

Minnesota State Agricultural Society Rules

Chapter 37

Minnesota Statutes

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CHAPTER 37 MINNESOTA STATUTES

MINNESOTA STATE AGRICULTURAL SOCIETY

Rules governing the management and control of the Minnesota State Fairgrounds and the Minnesota State Fair.

CHAPTER ONE - GENERAL

1.01 AUTHORITY.

These rules are promulgated pursuant to authority granted the Minnesota State Agricultural Society by Minn. Stat. § 37.16. The Minnesota State Agricultural Society is not an agency of statewide jurisdiction, therefore, rules adopted by the Minnesota State Agricultural Society have not been promulgated pursuant to Minn. Stat. Ch. 14 and will not be found in the bound volume of Minnesota rules.

1.02 DEFINITIONS.

For purposes of these rules, the following definitions shall apply:

- (a) **Board of managers.** The board of managers is responsible for management and control of the Minnesota State Agricultural Society including the annual election of its secretary.
- (b) **Commercial space.** Those areas and locations on the State Fairgrounds designated by the Society to be used for commercial exhibits and concessions.
- (c) **Commercial space committee.** The committee of three or more members of the board of managers, designated by the president of the Society, empowered to examine Society commercial space policies and the actions of the commercial space division and make recommendations thereon to the board of managers.
- (d) **Competitive exhibitor.** Any person or firm which enters animals or articles for competitive exhibition at the State Fair.
- (e) **Delegate.** That employee of the Society given authority by the secretary to act on the secretary's behalf in the instance specified.
- (f) **Department superintendent.** That delegate of the secretary who is head of a specific Society department.
- (g) **Director.** That delegate of the secretary who is head of a specific Society division.
- (h) **License.** An agreement whereby the Society grants to an entity the privilege to exhibit, disseminate information, sell, make deliveries of or accept deposits for future deliveries of goods, services, or information on or from an assigned State Fairgrounds commercial space during the period of the State Fair. Licenses will be granted in accordance with the Society's commercial space policy and rules, upon timely and proper application and showing of qualification, and if commercial space is available.
- (i) **Minnesota State Agricultural Society (Society).** The public corporation and department of state charged with the responsibility for management and control of the State Fairgrounds and conducting the State Fair and other exhibitions on the State Fairgrounds.
- (j) **Personal property.** All privately owned buildings, tents, booths, structures, improvements, business equipment, fixtures or other enclosures, whether portable or permanently affixed to State Fairgrounds property are personal property. A private party is precluded from holding any interest in real property on the State Fairgrounds.
- (k) **Secretary.** The secretary of the Minnesota State Agricultural Society is also the executive vice president.
- (l) **State Fair.** An annual exhibition conducted by the Society on the State Fairgrounds.
- (m) **State Fairgrounds.** That certain area of land in Ramsey County, Minnesota defined and described in Minn. Stat. § 37.01 and other real estate parcels as recorded with Ramsey County Register of Deeds, including the area outside as well as inside the fenced portion thereof.

1.03 ALL PAY GATES.

Entry into the State Fair shall be solely contingent upon the presentation and surrender of a valid ticket of admission in accordance with the most current schedule of gate prices as established by the board of managers.

Only properly identified emergency personnel, such as police, fire and ambulance, as well as properly identified Society service personnel, shall be exempted from this rule when engaged in legitimate emergency or service duty which requires passage through State Fairgrounds admission gates.

1.04 GATE CONTROLS.

Admission gates and exhibit buildings of the State Fair will be open to visitors on days and during operating hours as set by the board of managers. Persons not involved in the preparation or teardown of exhibits for the State Fair may be prohibited from entering the State Fairgrounds during the preparation and teardown period. Gate admission fees will be charged during nighttime (non-operating) hours with the same fee schedule in effect as during day time (operating) hours.

Persons entering the State Fairgrounds during non-operating hours, in addition to paying established gate fees, will be required to provide proof of their having business on the State Fairgrounds during said non-operating periods. License holders and their employees needing to enter or remain on the State Fairgrounds during the overnight period must first obtain an overnight badge from the appropriate Society department superintendent or division director. No badge will be issued without proper identification.

1.05 PASS-OUT GATES.

A pass-out system is operated during the State Fair at admission gates. Persons exiting through these gates may, upon request, obtain proper credentials for re-admittance to the State Fairgrounds without additional charge. Re-admittance will be honored the day of issuance only.

1.06 ADMISSION PRICES.

The board of managers shall annually review and establish gate admission prices for persons and vehicles including specific fee exemptions and discounts.

1.07 VEHICLE RESTRICTIONS.

Maximum vehicle speed limits on the State Fairgrounds, as well as appropriate allowances and restrictions dealing with unnecessary acceleration, vehicle parking, delivery hours, restricted areas, tow-away zones and impound arrangements, shall be established by the secretary or delegate. The secretary or delegate shall provide for the placement of such traffic control signals, signs, and other traffic control devices on the State Fairgrounds as deemed necessary for the safety, protection and control of the State Fairgrounds and the people thereon.

When any police officer or security person finds a vehicle illegally parked on the State Fairgrounds, they are authorized to issue a citation, or provide for the removal and impoundment of such vehicle, or both. Cost of removal and storage shall be borne by the vehicle's owner.

1.08 PEDESTRIAN RIGHT-OF-WAY.

When walking on or about any street, sidewalk or other area generally open to the public on the State Fairgrounds, pedestrians shall at all times have the right-of-way as against all vehicles, other than identified emergency vehicles. Drivers of all vehicles, other than identified emergency vehicles, shall yield the right-of-way to any and all pedestrians on the State Fairgrounds.

1.09 TWO-WHEELED AND TRACK-VEHICLES.

Two-wheeled vehicles, such as bicycles, motorcycles and motor scooters, will not be allowed on the State Fairgrounds during the State Fair unless such two-wheeled vehicles are on display in a commercial space licensed by the Society and, in such case, said two-wheeled vehicles must be kept in

the assigned commercial space and may not, under any circumstances, be operated on the streets of the State Fairgrounds. Electric personal assistive mobility devices may be used on the State Fairgrounds by persons that are physically challenged. Track-type vehicles, including snowmobiles, may not be operated anywhere on the State Fairgrounds at any time of the year without the express authorization and approval of the secretary or delegate.

1.10 BANNERING, PICKETING, INTERFERING, PROTESTING.

No person or group of persons shall banner, picket, march, protest, demonstrate or caucus on the State Fairgrounds before or during the State Fair in any manner that interferes with the convenience and safety of any State Fair patron, exhibitor or employee. No person or group of persons shall banner, picket, march, protest, demonstrate or caucus on the State Fairgrounds during any event held on the State Fairgrounds while the annual State Fair is not in session (the off season) without first applying for and obtaining a permit from the Secretary of the Minnesota State Agricultural Society. Applications must be submitted to the Secretary no later than 30 days prior to the first day of the event. Application forms and the procedures and policies governing permitting decisions are available from the Secretary upon request. This Rule does not replace or modify any other rule.

1.11 HANDING OUT MATERIALS.

The sale, posting or distribution of any merchandise, products, promotional items and printed or written material except from a fixed location on the State Fairgrounds approved by the secretary or delegate shall be prohibited.

1.12 ADVERTISING VEHICLES.

The operation or parking of any sound truck or vehicle upon which advertising signs, political or otherwise, have been affixed in any manner shall be prohibited anywhere on the State Fairgrounds. This rule is not applicable to a lettered service vehicle advertising a firm or its products while making deliveries or to the normal advertising on bumpers and windows of motor vehicles.

1.13 CONFLICT OF INTEREST.

No manager, officer or employee of the Society shall:

- (a) Enter into a contract with the Society.
- (b) Have or acquire any financial interest, whether direct or indirect, in any contract between the Society and any license holder, performer, vendor or contractor.
- (c) Engage or participate in personal business or financial transactions that conflict with the interest of the Society or their obligations and interests as a member of the board of managers, officer or employee of the Society.
- (d) Be entitled to any special consideration involving the storage of vehicles and materials on the State Fairgrounds or the use of Society buildings, machinery, or equipment, except as may be specifically approved by the board of managers.
- (e) Be allowed to purchase any material for their personal use through the name, credit or account of the Society.

1.14 USE OF VEHICLES BY SOCIETY EMPLOYEES.

All vehicles used by managers, officers or employees of the Society in connection with Society business shall:

- (a) Be the property of the manager, officer or employee, with the Society to have no interest or obligation except as authorized by the board of managers and stated in the Society bulletin covering expense reimbursement; or
- (b) Be used by the Society as part of a service contract, through rental or on a courtesy basis; or
- (c) Be the sole property of the Society to be used only on Society business.
- (d) No vehicle shall be rented by the Society from any Society manager, officer or employee.

1.15 EQUAL EMPLOYMENT OPPORTUNITIES.

The following policies concerning fair and equal employment shall be followed by the Society:

- (a) It shall be the policy of the Society to foster the employment of all individuals with the Society in accordance with their fullest capacity and ability, regardless of race, color, creed, religion, sex, sexual orientation, age, national origin, marital or veteran status or status with regard to public assistance or disability, and to safeguard their right to hold employment with the Society without discrimination; and
- (b) Every contract for or on behalf of the Society for materials, supplies, construction or licenses may be cancelled or terminated by the Society when discrimination on account of race, color, creed, religion, sex, sexual orientation, age, national origin, marital or veteran status or status with regard to public assistance or disability, exists in the hiring or employment of common or skilled labor by the contractor pursuant to the contract for or on behalf of the Society.

1.16 ACCEPTANCE OF GIFT.

No manager, officer or employee of the Society shall accept from a person or company that does business with the Society, any gift, gratuity, cash, merchandise or thing of value. This prohibition shall extend to the acceptance of food or beverage or merchandise at less than full retail price from a license holder during the State Fair.

1.17 HIRING OF RELATIVES.

No relative of a Society employee or a relative of a member of the board of managers shall be given preferential treatment in being hired or promoted. Relatives may be precluded from working in the same Society department.

1.18 DOGS.

During the period of the annual State Fair, no dogs or other pets shall be allowed on the State Fairgrounds. Exception: Dogs or other pets may be allowed when part of an exhibition or demonstration authorized by the secretary or delegate. No other exceptions will be allowed during the period of the State Fair.

During the non-fair period, no dogs or other pets shall be allowed in State Fair buildings, unless part of an exhibition or demonstration authorized by the secretary or delegate. No dogs or other pets may be allowed on the State Fairgrounds at any time unless confined or restrained on a leash of less than six feet in length.

During fair and non-fair periods, society personnel are empowered to order the removal from the State Fair any dog or pet in violation of the above, or found to be disturbing or endangering the public.

1.19 ROLLER SKATES, IN-LINE SKATES AND SKATEBOARDS.

Use of roller skates or in-line skates shall not be permitted on the State Fairgrounds during the State Fair except as authorized in an agreement executed by the secretary or delegate. Use of skateboards shall not be permitted on the State Fairgrounds at any time except as authorized in an agreement executed by the secretary or delegate.

1.20 PRACTICE DRIVING.

The State Fairgrounds may not be used by any person, organization or firm to conduct lessons for or to practice driving automobiles or other motor vehicles, unless such activity is covered under an agreement executed by the secretary or delegate.

1.21 USE OF METAL DETECTORS.

The use of metal detectors or similar devices shall be prohibited on the State Fairgrounds. Any activity of discovery, whether undertaken with or without a detection device, which results in digging,

probing or otherwise disturbing the ground, shall be prohibited on the State Fairgrounds. This rule shall neither limit nor prohibit activities or the use of detection devices as may be directed by the secretary or delegate in the legitimate conduct of Society work.

1.22 ELECTRICAL INSPECTIONS AND REQUIREMENTS.

Minn. Stat. 326.244, Sub. 4 authorizes the Society to provide for inspection of fixed and transient electrical installations within its jurisdiction and to that end the Society has elected to adopt by reference as if fully set forth herein the following sections of Minn. Stat., Chapter 326 dealing with electrical regulations and inspections: A. 326.01 Definitions; B. 326.242 Licenses; C. 326.2421 Alarm and Communication Systems; D. 326.243 Safety Standards; E. 326.244 Inspection, except with respect to fees; F. 326.245 Manufacture of Electrical Apparatus; exempt; and G. 326.246 Crimes.

With respect to Minn. Stat. Sections 326.44 and 326.246, adopted above by reference. wherever the words "the Board", referring to the State Board of Electricity, are used therein, the words "the Society", should be substituted therefore.

The Society will undertake inspections within its jurisdiction in compliance with applicable requirements of the Minnesota Board of Electricity Rules, Chapter 3800, which are hereby adopted by reference, along with any future revisions, modifications or amendments thereto, except with respect to fees, which shall be established by the Society. With respect to said rules, wherever the words "the Board", referring to the State Board of Electricity, are used therein, the words "the Society" should be substituted therefore. Electrical inspections shall be accomplished by an electrical inspector(s) contracted by the Society to provide such service with qualifications and credentials as are required for the performance of such duties and who further meet the standards specified in Minnesota Board of Electricity Rules, Chapter 3800.3630.

Each individual, partnership, corporation or other business association doing electrical work within Society jurisdiction shall file with the Society a copy of their current license issued by the Minnesota Board of Electricity or such other evidence of such license as may be provided by said board. No electrical construction, remodeling, replacement or repair shall be undertaken within the jurisdictions of the Society, except minor repair work as defined in Minnesota Board of Electricity Rules, Chapter 3800.1100, without first having received an inspection from the Society.

1.23 SERVICE ANIMALS.

A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.

Service animals can accompany people with disabilities in all areas where members of the public are allowed to go. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals:

- (a) When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) Is the dog a service animal required because of a disability, and (2) What work or task has the dog been trained to perform.
- (b) Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- (c) A person with a disability cannot be asked to remove his service animal from the premises unless:
 - (1) The dog is out of control and the handler does not take effective action to control it or;
 - (2) The dog is not housebroken.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

(d) In addition to service dogs, miniature horses that have been individually trained to do work or perform tasks for people with disabilities may be allowed. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Assessment factors are:

- (1) Whether the miniature horse is housebroken;
- (2) Under the owner's control;
- (3) The facility can accommodate the miniature horse's type, size, and weight; and
- (4) The miniature horse's presence will not compromise legitimate safety requirements necessary for the safe operation of the fair.

CHAPTER THREE - COMPETITIVE EXHIBITS

3.01 COMPETITIVE EXHIBITION TIMES.

Times for the setup of State Fair competitive exhibits, the dismantling and removal of exhibits and the hours of public viewing will be set annually by the secretary or delegate and will be stated in individual department premium books.

3.02 RESPONSIBILITY FOR COMPETITIVE EXHIBITS.

The Society will use diligence to protect livestock and articles entered for exhibition, after their arrival and placement, but under no circumstances will it be responsible for any loss, injury or damage done to or caused by any animal or article on exhibition. It is the responsibility of the competitive exhibitor to obtain appropriate insurance for any damages due to or caused by the exhibit and to indemnify and hold the Society harmless against any claim arising out of incidents involving the exhibit. Removal or pickup of exhibits at established times as stated in individual department premium books, entry blanks or entry receipts, shall be the responsibility of the competitive exhibitor. The Society shall not be responsible for any exhibit not removed or picked up at established time and the secretary or delegate will dispose of all exhibits not removed or picked up by December 1 of the year in which the exhibit was entered.

3.03 BOARD OF ANIMAL HEALTH.

The exhibition of livestock on the State Fairgrounds shall be under the supervision of the Minnesota Board of Animal Health and its applicable rules and regulations will be complied with in full. Health requirements for individual departments will be set forth in their respective premium books.

3.04 GENERAL COMPETITIVE ENTRY REQUIREMENTS.

Competitive exhibitors must file proper entry blanks with any applicable fees prior to the designated closing date for entries. The Society reserves the right to refuse entries or prohibit the exhibition of animals or articles entered if the showing of such animals or articles is contrary to law, or violative of the Society's interest in providing for the health, safety and protection of its patrons. Exhibits entered in the wrong class or category may be transferred prior to judging at the discretion of the department superintendent to the proper class or category of competition.

Deception of any type by an exhibitor, as determined by the department superintendent will ban the exhibitor from any further competition and result in the forfeiture of all premiums. Mechanical or artistic articles must be entered in the name of the artist, inventor, manufacturer or maker. The Society desires that all prospective exhibits be given a fair opportunity to enter their exhibits and to have them judged on the basis of their individual merits without favoritism or undue influence. This means that, as a minimum safeguard, an objectively qualified prospective exhibitor shall not be given an advantage or placed at a disadvantage because of his or her familial relationship with a Society officer or member of the Board of Managers. On any occasion when a relative of a Society officer or member of the Board of Managers has objectively qualified for the entry of an exhibit, the related Society officer or Board of

Managers' member shall not have any written or oral communication with either the affected department superintendent or exhibit judge before, during and after the judging process is completed as the communication relates to the competition in which the exhibit is entered.

3.05 ANIMAL COMPETITIVE ENTRY REQUIREMENTS.

When animals are entered for State Fair competition by an entity other than an individual, that entity (whether a corporation, partnership, breeding establishment or other) must have been in existence as of the closing date of entries. Appropriate documentation showing the status of the entity must be available for inspection by the department superintendent. All animals entered under a breed classification must be recorded in a breeding association recognized as representative of the particular breed. The competitive exhibitor must produce a certificate of registry at the request of the department superintendent. All animals shown must be owned by the competitive exhibitor from the time of making entry, except as otherwise provided in special rules of the department.

3.06 JUDGES.

Competent and qualified persons will be employed as judges by the Society to evaluate all competitive exhibits. Judges shall be responsible for reading and understanding the general rules and all special rules applicable to the department or class in which they are to serve. No person who is a competitive exhibitor may act as judge in a class in which they are competing.

3.07 INTERFERENCE WITH JUDGING.

Judges shall report to the department superintendent any competitive exhibitor who in any way, whether in person or by agent or employee, interferes with them or shows any disrespect to them during the judging. The department superintendent may exclude any such competitive exhibitor from further competition. The secretary may withhold from such competitive exhibitor any or all premiums that have been awarded and may also exclude such competitive exhibitor from further competition at the State Fair.

3.08 AWARD BOOKS.

Judges and persons acting as clerks to the judges must use special care to record the proper names in the award books after awards have been made. The judge, competitive department superintendent in charge and clerk recording the awards of the department must sign the award book at the close of each class immediately after all awards in such class have been made.

3.09 QUALIFICATION OF ENTRIES.

If there is any question as to the regularity of an entry or the right of any animal or article to compete in any class or category, the judge or judges shall report same to the competitive department superintendent in charge for adjustment. Judges shall place a reserve award in each class. Should any animal or article awarded a prize be disqualified, the animal or article awarded the next lower prize shall graduate into the next higher position, if in the opinion of the judge, it is worthy of such prize. Judges must not award a prize to an unworthy exhibit. No premium or distinction of any kind shall be given to any animal or article that is not deserving.

3.10 FINALITY OF DECISIONS.

In judging livestock, the decision of the official State Fair veterinarian and judge as to soundness shall be final. The decision of the judge shall be final in all cases, except when mistake, fraud, misrepresentation or collusion, not known at the time of the award, is discovered. In such cases, the secretary shall take appropriate action or refer the matter to the board of managers.

3.11 INTERPRETATION OF RULES.

A faithful observance of all rules governing the exhibit will be required, and when in doubt as to the application or meaning of a rule, the competitive department superintendent in charge shall interpret

such a rule. This interpretation when requested by either a competitive exhibitor or judge must be reduced to writing and returned to the secretary or delegate with the award books.

3.12 PROTESTS.

A protest from the decision of a judge will only be accepted from a competitive exhibitor named in the official judge's sheet for competition in the class or category under protest, and must be filed with the secretary within five (5) hours after the award has been made. An award is deemed to have been made when the notation of the decision of the judge is entered into the department award book. All protests must be made in writing and must be accompanied by a deposit of one hundred dollars (\$100). The protest must state plainly and specifically the facts upon which the complaint or appeal is based. The right to appeal will lie only when it is charged that the award has been made in violation of the rules governing the exhibit, or when it is charged that the decision of the judge has been influenced or interfered with by another person. No protest or appeal based upon the statement that the judge or judges are incompetent or have over-looked an animal or article will be considered. The one hundred dollar deposit will be returned only if the protest or appeal is upheld. In protest and appeal instances where rules established by a breed association or other competitive organization with which the Society has an agreement differ from this rule, rules of the association or organization shall govern.

3.13 LATE SHOWING OF EXHIBIT.

No animal or exhibit will be judged or awarded a prize if it is not ready for judging and promptly brought into the show ring when the class is called.

3.14 PREMIUM MONEY.

Cash premiums awarded will be paid by check made out to the competitive exhibitor and mailed to the post office address as stated on the entry blank. Competitive exhibitors may forfeit all premium money if exhibits are removed from the grounds prior to the official time of release. The board of managers reserves the right to make reductions in premiums if the financial conditions of the Society make such reductions necessary.