

# CITY OF RED LODGE

1 PLATT AVENUE SOUTH, P.O. BOX 9, RED LODGE, MONTANA 59068



## USE OF CITY OWNED PROPERTY PERMIT

DATE RECEIVED: \_\_\_\_\_

APPLICATION FEE: (\$500 deposit) \$ \_\_\_\_\_

(Alcohol - \$100 per event) \$ \_\_\_\_\_

(\$100 per day) \$ \_\_\_\_\_ upon the majority vote of the members of the City Council, a Non-Profit Organization may replace the \$100 per day fee with In-Kind goods or services. Description of goods or services:

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LOCATION REQUESTED: (include address or other description i.e. Rotary Park) \_\_\_\_\_

### Applicant Information:

Name of Sponsoring Business or Organization: \_\_\_\_\_

Authorized Agent & Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Title of Event: \_\_\_\_\_

### Review Criteria:

Explain how your proposal meets, or impacts the required criteria below. ALL CRITERIA MUST BE ADDRESSED. If a criterion is not applicable, please explain why. Please attach drawings, pictures, site plans, renderings, traffic control plan, or additional text to fully explain your proposed use and assist the City Council in their review and decision related to your request.

1. Dates and Hours of Operation:

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2. Estimated Number of Participants: Discuss proposed crowd control and safety measures to be used during the event. Include estimated numbers and functions of volunteers and staff.

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3. Impacts on Parking and Traffic Patterns for Vehicles and Pedestrians:

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4. Noise: Discuss how noise from the event will be addressed and mitigated to minimize impact to surrounding properties.

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5. Trash Generation: Describe your plan for solid waste disposal during and after the event.

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6. Restrooms: Discuss how appropriate restroom facilities will be provided for the event. If portable toilets (i.e. Porta-Potties, etc.) are proposed, their location must be shown on the plan.

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7. Impacts on Police, Fire or Ambulance Service: Discuss any anticipated impact on our Emergency Services including but not limited to the need for additional staffing, delayed response times or detours.

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8. Campfires or Open Flames: Discuss any cooking facilities, campfires or any other open flames that may occur during the event.

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9. Sale of Goods or Services: Describe any anticipated commercial activity during the event.

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10. Request for Exclusive Use of City-Owned Property: Describe why a street and/or alley closure is necessary or why exclusive use of any portion of City-owned property is requested and necessary for the event.

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11. Alcohol: Will the event include the sale or distribution of alcohol? If yes, please explain control measures and server(s) certification. Per the Municipal Code (5-4-7) an exemption from the City Open Container Ordinance may be required (see item #12 below.)

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12. Open Container Exemption: In accordance with Municipal Code 5-4-7-C, an exemption to the Open Container Ordinance may be granted by the City Council on a case-by-case basis for a specific date, time and location (for persons to possess an open alcoholic beverage container on the public streets, highways, alleys or sidewalks.) Please describe your request in detail (use a separate sheet if necessary.)

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**\*\*Map is Included\*\***



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**CERTIFICATION:**

I, \_\_\_\_\_, (print name of Owner/Authorized Agent) hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, and on all other submitted forms, plans and all other information submitted, including any testimony given to the City Council, as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation provided in connection with this application be found to be inaccurate or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. By signing this application, I hereby grant approval for the City of Red Lodge, its Elected Officials, Employees or Agents to enter onto the property for the purpose of inspection and routine monitoring during the event.

**INDEMINIFICATION:**

Applicant (Sponsoring Organization/Entity) shall indemnify, hold harmless and defend (collectively "indemnify" and "indemnification") the City from and against all claims, demands, actions, suits, damages, liabilities, losses, settlements, judgements, costs and expenses (including but not limited to reasonable attorney's fees and costs), which arise out of or relate to any casualty or liability claimed or caused through his/her use of the City Property pursuant to the requested permit.

\_\_\_\_\_  
Owner/Authorized Agent Signature(s)

\_\_\_\_\_  
Date

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**CITY APPROVAL**

In accordance with Council action taken on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as Mayor I hereby approve this Use Permit.

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Loni Hanson, Clerk

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## **INSTRUCTIONS FOR USE OF CITY OWNED PROPERTY APPLICATION:**

1. Answer all questions. Answers should be clear and contain all necessary/relevant information.
2. Include Proof of Insurance Liability for dates requested, for a minimum insured amount of \$1,000,000.00 (which must be from an A+ rated, or better, insurance company) which lists the City as an additional insured as well as being the Certificate Holder.
3. If the event includes alcohol the amount of insurance required per item #2 above shall be increased to not less than \$2,000,000.00.
4. In accordance with Municipal Code 8-8-2 Deadline for Filing Application; the deadline for filing a completed application shall be a minimum of forty-five (45) days in advance of the Council meeting when it will be considered (except for good cause shown) but not more than two hundred seventy (270) calendar days (approx. nine months) in advance of the event. In the event the applicant can show good cause to request a waiver from the forty-five (45) day submittal requirement, the Council may waive and reduce said forty-five (45) day requirement.
5. Use the attached form (item #13 of the permit) to provide evidence of notification of each property owner or its authorized representative abutting the proposed permit site.
6. Please include 8 paper copies and 1 electronic copy of your application and related materials.
7. Include a refundable damage/clean-up deposit of \$500.00. The Council may increase or decrease the damage/cleanup deposit, as part of the application review process; for the following reasons, including but not necessarily limited to, anticipated potential impacts, availability of alcohol, and prior experience with-the specific event.
8. Include payment of the fees for the use of City Owned Property in the amount of \$100.00 per day or a description of City Council approved In-Kind goods or services.
9. Set-up and tear-down is the responsibility of the applicant.
10. If the event includes alcohol, include an additional one-time fee of \$100.00.

## **FURTHER INFORMATION FOR REVIEW BY THE APPLICANT:**

1. In accordance with Municipal Code 8-8-1, Application Process; Permit: A permit shall be required if one (1) or more of the following circumstances applies: a) request for exclusive use of City-owned Property, 2) sales of goods or services, 3) alcohol will be sold, or given away for a promotional event.
2. In accordance with Municipal Code 8-8-1, Application Process; Permit: If alcohol will be provided, all State Liquor Control Regulations shall be complied with by the applicant and all applicable State permits shall be obtained. In reviewing the application for a permit where alcoholic beverages will be available, the City Council shall consider the following factors:

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- a. Whether the proposed use enhances the cultural, recreational, or entertainment opportunities available to the community;
  - b. The appropriateness of the property for the proposed use;
  - c. Any potential negative impacts on adjacent property or residents;
3. The estimated number of people likely to be at the event, as well as the estimated amount of alcohol likely to be available. The City shall have the right to impose any condition pertaining to the public health, safety, and welfare upon its approval of the permit and shall retain the right to immediately revoke said permit to use City-owned property for any violation of the permit approval conditions.