**Section 270.495 Criteria for Grant of Privileges**

The Director, or a duly authorized representative, reserves the right to determine for what purposes and to which individuals, groups, corporations or associations the facilities on the State Fairgrounds shall be rented or the privilege of a contract granted. In exercising this discretion, the Director shall consider one or more of the following factors in determining whether to grant any privilege or contract to a prospective lessee:

a) The availability of the physical plant or plants on the State 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 State Fairgrounds;

d) The costs and expenses to the Department in hosting the event, including 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/her 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 prior experience illustrates a failure, refusal or inability of the proposed lessee to comply with this Part and/or the prior experience with a particular usage to the extent the usage results in violation 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 the local community and/or in the service or trade community in which he/she does business.

(Source: Amended at 35 Ill. Reg. 19143, effective December 1, 2011)