**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)