall apply:
 - a. **Busker:** One or more person(s) who perform(s) music or other entertainment in public forums for monetary donations.
 - b. **Nonprofit Organization:** An organization meeting the requirements of IRS Code § 501(c)(3) for promoting charitable, religious, educational, scientific, literary, or public safety causes.
 - c. **Market:** The Claremont Farmers & Artisans Market which operates every Sunday, year-round, rain or shine, from 8:00 a.m. until 1:00 p.m., on Harvard Avenue between Bonita Avenue and First Street, in Claremont.
2. The Market is privately-owned and operated by The Claremont Forum, a 501(c)(3) non-profit organization. The Market is not a public forum subject to First Amendment requirements. In the event that a court of competent jurisdiction should find that the Market is a public forum, the provisions within this policy are intended to be reasonable, content-neutral, time, place, and manner restrictions.
3. The Claremont Forum may modify or waive any provision of this policy at any time, with or without notice.
4. Any conduct by any person(s) or organization(s) which interferes with the operating of the Market or which diminishes a positive, high-quality Market experience for all Market participants is prohibited. This includes but is not limited to solicitation, leafletting, protesting, picketing, loud, threatening, or disorderly behavior, or similar conduct as determined by the Market Manager. Such interference with the operation of the Market is unrelated to the content of any speech, and the speaker may go elsewhere to express themselves.
5. Buskers may not perform at the Market without the express written approval of the Market Manager. Buskers may apply for such written approval by completing the online application at claremontforum.org. Completing the online application does not imply nor guarantee that the applicant will receive the requisite written approval.
6. Buskers who receive the requisite written approval to perform at the Market agree to donate to The Claremont Forum the Space Fee set forth for Artisans in Appendix A of the Market Rules and Regulations. This donation shall be paid to the Market Manager at the end of each Market.
7. Buskers perform at their own risk and are subject to the same liability insurance requirements as all other Market vendors. Buskers agree that The Claremont Forum is not responsible for the damage or loss of personal property, nor for personal injuries, accidents, or illnesses which might occur in the course of their performing at the Market. Buskers agree on behalf of themselves, their representatives, and successors in interest, to release, waive, discharge, and hold harmless The Claremont Forum, its staff, board members, and volunteers from any and all such claims or liabilities.

8. Nonprofit Organizations shall be treated in the same manner as Artisan vendors at the Market and shall be subject to the same Market Rules and Regulations for obtaining and operating a booth. Nonprofit Organizations may not solicit donations, offer to sell or sell any product or service at the Market without obtaining and operating a vendor booth. Nonprofit Organizations may apply for such written approval by completing the online application for Artisans and Nonprofits at claremontforum.org. Completing the online application does not imply nor guarantee that the applicant will receive approval for a booth.
9. Nonprofit Organizations which receive the requisite approval to operate a booth at the Market agree to donate to The Claremont Forum the Space Fee set forth for Artisans in Appendix A of the Market Rules and Regulations. This donation shall be paid to the Market Manager at the end of each Market.
10. Nonprofit Organizations operate their Market booths at their own risk and are subject to the same liability insurance requirements as Artisan vendors. Nonprofit Organizations agree that The Claremont Forum is not responsible for the damage or loss of personal property, nor for personal injuries, accidents, or illnesses which might occur in the course of their performing at the Market. Nonprofit Organizations agree on behalf of themselves, their volunteers, staff, representatives, and successors in interest, to release, waive, discharge, and hold harmless The Claremont Forum, its staff, board members, and volunteers from any and all such claims or liabilities.