



City of Billings RIGHT-OF-WAY ACTIVITY PERMIT

RECEIVED
NOV 25 2009
BY: *[Signature]*

Please check the type of activity you are applying for:

Parade Run/Walk/Procession Street/Alley Closure Block Party

Submit this application with attachments, to either the: Public Works office, 2224 Montana Ave.,

Billings, MT 59101 or Downtown Billings office, 2815 2nd Ave North, Billings, MT 59101. Application packet should be turned in at least 60 days prior to the date of the proposed event for approval.

PERSON MAKING APPLICATION Tim Goodridge
 ORGANIZATION MAKING APPLICATION City Blue Productions LLP
 PHONE 406-670-2329
 ADDRESS 2990 Lohof Dr. Billings, MT 59102
 CITY STATE ZIP
 EMAIL ADDRESS tgoodridge3@bresnan.net

APPROXIMATE TIME EVENT WILL:

Assemble 4 pm ~~4:30~~ Start 5 pm Disband 12:30 am

DATE OF EVENT August 13 & 14, 2010

PURPOSE/DESCRIPTION OF EVENT: (Description and detail of the event.)

2 night outdoor music festival in Billings historic district.
Magic City Blues Festival

EVENT ROUTE DESIRED (IF APPLICABLE): (Please attach map.)

BLOCK PARTY STREET LOCATION (IF APPLICABLE):

2300-2500 block of Montana Avenue.

CLEAN UP IMPLEMENTAION: (Company contracted or services you will provide)

we clean.

Insurance for special events can only be obtained 30 days from show

CERTIFICATION OF INSURANCE WHICH MUST SHOW: (1) The limits of liability coverage for the period of this agreement as a minimum of \$750,000 per claim/\$1.5 million per occurrence general liability, and (2) the City of Billings named on the Certificate of insurance as the additional insured. (Refer to the sample insurance copy. Please note a certificate of insurance is not required for Block Parties)

NOTICE: ANY MARKINGS (NO PAINT ALLOWED) TO BE PLACED ON PUBLIC RIGHT-OF-WAY MUST BE APPROVED BY THE CITY TRAFFIC ENGINEERING DEPARTMENT PRIOR TO PLACEMENT. BE ENVIRONMENTALLY SAFE. AND NOT CONFLICT WITH EXISTING MARKINGS.

FOR DOWNTOWN EVENTS: YOU OR THE ORGANIZATION YOU REPRESENT MUST "ASSIGN" THE FIRST TWO BLOCKS OF THE DOWNTOWN EVENT ROUTE FOR NO PARKING TWO HOURS PRIOR TO YOUR EVENT USING THE ROUTE SIGNS PROVIDED BY THE CITY. IT IS YOUR RESPONSIBILITY TO PROVIDE THE APPROPRIATE BARRICADES FOR THE STREET CLOSURE

IF USING THE ESTABLISHED EVENT ROUTE. THE CITY WILL PROVIDE TWO POLICE OFFICERS WITH VEHICLES TO START THE EVENT. AND A STREET SWEEPER. IF NECESSARY. TO FOLLOW THE EVENT.

COORDINATOR OF EVENTS AT WHICH ALCOHOL WILL BE CONSUMED IN PUBLIC RIGHT-OF-WAY ARE REQUIRED TO OBTAIN AN OPEN-CONTAINER PERMIT FROM THE POLICE DEPARTMENT.

UPON SIGNING OF THIS APPLICATION, THE APPLICANT AGREES NOT TO VIOLATE ANY STATE OR CITY CODES IN THE PRESENTATION OF THE REQUESTED SPECIAL ACTIVITY.

In consideration for permission to conduct its activity as requested. applicant agrees to indemnify, defend and hold harmless the City of Billings, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person and from all liability claims, actions or judgments which may arise from the activity.

Applicants also agree to obtain valid "save or hold harmless agreements" from all participants in its activity protecting the City of Billings from all losses arising out of its activity, including damages of any kind or nature.

APPLICANT SIGNATURE. [Signature] DATE 11/23/10

APPLICATION APPROVED _____ DATE _____

APPLICATION DENIED _____ DATE _____

ADDITIONAL RESTRICTIONS OR SPECIAL CONDITIONS: YES NO
(IF YES, ATTACH COPY)

FOR CITY USE ONLY

FEE: _____
APPLICANT NOTIFIED BY _____
DATE: _____

- COPIES TO:
CITY ADMINISTRATOR
DEPUTY CITY ADMINISTRATOR
POLICE CHIEF
FIRE CHIEF
FIRE MARSHALL
MET TRANSIT MANAGER
STREET/TRAFFIC SUPERINTENDANT
TRAFFIC ENGINEER
PRPL DIRECTOR
PARKING SUPERVISOR
CITY ATTORNEY

November 23, 2009

Magic City Blues (MCB) is a two-day annual music festival planned for the second weekend in August each year. The event takes place in the Billings, Montana "Historic District". This year, 2010, will be the ninth annual.

It will be a combination of local, national and international musical acts appearing on two outdoor stages.

To accommodate the outdoor stages and provide a safe gathering place for the people attending MCB, Montana Avenue will need to be closed to all vehicle traffic. Affected blocks will be 2500–2300 block of Montana Avenue. Closures will be from 9am Friday, August 13 to 12 noon Sunday, August 13, 2010. These are the same festival closure times approved by council for the past six years.

Billings Construction Supply will handle traffic closure and diversion.

Our marketing and advertising is very strong and will make people aware of the event on Montana Ave., the dates, and the resulting street closure. In addition to our marketing campaign, major media outlets in Billings will cover the festival as a story to further the awareness. It is the intention of the organizers to make the 2010 festival as smooth and complaint free as years past to ensure continued city support for future festivals.

Traffic diversion on Montana Avenue will begin at N 29th with two signs, one in the north and one in the south lane – MONTANA AVE CLOSED AT N 25th ST. This will be repeated at N 28th and N 27th. Through traffic can divert to either 2nd Ave N or 1st Ave. S at each intersection up to 25th, where the barricade will divert remaining cars to 2nd Ave. North. Signs will include electronic arrows, cones and road closed ahead signs.

The main outdoor stage will be erected on Montana Avenue, just like last year. Having the stage in this spot provides excellent views and acoustics for the audience, which will be gathering in front of the stage and in the parking lot between the Rex and Venture Theater. This space can comfortably and safely hold the 3500 – 5000 people we expect each night.

Billings Police Association and Starplex Crowd Management Services will again act as the primary agents providing security.

The night shows will remain adult-oriented with no one under 21 allowed into the site after 4pm each day. The Rex and Carlin will provide staff and license for alcohol service within the perimeter. A chain link fence perimeter will be erected with gate entries at 25th, 23rd and the north end of the Rex parking lot on 24th.

Our intention, in addition to presenting more Live Music, is to draw people downtown and develop a broad festival atmosphere over the weekend. B&B Tire launched a car show in the east parking lot of the Depot on the Saturday of the festival from noon to 4pm in 2006. Street Rods and Indy car simulators were on display and lots of folks enjoyed the event. B&B is already planning for their 5th car show in 2010. We encourage businesses to develop ideas to capitalize on the crowds and attention surrounding the event to further benefit Billings. Our goal of making Billings the Live Music capital of Montana will be a tremendous boon to the city.

We are very proud of our involvement in providing community entertainment and donating \$35,000 to Public School music programs over the years, both through the festival and also through Perfect Pitch, a 501(c)3 non-profit. This relationship with the public schools is a foundation of our business practices and we will continue to work to increase opportunities and funding for the students.

The Magic City Blues festival has become a signature event for the City of Billings and fans come from all over the city, state and country to enjoy the hospitality and great music. We have worked hard to build the festival in a responsible manner and have gone to great lengths to develop a very good reputation with both the people who attend and the businesses we impact.

The objective of this proposal is to obtain a parks/events permit and permission to close Montana Avenue for the festival. Once this is accomplished, the festival organizers can proceed with obtaining sponsorships, booking talent and all other logistical challenges associated with the event.

All other issues needing resolution will be addressed as is deemed necessary by governing authorities.

Respectfully submitted by:



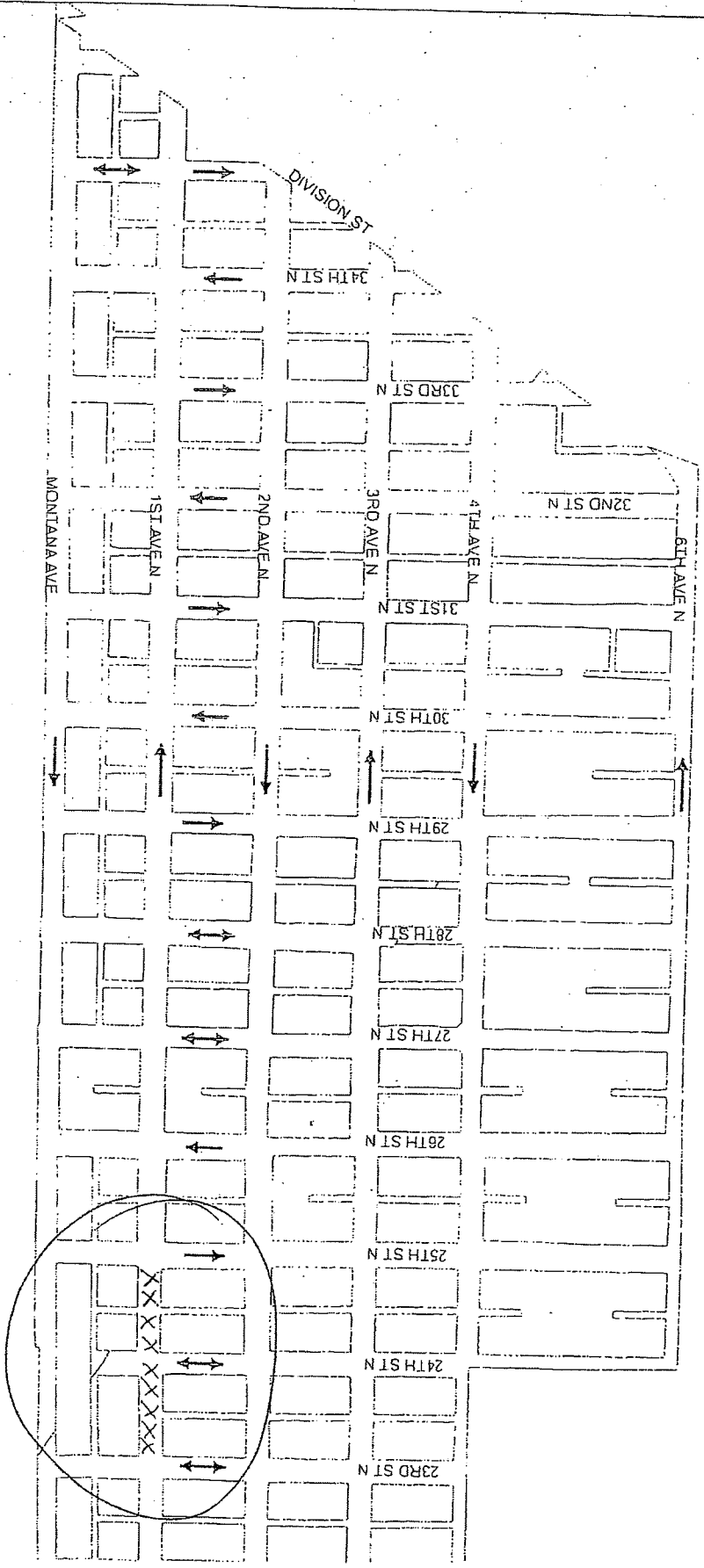
Tim Goodridge – Executive producer, Magic City Blues
Mike Schaer – partner, Magic City Blues
Gene Burgad – partner, Magic City Blues

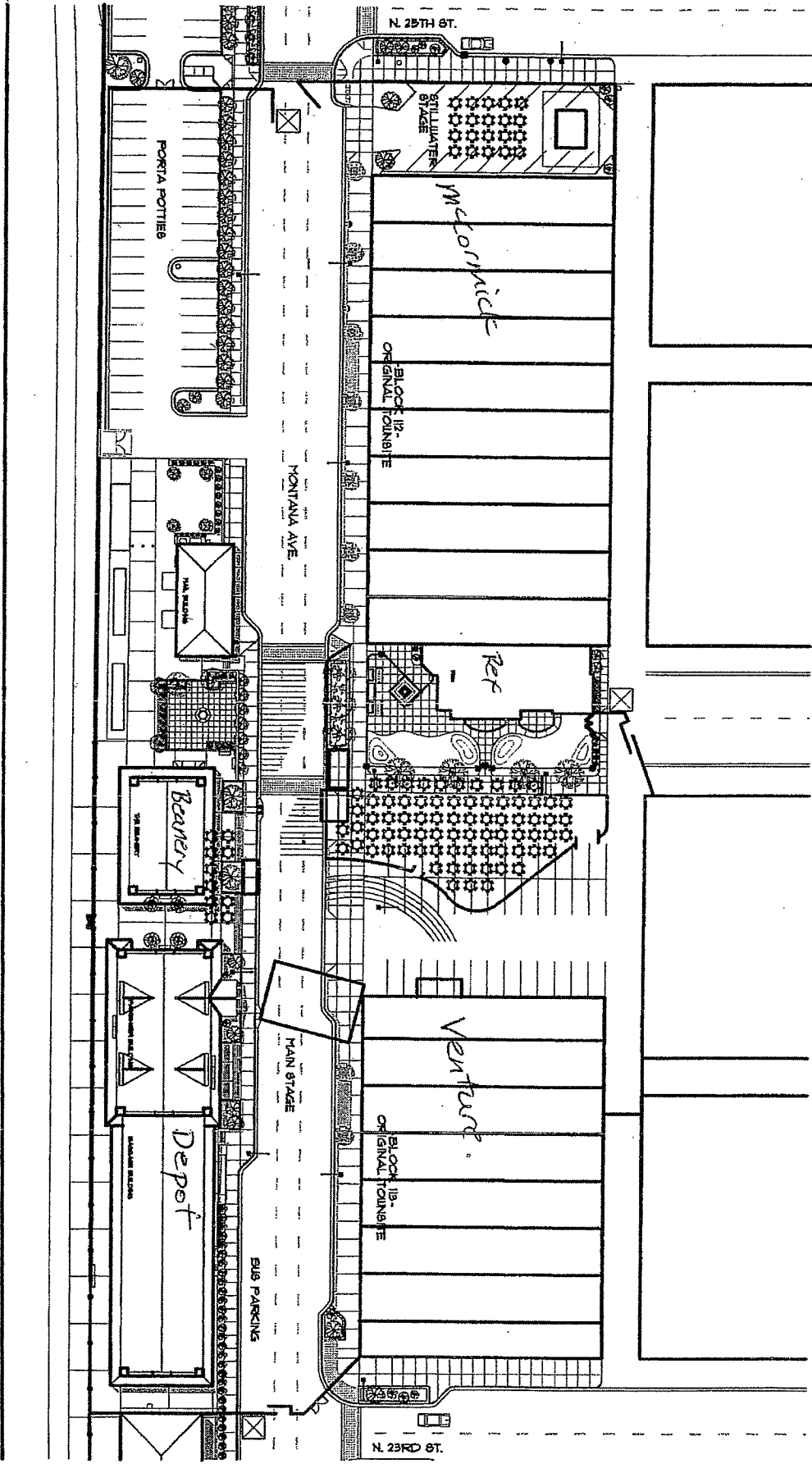
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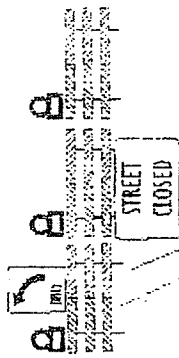
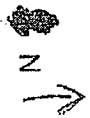
670-2329

2990 Lohof Dr. Billings, MT 59102

Downtown Billings Street Direction Map







MONTANA AVE



N25TH ST

BCS
 Billings Construction Supply
 14061 248-8355 1-800-472-6712

MONTANA&25TH.CDR

2009 insurance.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 07/28/2009
PRODUCER L.A. Xcess Insurance Brokers, Inc. 10474 Santa Monica Blvd #306 Los Angeles, CA 90025		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
Phone No. (818) 623-5410 Fax No. (818) 623-5510	INSURERS AFFORDING COVERAGE	
INSURED City Blue Productions, LLP 2990 Lohof Drive Billings, MT 59102 Phone No. (406) 670-2329 Fax No. (406) 252-5279	INSURER A: STP - St. Paul Fire and Marine Ins. Co.	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
STP			GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> LIQUOR LIABILITY EXCLUDED GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	EW06113375	08/07/2009	08/09/2009	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000				
							MED EXP (Any one person) \$ Excluded
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 1,000,000
			AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	<i>This is the coverage we will bind 30 days from the show. Festival does not serve alcohol. Local bars, Rex & Castin serve and assume liquor liability.</i>			COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							AUTO ONLY - EA ACCIDENT \$
			GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC AGG \$
STP			EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	EX06102164	08/07/2009	08/09/2009	EACH OCCURRENCE \$ 1,000,000
			AGGREGATE \$ 1,000,000				
			WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
			OTHER				Coverage Deductible \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 *Split Dates apply to all coverages in the specified section.

Coverage Location: United States & Canada
 Event: Magic City Blues Festival

The Certificate holder is included as Additional Insured, but only as respects to claims arising out of the negligence of the Named Insured.

All coverages expire at 12:01 a.m. Standard Time.

CERTIFICATE HOLDER	CANCELLATION
City of Billings P O Box 1178 Billings, MT 59103 United States Of America	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>1</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
Phone No. _____ Fax No. _____	AUTHORIZED REPRESENTATIVE <i>Richard Peltz</i>

The ninth annual Magic City Blues festival will be held in the 2500-2300 block of Montana Ave. on Friday and Saturday August 13 & 14, ~~2009~~. The street will be closed to vehicle traffic during those two days and part of Sunday to allow site set up and clean up. Pedestrian access to the two blocks will only be affected from 3 pm to 1am on Friday and Saturday. At those times access will be restricted to ticket holders with admission only through the gates. During the rest of the day, people on foot can come and go as they please with no restrictions.

The festival will control all vendor activity in the street and on the sidewalk during the closure. Vendors will be required to abide by festival rules. Private businesses are encouraged to remain open during evening hours to take advantage of the concert crowds.

I support the closure of Montana Avenue for Magic City Blues.

Address	Property Owner	Business Name	Signature
2401 Montana Ave.	Gene Burgard	The Box	Gene Burgard
2405-2409 Montana Ave.	CU	CU	Michael Schaefer
2415-2419 Montana Ave.	CU	McCombs/Italia	Michael Schaefer
2501-2503 Montana Ave.	CU	Colin/O	Michael Schaefer
2509-2519 Montana Ave.	CU	Kay Culver	Michael Schaefer
2421-2514 Montana Ave.	CU	Ronald/ER	Michael Schaefer
2301-2303 Montana Ave.	MPB	Caro Mondo	MPB

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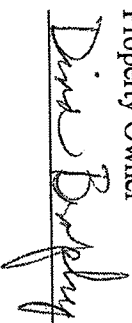

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Address	Property Owner	Business Name	Signature
2305 Montana Ave.	Ken Kelly	DEPT STORES	Ken Kelly
2310 Montana Ave.	Billings Dept Store	DEPT Billings	Rouven Peterson
2404 Montana Ave.	"	Postal Bldg	Rouven Peterson
2314 Montana Ave.	"	McClary's Tavern	Rouven Peterson
2224 Montana Ave.	City of Billings	PUD	David McFady
2411 Montana Ave.	Old Glory	Old Glory	Mike Hoop
2403 Montana Ave.	Fifty Paperies	RAINBOW BAR	Frank DeCaro

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Address	Property Owner	Business Name	Signature
<u>2317</u> Montana Ave.		<u>Venture Theater</u>	
_____ Montana Ave.	_____	_____	_____
_____ Montana Ave.	_____	_____	_____
_____ Montana Ave.	_____	_____	_____
_____ Montana Ave.	_____	_____	_____
_____ Montana Ave.	_____	_____	_____
_____ Montana Ave.	_____	_____	_____