

## 2009 Battle of Birdy's Official Rules and Regulations

All rules subject to change up to the first night of competition.

**Entry Fee (Non-Refundable):** \$35

**Slots Available:** 63

**Rounds:** 3 Rounds

**Shows:** All shows will be held at Birdy's on Friday and Saturday nights

### I. Eligibility Requirements

#### A. Age Requirements

1. Band members must be at least 18 years old. No Exceptions. You must be at least 18 years old by the night of your performance or you will not be allowed to play with your band.
2. Minimum of 50% of your band must be 21 or older
  - a. If your band has lied on an application and 50% of your band is not over 21, you will be allowed to compete, but not advance

#### B. Residency Requirements

1. 50% or more of your band must reside in Indiana

#### C. Proof of eligibility

1. If there is any question as to the eligibility of your band, you may be asked to show proof of age or proof of residency by providing an Indiana state-issued ID Card or Driver's License

#### D. Your band is ineligible if:

1. Your band has won the grand prizes:
  - a. Battle of Birdy's (2006, 2007, 2008)
    - i. The 2005 champion is allowed to enter
2. Your band has a member who is an employee of the Battle of Birdy's
  - a. Any affiliates of the Battle of Birdy's are allowed to enter
    - i. Sponsors, presenters, etc.
    - ii. Judges, although unpaid, will be considered as an employee

### II. Registration Requirements

#### A. Pre-registration

1. We ask that all bands pre-register online at: [www.battleofbirdys.com](http://www.battleofbirdys.com)
2. Bands who pre-register online will pay a \$35 entry fee.
3. Bands *can* register in person without pre-registering online at the registration party held at Birdy's whose dates and times will be posted on [www.battleofbirdys.com](http://www.battleofbirdys.com)
  - a. Bands who opt to register in person without pre-registering online will pay also pay the \$35 entry fee

#### B. Registration

1. Registration form and entry fee must be received by the close of registration
  - a. Cash and money order are the only accepted forms of payment for the entry fee
    - i. No personal checks
  - b. End of registration date to be listed at [www.battleofbirdys.com](http://www.battleofbirdys.com).
2. We have the right to deny any application
  - a. Possible reasons
    - i. Any band not to pay entrance fee from last year
    - ii. Unsportsmanlike conduct from a previous years competition
    - iii. Any band that has cancelled without notice
    - iv. Any band that has cancelled without proper reasoning

- v. Any other outstanding reason Battle of Birdy's or Birdy's sees fit

**C. Registration Parties**

1. There will be one party held at Birdy's. The registration party time will be posted on [www.battleofbirdys.com](http://www.battleofbirdys.com)
2. Bring your entry fee in cash or a money order
  - a. Personal checks will not be accepted
3. Check with your band beforehand and bring your calendar with the dates you are unavailable to play due to work or personal commitments of your band members. Also make sure to check with your band members for times they are unavailable to play so that you can pick an appropriate time slot that all your members will be able to be on time for

**D. Alternate list**

1. The Battle of Birdy's will maintain an alternate list that will be consulted in the event that a band has to cancel their performance.
2. Bands who do not make the deadline for registration can ask to be put on the alternate list
3. Bands who do not make the registration deadline will be added to the alternate list on a first-come first-served basis
4. Bands who have registered and need to cancel their performance will be added to the top of the alternate list in the order of when they cancel
  - a. Only bands canceling due to extreme circumstances will be put on the top of the alternate list.
5. Bands on the alternate list are not guaranteed a performance slot
6. In the event of a band canceling their performance, the event organizers will call the topmost band on the alternate list and offer them the time slot of the canceled band
7. If there is more than a week available to fill the open time slot:
  - a. A band can decline an offered time slot only once and maintain their position at the top of the alternate list
  - b. Bands added to the alternate list as a result of canceling their scheduled performance will not be allowed to remain at the top of the list if they decline an alternate slot offered to them i.e. you must take the first scheduled date that is offered to you
8. If the event organizers have less than one week to fill the slot:
  - a. We will start calling bands from the top of the alternate list and will move down the list in order
  - b. The band that calls back to accept the open slot first gets the slot
  - c. In this event, the bands on the alternate list are not penalized for being unable to accept an open slot on short notice
9. If an alternate receives a slot, they must pay the \$35 entry fee in cash the night of their performance prior to taking the stage.

**E. Cancellations**

1. All cancellations must be communicated to the event organizers as soon as possible by email or by calling the phone number given on the Battle of Birdy's site
2. Rescheduling of a date will only be completed in extreme circumstances, such as a genuine family emergency or other extreme case at the discretion of the Battle of Birdy's organizers
3. All rescheduling is at the discretion of the Battle of Birdy's
4. If a band cancels or needs to reschedule, it will be done via the rules of the alternate list above

**III. Scheduling, Time Slots and Dates**

- A. We will compete with a minimum of 42 bands and a maximum of 63 bands
- B. The nights of competition will listed at [www.battleofbirdys.com](http://www.battleofbirdys.com)

- C. All competitors' time slots are selected by the band itself based upon their attendance at the registration party.
  - 1. A time selection can only be given upon proper completion of the registration form and payment of fee in full
  - 2. Any band choosing not to attend a registration party will *not be* in the competition
- D. Time Slots
  - 1. Round 1 (25 minute slots)
    - a. Friday Nights
      - i. 8:00 – 8:25
      - ii. 8:40 – 9:05
      - iii. 9:20 – 9:45
      - iv. 10:00 – 10:25
      - v. 10:40 – 11:05
      - vi. 11:20 – 11:45
      - vii. 12:00 – 12:25
  - 2. Round 2 (30 minute slots)
    - a. Friday Nights
      - i. 8:30 – 9:00
      - ii. 9:15 – 9:45
      - iii. 10:00 – 10:30
      - iv. 10:45 – 11:15
      - v. 11:30 – 12:00
      - vi. 12:15 – 12:45
  - 3. The Finals (30 minute slots)
    - a. Saturday Night
      - i. 8:30 – 9:00
      - ii. 9:15 – 9:45
      - iii. 10:00 – 0:30
      - iv. 10:45 – 11:15
      - v. 11:30 – 12:00
      - vi. 12:15 – 12:45
  - 4. You will be notified of your first round time slot and date at approval of application and payment of required entry fee
  - 5. Each advancing band will receive their date and time slot for the next round after it is announced who will advance for the night
    - a. Excluding the finals
      - i. The time slots for the finals are determined based upon highest scoring, advancing bands from Round 2.
        - Scoring determination
          - 1. 8:30 – 6<sup>th</sup> Highest Scoring
          - 2. 9:15 – 5<sup>th</sup> Highest Scoring
          - 3. 10:00 – 3<sup>rd</sup> Highest Scoring
          - 4. 10:45 – Highest Scoring
          - 5. 11:30 – 2<sup>nd</sup> Highest Scoring
          - 6. 12:15 – 4<sup>th</sup> Highest Scoring
  - 6. Each band will be given their allotted time with a start and end time
    - a. If the prior band stops early, you are allowed to begin setup as soon as they have exited the stage.
    - b. You are still required to start at your given time and will still have the same set length as everyone else in that round
    - c. If a band does not show up for competition, and/or is disqualified, and we are unable to fill the open slot the next band may be given the option to begin their set early
      - i. The band must still remain within the set length guidelines if they opt to go on early

- d. Playing beyond your set time
    - i. Any band going over their allotted time slot will receive a 50 point deduction per minute up to 3 minutes
    - ii. If your band goes over more than 3 minutes of your allotted time, the sound board may be turned off and you will be disqualified
  - e. Rescheduling
    - i. No switching dates and/or time slots with other bands without the approval of the Battle of Birdy's organizers.
    - ii. Any changes to time slots will be solely at the discretion of the Battle of Birdy's organizers and must be arranged through the Battle of Birdy's organizers and with good reason
    - iii. The Battle of Birdy's reserves the right to push back any time slot up to 2 slots without prior notification
      - A band will never be pushed to the last slot of the night
      - A band will never be moved to an earlier slot unless otherwise requested by the band themselves and by proper approval of the Battle of Birdy's organizers.
- E. Arriving to the event**
- 1. Rounds 1 and 2
    - a. All bands must arrive at Birdy's a minimum of one hour before their given set time.
  - 2. The Finals
    - a. There is a mandatory check in for all bands and a load in time from 6:00-6:30 with a meeting from 6:30-6:45.
    - b. Doors open to the public at 7:30

#### **IV. Production Details**

- A. One cover per band allowed per week**
  - 1. A parody is considered a cover. Any performance including even a small section from a cover or parodied song, is considered a cover. For example, in The Fuglees song, "Get The Fuck Off The Stage", there is a small musical interlude borrowing from the Lynyrd Skynyrd song "Sweet Home Alabama". That small section of music would count as The Fuglees cover, and they would be disqualified by playing any more covers, or sectional covers of a song.
  - 2. We realize that some songs naturally go together, such as Pink Floyd's "Brain Damage" into "Eclipse", and although many may view this as one continuous song, it is two songs. If there are any questions please contact the Battle of Birdy's organizers.
  - 3. Your band must play a minimum of two songs if it plays a cover. Playing "Echoes" by Pink Floyd will not constitute a legitimate set and therefore your band would be disqualified.
- B. Only pre-registered band members allowed on the stage during the performance**
  - 1. No groupies on stage during show
    - a. If an unruly fan gets onto the stage without your prior knowledge, this would not constitute grounds for disqualification.
  - 2. If a band member has changed during the competition, you must notify the Battle of Birdy's at least one week prior to your next competition
    - a. A minimum of 50% of the original band members must be in place throughout the competition
      - i. examples

- If you are a 4 piece band and 2 members or less quit, you are fine.
  - If you are a 3 piece band and more than 1 member quits, you are not fine.
  - If you are a 2 piece and you add 3 members, you are not fine
- C. No pyrotechnics and/or unauthorized stage enhancements allowed**
1. Any and all stage enhancements or props must be pre-approved by the Battle of Birdy's at least one week in advance
    - a. Props that will not be approved
      - i. Sexually Explicit or Racially Offensive
    - b. On stage signs
      - i. Cannot cover sponsors signage
      - ii. Cannot promote a sponsors competitor
        - i.e. – If Coke is our sponsor, a Pepsi sign would not be allowed
- D. If a band is unable to set up in the 15 minutes allotted and it is determined to be the fault of the band that they are not ready to play, the stage manager will notify the band that any additional setup time will be deducted from their set length and the band's set will still end at the prescribed time**
1. If a band is unable to set up in the 15 minutes allotted and it is determined *not* to be the fault of the band, the stage manager may adjust their set time accordingly
  2. If your set time is from 10:30-11:00 and you are not setup until 10:55, you will receive a 5 minute set. Those are the rules!
- E. The night**
1. Selling merchandise
    - a. Bands will be allowed to sell their own merchandise during the event.
      - i. 100% of sales are the bands to keep.
  2. Coordinating an event with the battle
    - a. Many bands have asked if they can utilize their Battle of Birdy's night of competition as a CD release, video production (per rules) or other type of event. This is not only approved, it is suggested.

## **V. Equipment**

- A. Equipment provided by the Battle of Birdy's**
1. Drum kit (Shells Only)
    - a. All maple drum kit
      - i. Bass Drum, 2 upper toms and floor tom
    - b. No cymbals, cymbal stands, high-hat stand, kick drum pedal, throne, snare or high-hat will be provided
    - c. No drum sticks will be provided
  2. 2 guitar cabs w/ no heads
    - a. Marshall 1960 stereo guitar cab
  3. 1 base cab w/ no head
    - a. 4x10 Goliath III
- B. Band equipment you must bring in order to perform**
1. Drum Kit
    - a. Cymbals, kick pedal or double kick pedal, throne, snare, cymbal stands, high-hat stand, roto-toms (1 floor tom is allowed)
  2. Guitar
    - a. You are allowed to bring your guitar head and effects processors, no additional cabs
      - i. Combos are welcome

- b. 2 guitar maximum per player
  - 3. Bass
    - a. You are allowed to bring your bass head and effects processors, no additional cabs
      - i. Combos are welcome
    - b. 2 guitar maximum per player
  - 4. Monitors
    - a. In ear monitors are allowed for all band members (not provided)
    - b. Additional setup time will be required, please allow for this extra time in your setup.
  - 5. Playback Equipment
    - a. Any equipment needed to playback any type of pre-recorded material must be provided by the band
      - i. CD Player, MP3 Player, Mixer, Laptop computer, etc.
- C. Non-allowable additions
  - 1. Drum Kit
    - a. Additional bass drum
  - 2. Guitar
    - a. Additional cabs
      - i. If in the rare instance you have 3 or more guitar players who all use half stacks, please contact the Battle of Birdy's to discuss options
  - 3. Bass
    - a. Additional cabs
- D. Damage to equipment
  - 1. Anyone responsible for damage to any equipment owned by Indy Music Scene, Birdy's, the Battle of Birdy's or any other equipment at the location is responsible at replacing the equipment at retail price within one week.
- E. Stealing
  - 1. Anyone caught stealing any equipment owned by Indy Music Scene, Birdy's, the Battle of Birdy's or any other equipment at the location will be immediately disqualified and subject to prosecution.

## VI. Prizes

- A. Explanation of cash prizes
  - 1. Every night of competition will have cash prizes based upon on attendance.
  - 2. All cash prizes are based upon **Net Door Profit**
    - a. Example 1: If 225 people attend a round 1 or 2 night
      - i. Gross profit from door would be \$1,575
      - ii. Nightly expenses may be \$800
      - iii. Therefore Net Door Profit would be \$775
        - First Place Prize would be \$350
          - 1. paid in \$50 increments
        - Second Place Prize would be \$50
          - 1. paid in \$25 increments
    - b. Example 2: If 600 people attend a round 1 or 2 night
      - i. Gross profit from door would be \$4,200
      - ii. Nightly expenses may be \$800
      - iii. Therefore Net Door Profit would be \$3,400
        - First Place Prize would be \$1,700
          - 1. paid in \$50 increments
        - Second Place Prize would be \$250
          - 1. paid in \$25 increments

- c. i.e. – The more people that come, the more money you can make!

**B. Prize distribution**

**1. Round 1**

- a. First Place – 50% of Net Door Profit
- b. Second Place – 7.5% of Net Door Profit

**2. Round 2**

- a. First Place – 50% of Net Door Profit
- b. Second Place – 7.5% of Net Door Profit

**3. Final Round**

- a. First Place – 50% of Net Door Profit
- b. Second Place – 7.5% of Net Door Profit

**VII. Collecting Prizes**

**A. A *band member* must be present at the close of the evening to receive any and all cash and/or prizes.**

- 1. If you leave early you will not receive your gift card, cash or other prizes for the evening, *no exceptions*
  - a. i.e. – Don't Leave

**VIII. How the Voting Works**

**A. Each person is given a ballot at the door, one per paid entry**

- 1. Each participating band will receive one ballot per their night of competition

**B. Each person is responsible for holding onto and casting their own ballot**

- 1. If a ballot is lost, it will not be replaced unless approved by the Battle of Birdy's acting director for the evening

**C. In order for a ballot to be considered valid and eligible to be included in the tabulation of the results:**

- 1. The ballot must be stamped
- 2. The ballot must be filled out correctly
  - a. You must vote for 3 bands
  - b. You can only vote for one band in one place ex. Band X in 1<sup>st</sup> place, Band Y in 2<sup>nd</sup> place, and Band Z in 3<sup>rd</sup> place
  - c. Any ballot with more than three bands marked, less than three bands marked, or one band marked more than once will be discarded (so you cannot vote Band X in 1st, 2nd, and 3rd)

**D. Audience vote = 70% of the total**

- 1. Each person paying admission to a competition will be given one voting card worth a total of nine points with 1st, 2nd, and 3rd place voting positions
  - a. 1st – 5 points
  - b. 2nd – 3 points
  - c. 3rd – 1 point

**E. Judges**

- 1. There will be a total of 3 judges per competition. Judges are pre-selected members of the local music community - in some cases from the music industry. Examples include: Record Label reps, Journalists, Record Store Owners/Employees, Booking Agents, Instrument Manufacturers, club promoters, affiliates of music websites, non-participating band members, etc. Battle organizers make every effort to maintain the diversity of the pool of qualified judges, making sure that all genres and musical tastes are represented in the judging pool that reflects the diversity of the Battle competitors.
- 2. Each judge's ballot will be weighted to be worth 10% of the total points for the night.

3. Judges can vote for more than three bands on their ballot and can distribute their votes among 3 or more bands.
4. It is at the judge's discretion to distribute the points on their ballot as they see fit within the guidelines we provide
  - a. This allows for a judge to spread votes along all bands if they choose to.
    - i. Rounds 1 and 2
      - A judge cannot give more than 5/9 of the points on their ballot as a first place vote and cannot give more than 3/9 of the points as a second place vote
    - ii. The Finals
      - A judge cannot give more than 3/9 of the points on their ballot as a first place vote and cannot give more than 3/9 of the points as a second place vote

#### F. Tabulation

1. All votes will be dropped into a lockbox
  - a. Votes will begin being tallied at any time throughout a nights competition
2. All voting will be stopped 5 minutes after the final bands last song and the lockbox removed so that no one can vote after that time
3. Any ballots filled out incorrectly will be considered void and will not be counted in the results of the night

#### G. Results announcements

1. The stage manager for the evening will announce results of that night's competition at the end of the event, in most cases by 1:00 AM.
2. The stage manager will only disclose results of advancing bands.
  - a. At least one member of a winning band must be present in order to receive nightly winnings
  - b. Two or three winning bands are guaranteed to advance to the next round of competition, depending on the round
3. Full point disclosure
  - a. The full tally sheet will posted online by noon on Monday, but often prior and will be available for download and review at [www.battleofbirdys.com](http://www.battleofbirdys.com)
4. Audience ballots will be available for inspection on the following business day. Judges ballots will not be available for review. Review of the ballots can only be requested by a band that participated on the date in question and any ballot review must be requested no later than Tuesday at noon and the review completed at the Battle of Birdy's discretion

#### H. Tie-breaking methods

1. Rounds 1 and 2
  - a. Between top two bands
    - i. Band with most first place fan votes wins
      - If both bands have equal number of first place votes, then we will rank second and so on.
    - ii. If both fan votes and judge votes are equal coin toss will determine winner
      - prize money will be split 50/50
  - b. Between non-advancing and advancing band
    - i. Band with most first place fan votes wins
      - If both bands have equal number of first place votes, then we will rank second and so on.
    - ii. If both fan votes and judge votes are equal both bands will advance

- prize money will be split 50/50
- 2. Final Round
  - a. Between two winning bands
    - i. Band with most first place fan votes wins
      - If both bands have equal number of first place votes, then we will rank second and so on.
    - ii. Prize money will be split 50/50

**IX. Disqualifications and/or drop outs**

- A. Any altering of votes, bribing or unethical practice to ensure a victory in any round will cause the band to be disqualified with no refund with the possibility of being banned from future years competitions
- B. Alternates
  - 1. In the unfortunate event that a winning band would have to drop out of the competition for any reason, an alternate will be chosen from the losing bands from the previous rounds
    - a. All bands that are not disqualified are to be considered alternates
    - b. The highest scoring non-advancing band will be called in order of total points scored
      - i. If the aforementioned band declines, the next band in line will become the new alternate based on the criteria stated above.
- C. If someone in your band gets kicked out of the club on the night of your performance, your band will be disqualified. If someone in your band gets banned from the club on any night for any reason, you are subject to disqualification at the club's request.

**X. Unsportsmanlike Conduct**

- A. Any band, band member or management of a competing band shown displaying unsportsmanlike conduct during an event will immediately disqualify the band and possibly ban the band from future performances at Birdy's
  - 1. Examples
    - a. Throwing Beer Bottles
    - b. Breaking Pool Sticks
    - c. Becoming Belligerent
    - d. Physical threats or violence towards anyone within the grounds of the club (this includes the surrounding areas)
    - e. Etc.

**XI. Promotion**

- A. Bands are allowed to create their own promotional items for each show

**XII. Cover charge**

- A. Each round will consist of the same fee throughout that round
  - 1. Round 1 – \$7
  - 2. Round 2 – \$9
  - 3. Finals – \$12
- B. No guest list for the bands for any night
  - 1. All wives, groupies, guitar techs, fans must pay the cover charge to enter. They will be given a ballot just like everyone else.
- C. Bands are allowed to create their own promotional items for each show

**XIII. At capacity circumstances**

- A. In the occurrence that Birdy's reaches capacity during any round 2 night or the finals, a second table will be placed outside of the venue for people to purchase ballots.

1. This will only be used in Round 2 and the Finals
2. Limit 1 Ballot per person
3. Ballots must be placed inside one of the voting boxes
4. This will only be used during the hours of 10:00-11:00
5. Must have Valid ID

**XIV. Miscellaneous but important details**

- A. Any band members that are under 21 can only be in the club while they are setting up and playing. This means that if you are 18 or over, yet under 21, even by a few days, you will only be allowed into Birdy's to load in your gear, when the band before you has finished their set. You must leave Birdy's again when your set is finished and you have loaded out. This is Indiana law. Again, everyone in your band must be at least 18 years old by the time of your performance to even be allowed to enter.
- B. If you are under 21 and provide false or fraudulent identification to gain entry to Birdy's, you will be disqualified.
- C. No family members, friends, etc. under the age of 21 are permitted to enter.
- D. Make sure your family / friends vote for three (3) separate bands, or their vote will be voided.
- E. 2<sup>nd</sup> place and 3<sup>rd</sup> place votes are very important
  1. The system is built to be fair to all competitors.
  2. You can only hurt yourself and your band by telling people how to vote.
  3. Be fair, let people vote for their favorites.