



**2024 Hamilton Fringe Festival  
Indie Venue (BYOV) Category  
Agreement**

**Policies and General Information**

The 2024 Hamilton Fringe Festival will run from July 17-28, 2024. The Hamilton Fringe is a mid-sized festival with a hugely supportive audience averaging in recent years around 17,000 attendees. In 2023, we paid out \$75,000 in box office returns to 44 local, national, and international companies.

Please read the following document closely, complete the electronic signature, and print a copy for your records.

Please note that all dollar amounts are indicated in Canadian currency (CAD).

For the purposes of this agreement, the terms “Indie”, “BYOV”, and “Bring Your Own Venue” are interchangeable.

**Participation**

All applications to the Hamilton Fringe Festival are chosen by lottery, with the exception of the Bring Your Own Venue (Indie/BYOV) category which is chosen on a first-come-first-served basis.

Please be aware that—compared to a lottery-drawn Fringe slot—an Indie/BYOV production comes with substantial financial risk to the producing company and can involve a considerable amount of logistical, planning, and administrative work and coordination. See the “Indie/BYOV Coordinator” section below for more information.

**ALL Indie/BYOV APPLICATIONS ARE SUBJECT TO VENUE APPROVAL. ALL APPLICANTS MUST CONTACT THE FESTIVAL DIRECTOR BEFORE SUBMITTING THEIR APPLICATION.** (See “Indie/BYOV Category Regulations” below.)

The Indie/BYOV application process closes on March 1, 2024, or when all available Indie/BYOV slots are full (whichever comes first). The festival reserves the right to declare the category full at its sole discretion.

The following fees apply to this category:

- **\$30** non-refundable Application Fee
- Participation Fee. This fee is calculated according to the full seating capacity during the entire run of the show (venue capacity x number of performances)
  - 299 seats or fewer = **\$500**
  - 300-449 seats = **\$575**
  - 450+ seats = **\$675**

Your \$30 Application Fee will be processed upon receipt.

**Your Participation Fee will be due no later than March 8, 2024.**

Cheques and money orders are to be made payable to:

Hamilton Festival Theatre Company  
41 King William St., Suite 206  
Hamilton, ON L8R 1A2

**If you are accepted into the festival:**

- You keep 100% of the box office.
- The Fringe provides house management, ticketing, and box office volunteers.
- You will be included in all Fringe publicity: our program, on our website, and overall event publicity. The Publicity Form will be sent to you in the spring of 2024.

### **Indie/BYOV Category Regulations**

**1. ALL Indie/BYOV APPLICATIONS ARE SUBJECT TO VENUE APPROVAL. ALL APPLICANTS MUST CONTACT THE FESTIVAL DIRECTOR BEFORE SUBMITTING THEIR APPLICATION.** Once your venue is approved, you can complete the application process. Indie/BYOV applicants who have NOT received venue approval from the festival will not be accepted, and will forfeit

their application fee.

2. Venue must not be among the festival's main indoor or outdoor 2024 venues.
3. Your \$30 Application Fee will be processed upon receipt and the Hamilton Fringe Festival will contact you within fourteen (14) days to confirm the status of your application.
4. Preference will be given to venues with AT LEAST TWO (2) PRODUCTIONS. There are many benefits to partnering with other companies to share a Indie/BYOV venue, and we strongly encourage you to do so. Contact christopher@hftco.ca for more information.
5. If multiple Box Office locations are required at a single venue, each Box Office location will be considered a separate venue.
6. Indie/BYOV productions that run over 30 minutes in length are permitted a maximum of one performance per day (11 performances total) over the course of the festival.
7. Indie/BYOV performances of 30 minutes or less may negotiate additional show times with the Hamilton Fringe Festival.
8. **Indie/BYOV schedules are proposed by the participating companies and are subject to approval by the Hamilton Fringe Festival.** Draft Indie/BYOV performance schedules must be submitted by March 15, 2024.

### **International Applicants**

The Hamilton Fringe Festival considers "International Applicants" to mean companies whose Primary Contact resides outside of Canada. Applicants must include an international mailing address and be able to confirm residency outside Canada. Please contact us if you have any questions regarding your eligibility in this category.

It is your responsibility to ensure that all members of your company arriving in Canada adhere strictly to all COVID-19-related (or any other) public health requirements in place at the time of your arrival, including (but not limited to) vaccination requirements and mandatory quarantine periods. Hamilton Fringe Festival may require proof that all such requirements have been followed by your company and/or members of your company. If your company and/or members

of your company are found to be in contravention of any such requirements, the festival reserves the right to immediately cancel all affected performances. Furthermore, offending companies shall forfeit all past fees and any outstanding box office proceeds.

**IMPORTANT: It is YOUR responsibility to ensure that you acquire the necessary visa(s), work permit(s) and/or waiver(s). WE ADVISE YOU TO BEGIN THIS PROCESS IMMEDIATELY UPON BEING ACCEPTED INTO THE FESTIVAL. Please note that if you do not receive a waiver, the Fringe is required by law to withhold 15% of ticket revenues. Your company must then apply to Revenue Canada for a refund.**

### **Black/Indigenous/Person of the Global Majority (BIPGM) Reserved Lottery Eligibility**

Hamilton Festival Theatre Company and Hamilton Fringe Festival recognize that festival stages in Canada and the United States have historically been dominated by artists of European/colonial descent, and we seek to support a broader cultural representation of our community in Fringe Festival spaces.

As a response to cultural inequity across our stages, and to better reflect the cultural makeup of our region, **25% of lottery slots in each 2024 performance category shall be reserved for BIPGM-led companies** (Indigenous artists, Black artists, and other artists of the Global Majority).

To be eligible for these reserved slots within the Indie/BYOV category, the following criteria must be met:

- **Primary Contact must identify as Black, Indigenous, and/or a Person of the Global Majority.**

Please ensure that your application correctly identifies your eligibility for these reserved slots!

Applications that do not meet the above criteria will be removed from consideration and will forfeit the \$30 application fee. Please contact Christopher Stanton at [christopher@hftco.ca](mailto:christopher@hftco.ca) BEFORE submitting your application if you have any questions regarding your company's eligibility.

Although the Indie/BYOV category is selected on a first-come-first-served basis (and not by lottery), the festival will nonetheless be holding 25% of available

Indie/BYOV slots for BIPGM-led companies. Any BIPGM Reserved slots left unclaimed will be made openly available.

### **Responsibilities & Limitations for Applications and Primary & Secondary Contacts**

Your application is not considered complete until you have **signed and submitted** the electronic agreement for your category (this document) by 11:59PM ET, January 10th, 2024. Online applicants who do not submit a signed agreement will NOT be included in the lottery event on January 12th, 2024.

- We will accept only ONE application per person/company name. Companies are not permitted to change their name after submitting their application.
- Primary and Secondary Contacts may be involved in only ONE production. If a Primary or Secondary Contact is listed in either role for multiple companies, all affected lottery applications may be considered forfeit and removed.
- **The Primary Contact CANNOT also be the Secondary Contact—your application must indicate two different people in these roles.**
- Fringe correspondence will only be sent to the Primary Contact. It is the Primary Contact's responsibility to pass information along to their team.
- Primary Contact must have authority to sign on behalf of the company.
- Only the Primary Contact is authorized to submit or make changes to company information.

As Primary Contact, it is your responsibility to:

- Share information with the rest of your company.
- Stay up to date on all Fringe Festival information.
- Ensure timely submission of all requested materials.
- Acquire all applicable permits and the payment of all applicable taxes and fees relating to your production at the Hamilton Fringe Festival.

**It is the Primary Contact's responsibility to ensure emails from Hamilton Fringe Festival are not caught in your email provider's spam filters.**

The Secondary Contact is required in case the Primary Contact cannot be reached or is not responding to time-sensitive information. The Secondary Contact must be prepared to take on reaching out to the Primary Contact and ensuring communications with the Hamilton Fringe Festival are being received

and responded to. Please ensure your Secondary Contact has regular access to email and will be available for the duration of your time with the Festival.

Companies accepted into the Hamilton Fringe Festival cannot sell or transfer their spot to another company. If a company is found to have done this, both companies will be removed from the festival and the full application fee will be forfeit. Companies are not permitted to change their company name after submitting to the Festival.

**Participating companies agree to return ALL FORMS AND**

**QUESTIONNAIRES ON TIME** (ex: Publicity Questionnaire Form; Technical Questionnaire, Media Consent Form, etc.) or risk being inaccurately represented in Festival promotional materials, Box Office listings, or being in a venue that is not suited to the needs of the production.

***Force Majeur:** If performances are delayed or interrupted by an act of God, fire, flood, war, public disaster, strikes or labour difficulties, governmental enactment, regulation or order, or any other cause beyond the control of the Hamilton Fringe Festival, the Festival shall not be liable for any lost revenues or performance times.*

**Indie/BYOV Coordinator**

Hamilton Fringe Festival provides box office staff and front of house volunteers. All other staff and logistical planning falls to the companies and venues participating as a Indie/BYOV. To increase the chances your Indie/BYOV's success, each **Indie/BYOV Venue MUST designate one (1) Indie/BYOV Coordinator to handle all venue-related logistics.** The Indie/BYOV Coordinator is usually one of the Primary Contacts proposing the Indie/BYOV for inclusion in the festival.

It is the Indie/BYOV Coordinator's responsibility to:

- Ensure that your venue is safe, clean, and healthy for your company(ies), Fringe staff, volunteers, and audiences
- Enter into a written rental agreement with the Indie/BYOV venue
- Propose a clear schedule for all shows happening at the venue
- Ensure all required lighting/sound/video equipment is secured at the venue for all companies scheduled at the venue
- Coordinate load-in, tech rehearsal, and load-out for all companies scheduled at the venue
- Provide a qualified venue technician and/or operator to operate

- sound/light/video equipment during all venue performances
- Act as the 'go-between' for any communications between Hamilton Fringe and your venue
- Other responsibilities as participating companies and the venue deem necessary

### **Production Rights & Permission for Use of Materials Protected by Copyright**

The Hamilton Fringe will not knowingly allow the production of a show without the permission of its creator(s). You are obliged to obtain written permission from the playwright/author/creator and pay any fees required for the production rights. Additionally, you are required to obtain written permission from the necessary sources for the use of any material protected by copyright that is used in the production or promotion of your show (ex: photographs, music, etc.)

As well, you are expected to obtain the necessary releases or pay appropriate fees to any professional associations to which you and/or your company members belong.

Failure to do so could result in disqualification without refund or written notice. Cancellation of your show due to lack of permission(s) or rights to your show or any materials used in the production or promotion of your show will result in forfeiture of your entire application fee.

### **Schedule and Show Length**

As a Indie/BYOV company, you must choose a running time for your show. There is no time limit imposed for Indie/BYOVs but you should keep in mind that Main Series shows generally have running times between 60 and 90 minutes.

Once your application is accepted, you may not increase your running time.

Indie/BYOV productions shall determine their own schedules, in coordination with all shows at the venue, subject to approval by the Hamilton Fringe Festival. **Draft Indie/BYOV performance schedules must be submitted by March 15, 2024.**

Please note that there are no performances Wednesday July 17, 2024.

**The Fringe will not adjust any scheduling to accommodate company members involved in the performance of more than one production in the festival.**

All venues must allocate adequate turnaround time between performances to allow for enhanced cleaning protocols, in full adherence to all public health guidelines and regulations in place at the time of the Festival.

Indie/BYOV productions over 30 minutes in length can book a maximum of one performance per day over the run of the festival (11 shows total).

Productions that are 30 minutes or less may negotiate additional showtimes, subject to approval by the Hamilton Fringe Festival.

The Participation Fee for each company will be calculated based on the total seating capacity of the show over the course of the run.

Our opening night event (Opening Night Kick-Off) will be held July 17, 2024. The Kick-Off is your chance to promote your production with a (very short!) live pitch. We encourage all companies to participate. You will receive more details at a later date.

### **Tickets and Revenue**

Participating companies/artists receive 100% of their net box office receipts. Hamilton Fringe Festival will provide house management, ticketing, and box office services.

Artists performing in the Hamilton Fringe Festival are independent contractors. You are entitled to receive 100% of the ticket price set by the Hamilton Fringe Festival and are responsible for remitting any HST or applicable taxes on that revenue.

The ticket price is set at \$14. Companies may opt to offer \$5 tickets for children 12 and under.

We have a variety of multi-show passes for sale. There are a limited number of these passes and they encourage patrons to see more shows. You will receive the following amounts for each use of a multi-show pass for admittance to your show:



- \$12 for each ticket used from a 3-show Fringe Sampler Pass
- \$11 for each ticket used from a 6-show Fringe Binge Pass
- \$10 for each ticket used from a 10-show Fringe Frenzy Pass

You will receive \$5 for each ticket used from a 6-show Artist Pass. These passes will only be made available to Hamilton Fringe Festival participants.

Please note that single ticket prices as well as multishow pass types and prices may be subject to change. Artists will be notified of any such changes via email to the Primary Contact.

Details of the box-office payout process will be sent by email to the Primary Contact no less than two weeks prior to the festival.

**PLEASE NOTE:** The Hamilton Fringe Festival requires all patrons to purchase a Fringe Benefits Button (a one-time \$4 cost) in order to see shows. This policy applies to everyone, even your special guests and comp list attendees. Each artist participating in the festival is given a Fringe Benefits Button free-of-charge.

### **Accommodations**

It is your responsibility to arrange accommodations while participating in the Hamilton Fringe Festival. If requested by the company, best efforts will be made to connect non-local companies with billeted local accommodations. Priority will be given to artists having traveled the farthest distance to attend the festival. Billets may require artists to provide proof of COVID-19 vaccination.

### **Fees**

#### **Indie/BYOV Application Fee:**

**\$30.00 non-refundable fee** due upon receipt of application.

#### **Fringe Participation Fee:**

Indie/BYOV fees are based on your overall seating capacity. Seating capacity is calculated by the TOTAL number of seats available for the ENTIRE RUN of the show (venue capacity x number of shows):

- 299 seats or fewer = **\$500**
- 300-449 seats = **\$575**
- 450+ seats = **\$675**

ex: If a venue has a capacity of 40 seats and the company intends to perform their show 10 times, the total seating capacity is 400 and the Participation Fee is \$575.

Your Application Fee must be submitted along with your completed application, and are due no later than **March 1, 2024**. Participation Fees will be due no later than **March 8, 2023**.

You can pay these fees online or via cheque in the mail. If you plan to pay your Participation Fee by cheque, it must be sent at the same time as your Application Fee.

Make all cheques or money orders payable to:

**Hamilton Festival Theatre Company**

41 King William St., Suite 206  
Hamilton, ON L8R 1A2

Do not mail cash. Applicants whose cheques are returned for any reason by the bank will be charged a \$25.00 fee and risk losing their performance slot.

**Acceptance & Confirmation**

Applicants will receive confirmation by email or phone regarding their status. All cheques/money orders/credit card payments for successful applicants will be processed immediately.

**Refund Policy**

The Primary Contact is the only individual who may withdraw from the Fringe. Any intent to withdraw must be made in writing by mail or email and is effective from the date the Fringe receives the written notice. Via email, please send to Christopher Stanton at [christopher@hftco.ca](mailto:christopher@hftco.ca) .

Confirmed participants withdrawing from the festival **on or before March 8, 2024**, shall receive a refund of 100% of their Participation Fee, less a \$75 administrative charge.

On **March 9, 2024** or anytime thereafter, participants who withdraw shall forfeit

their entire Participation Fee (100%).

### **What happens if you need to cancel a performance?**

As mentioned above, Hamilton Fringe will schedule your company for seven (7) performances. The schedule as set by the festival is non-negotiable, and your company is required to abide by said schedule.

There are certain circumstances, however, in which you may need to cancel a performance. If you must cancel one of your scheduled performances, you must notify Christopher Stanton at christopher@hftco.ca in writing at the earliest possible time.

Hamilton Fringe cannot refund companies for performances cancelled by the company for any reason.

Any and all tickets purchased for the cancelled performance will be refunded.

Hamilton Fringe may charge a cancellation administration fee of \$50.

Please note that once a given performance has been cancelled, it cannot be “uncancelled.” Cancelled performances will not be rescheduled.

### **COVID-19 Protocols & Pandemic-related Cancellation Refunds**

The Hamilton Fringe Festival prioritizes the health, safety, and accessibility of our artists, audiences, staff, volunteers, and community partners. As such, our plans for the 2024 Hamilton Fringe Festival have taken all public health guidelines and government guidance into consideration. Our current preparations for the festival period reflect the best information we have going into the summer 2024 period, and are based on ongoing consultation with the Canadian Association of Fringe Festivals (CAFF).

Hamilton Fringe Festival live performances in all categories will adhere to all public health guidelines in place at the time of performance. Adjustments may include extra time between performances to reduce traffic flow and allow for extra cleaning, indoor venues designed to accommodate social distancing, expanded opportunities for outdoor and/or online shows, and more.

Please note that if the Hamilton Fringe Festival is forced to cancel a full

performance run (7 shows) due to public health guidance or regulations in place at the time, affected companies will receive a full refund of their participation fee.

During the festival, all members of participating companies will be strongly encouraged to wear a mask at all times at all indoor Fringe venues. Masks are NOT required while performing or rehearsing on stage.

In the event that someone in the company has a confirmed case of COVID-19 after attending or performing at a Hamilton Fringe Festival event they are advised to contact Executive Director Christopher Stanton immediately.

Artists may choose to cancel or replace cast members in order to continue the run of their show. Artists are responsible for communicating these details to the Executive Director and their Venue Captains. Please note that Hamilton Fringe cannot refund companies for performances cancelled by the company for any reason.

All participating companies must fully adhere to all public health regulations and guidelines in place at the time of performance. If any company or venue is found to be operating in contravention of said regulations or guidelines, The Hamilton Fringe Festival reserves the right to immediately cancel all affected performances. The offending company shall forfeit all fees and any outstanding box office proceeds.

### **Finally**

Submission of your online application and application fee means that you have read and have agreed to all of the above. Your company agrees to adhere to the laws of Ontario, and the policies, procedures and safety guidelines as set forth by the Hamilton Fringe Festival. The festival reserves the right to remove any company or cancel any/all performances of a company that does not abide by the policies of the Hamilton Fringe Festival, including the CAFF Member Code of Conduct and the HFTco Safer Spaces Policy. These policies are available online at HFTco.ca.

Please contact us if you have any questions or need clarification of these details BEFORE paying the non-refundable fee and submitting your application. We recommend that you print a copy of this page for your own records. Applications are accepted through online submission and must be accompanied by your non-refundable application fee (\$30.00). Applications received without the application fee will NOT be included in the Hamilton Fringe Festival lottery.

The Hamilton Fringe Festival reserves the right to remove any company from participation in the Fringe should the company members or an individual member engage in illegal activity (including hate speech), harassment, unethical behaviour, or otherwise place the festival itself at risk.

**SIGNATURE**

I HEREBY ACKNOWLEDGE AND AGREE THAT I HAVE CAREFULLY READ THIS AGREEMENT, I FULLY UNDERSTAND IT, AND I AM FREELY AND VOLUNTARILY EXECUTING IT BY AFFIXING MY SIGNATURE BELOW. (Your signature is collected electronically via Jotform. See Eventotron application form for link.)

Applicant's Signature:	Date:
Name (printed):	

For Hamilton Fringe Festival:	Date:
Name (printed):	