

CITY OF COLD LAKE

BYLAW #377-BD-10

COMBATIVE SPORTS COMMISSION - Unofficial Consolidation

Please note: in a bylaw that is “Unofficially Consolidated”, the original approved bylaw is updated to include all of the approved amendments to that bylaw.

A BYLAW OF THE CITY OF COLD LAKE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A COMBATIVE SPORTS COMMISSION TO SANCTION AND MONITOR COMBATIVE SPORTS EVENTS

WHEREAS, under the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the City of Cold Lake may pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, under the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the City of Cold Lake may pass bylaws respecting businesses, business activities and persons engaged in business and may provide for a system of licensing;

AND WHEREAS, under the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the City of Cold Lake may pass bylaws in relation to the establishment, functions, procedure and conduct of council committees and other bodies;

AND WHEREAS, under the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, members, officers, employees, volunteers and officials of a commission established by bylaw for controlling and regulating combative sports are not liable for anything said or done or omitted to be done in good faith in the performance or intended performance of their functions, duties or powers;

AND WHEREAS, Council for the City of Cold Lake deems it desirable to establish a Combative Sports Commission to sanction and monitor combative sports events conducted within the municipal boundary;

AND WHEREAS, this bylaw will come into effect on the day it has received third and final reading;

NOW THEREFORE, after due compliance with the relevant provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the City of Cold Lake duly assembled enacts:

Part I-Definitions

Short Title

1. This Bylaw may be cited as the “Combative Sports Commission Bylaw”

Definitions

2. In this Bylaw:

- a) **“Agent”** means a person who, by mutual consent, acts for the benefit of another;
- b) **“Amateur”** means any person who participates in a Regulated Combative Sport but does not receive any money or other gain from such participation;
- c) **“Applicant”** means a person who applies for a licence, or renewal of licence, pursuant to this Bylaw;
- d) **“Bylaw”** means the City of Cold Lake Combative Sports Commission Bylaw;
- e) **“City”** means the City of Cold Lake;
- f) **“Commission”** means the City of Cold Lake Combative Sports Commission;
- g) **“Consultant”** means an expert advisor who typically charges a fee for providing advice or services to the Commission associated with licensing, control and regulating Combative Sports Events;

- h) **“Contestant”** means any person engaged as an opponent in a Regulated Combative Sports Event;
- i) **“Council”** means the municipal Council of the City of Cold Lake;
- j) **“Event”** means a Regulated Combative Sports Event;
- k) **“Event Permit”** means the written authority of the Commission allowing the holding of a Combative Sports Event in the City;
- l) **“Event Permit Fee”** means a fee payable for an event permit;
- m) **“Licence”** means a licence issued to a promoter, contestant, or any other person pursuant to this Bylaw;
- n) **“Licence Fee”** means a fee payable for a licence;
- o) **“Member”** means a person appointed to the Commission pursuant to this Bylaw;
- p) **“Regulated Combative Sports”** include boxing, wrestling, kickboxing, karate, judo, muay thai, mixed martial arts and any other sport that holds contests between opponents involving striking with hands, feet, knees or elbows, grappling , submissions, or takedowns;
- q) **“Official”** means a person associated with a Regulated Combative Sports Event in an official capacity, as determined by the Commission, including, but not necessarily limited to, medical advisers, referees, judges, security personnel, timekeepers and corner supervisors;
- r) **“Person”** includes an individual, partnership, association, corporation, trustee, executor, administrator, legal representative and assigns;
- s) **“Promoter”** means a person who advances, assists, encourages or takes steps to stage or facilitate a Regulated Combative Sports Event, including all staff and contractors of such person; and
- t) **“Regulated Combative Sports Event”** includes any exhibition, sparring exhibition, card, contest, or promotion, which involves the presentation of Regulated Combative Sports, but does not include amateur events *unless sanctioned by a recognized amateur association.*”.

Amended by Bylaw #390-BD-10, August 8, 2010

Amended by Bylaw #399-BD-10, November 9, 2010

- 3. There is hereby created a Commission to be known as “The City of Cold Lake Combative Sports Commission”.

4. **Commission Membership and Duties**

The said Commission shall consist of at least **five** members:

- At least **four (4)** members shall be citizens at large appointed by resolution of Council; and
- The Recreation Manager of the City of Cold Lake

Amended by Bylaw #399-BD-10, November 9, 2010

- a) Membership on the Commission is voluntary and no remuneration will be paid by the City for serving as a member.
 - b) *The term of office for Commission members shall be two (2) years. Council may reappoint any Commission member to additional terms should Council deem such reappointment to be in the best interests of the City and the Combative Sports Commission.*
- Amended by Bylaw #399-BD-10, November 9, 2010*
- c) The Commission shall hold regular meetings as required.
 - d) No person, while a member of the Commission, shall be associated with any Regulated Combative Sports Event within the City by officiating therein, or by acting as a matchmaker, promoter, second, manager or in any other capacity where the possibility may arise of a conflict of interest between such Commission member and the Commission as it performs its duties.
 - e) The Commission shall control any Regulated Combative Sports Event within the City.

- f) The Commission may make regulations governing all aspects of Regulated Combative Sports Events for such matters not provided for in this Bylaw, provided such regulations are consistent with this Bylaw, any other City Bylaw or Policy and any Provincial or Federal statutes. Such regulations may include the establishment of rules in respect of:
 - I. The supervision and control of all Regulated Combative Sports Events held in the City;
 - II. The conduct of promoters, contestants, agents, officials and any other persons associated with the Regulated Combative Sports Event, including disciplinary rules, regulations and appeal procedures;
 - III. The formulation and administration of a scheme of licensing and event permitting for Regulated Combative Sports Events.
- g) The Commission shall be responsible to review and decide upon applications for licences and event permits pursuant to this Bylaw.
- h) The Commission shall consider City policies and the safety of the contestants or spectators in the review of applications for permits and licences.
- i) All members of the Commission shall at all times have free access to all City of Cold Lake Combative Sports Commission Regulated Combative Sports Events and members may adopt a badge or other form of identification having thereon the words "City of Cold Lake Combative Sports Commission <current year>".

5. **Event Permits and Licences**

- a) No person shall carry on, promote, be a contestant in, or act as an official, agent or any other such capacity at any Regulated Combative Sports Event controlled or regulated by the Commission, without first applying for and being granted a licence and event permit.
- b) Every promoter or person who wishes to stage or promote a Regulated Combative Sports Event shall apply in writing to the Commission at least forty five (45) days prior to the date of the event.
- c) No event shall be commenced, notwithstanding that licences and an event permit has been issued, unless and until the requirements of the medical official for the event have been satisfied.
- d) The promoter and each contestant to be engaged in a Regulated Combative Sports Event shall pay a licence fee in accordance with the fees set out in Schedule "A" of this Bylaw.
- e) The event promoter shall be required to pay an event permit fee in accordance with the fees set out in Schedule "A" of this Bylaw.
- f) An event permit is required for each Regulated Combative Sports Event within the City.
- g) In addition to licence and event permit fees, the Promoter shall be responsible to provide such officials as the Commission deems appropriate to be in attendance at any bout, contest, exhibition or training quarters, in order to ensure that such bout, contest or exhibition shall be conducted in a safe and orderly manner. The Promoter shall be responsible to pay such amount to cover the costs for officials required by the Commission to oversee the event.
- h) In addition to the Promoter providing private security officials for the event, the Promoter will also be required to hire, at its own expense uniformed police officers to be present at said event. The number of uniformed police officers required for each event shall be determined by the Commission, having regard to the crowd capacity of the venue and anticipated attendance.
- i) The Commission may seek the assistance of a consultant to review applications for licences and event permits, or to formulate a checklist for a Promoter wishing to host an event. The Commission's consultant fees shall be borne by the Promoter applying to host said event.
- j) Where officials from outside of the City are required to oversee an event, as a condition of an event permit approval, the Promoter shall be responsible to compensate said officials for meals, travel and accommodation associated with the event.

- k) The Commission may refuse an application for an event permit where the Commission believes on reasonable grounds that the promoter cannot ensure the safety of the participants or spectators.

6. **Event Securities, Insurance, Indemnities and Waivers**

Event Securities

- a) As a condition of issuing a permit to hold a Regulated Combative Sports Event, the Commission may require the Promoter of said event to provide security, in a form prescribed by the Commission, in order to ensure that the Promoter shall proceed to hold the event in accordance with the provisions of this Bylaw.
- b) Any or all of the security deposited in accordance with the conditions of an Event Permit may be forfeited to the Commission in the event that:
- I. The Regulated Combative Sports Event is not carried out on the date for which the event was scheduled, or was not carried out at all; or
 - II. The Promoter has breached any conditions of the Event Permit issued by the Commission, or any part of this Bylaw.
- c) The promoter shall remit to the Commission at least fifteen (15) days prior to the date of the event, a bank draft or letter of credit satisfactory to the Commission, in an amount equal to the contestants' purses and costs of officials required by the Commission to oversee an event, together with any consultant fees incurred by the Commission to assist in the licence and event permit application review process. The Commission shall have the option to pay contestants' purses and officials fees direct at the conclusion of the contest, or return the cheque to the Promoter at the conclusion of the contest, less any consultant fee incurred by the City."

Amended by Bylaw #390-BD-10, August 8, 2010

Insurance

- a) The Commission shall require the promoter to obtain and maintain in force general liability insurance in such amount as the Commission shall require in respect of claims for personal and bodily injury, death or property damage arising out of any occurrence related to the Regulated Combative Sports Event in the amount of not less than Two Million Dollars (\$2,000,000) per occurrence.
- b) The Promoter shall cause the policy of insurance to name the City, the Commission and Members of the Commission as additional insured under the policy and to provide that the coverage under the policy cannot be cancelled, nor any provisions changed or deleted unless 30 days prior written notice is given to the Commission by the insurer.

Indemnities and Waivers

- a) The Commission, as a condition of granting a Promoter a permit to organize, produce, conduct or stage any Regulated Combative Sports Event, shall require that:
- I. The Promoter of the Regulated Combative Sports Event grant the Commission and the City an indemnity in a form acceptable to the Commission, indemnifying and saving harmless the Commission, the Members of the Commission and the City from and against all claims, losses, damages, costs and liabilities of any kind (including solicitors' fees) arising out of, or related directly or indirectly to:
 - any breach, violation or non-performance by the contestants, Promoter or other person in any Regulated Combative Sports Event of any provision of this Bylaw or any regulation prescribed by the Commission, or any condition of any agreement entered into between the contestant, promoter or other person and the Commission; or

- any personal or bodily injury, death or property damage suffered by any person arising from, or in any way related to, the organizing, producing, conducting or staging of the Regulated Combative Sports Event; and
- II. Each person participating in any manner in a Regulated Combative Sports Event grant to the City, the Commission and the Members of the Commission a waiver of liability, in a form acceptable to the City and the Commission, in respect of that person's participation in the Regulated Combative Sports Event.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 16th day of March, A.D. 2010, on motion by Councillor Buckle.

**CARRIED
UNANIMOUSLY**

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 23rd day of March A.D. 2010, on motion by Councillor Buckle.

**CARRIED
UNANIMOUSLY**

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 13th day of April A.D. 2010, on motion by Deputy Mayor Rodden.

**CARRIED
UNANIMOUSLY**

Executed this _____ day of _____, 2010

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

BYLAW #377-BD-10

Event Permit Fee (per Event) \$1,000.00

Amended by Bylaw #390-BD-10, August 8, 2010

Note: In addition to the Event Permit Fee, the Promoter shall be required to pay the costs to the Commission for hiring a consultant, if required, to assist in the application process and oversee the Event. Any consultant fees will be determined at the time of the application submission and will be payable with the Event Permit Fee.

Promoter License Fee (Annual Fee) \$ 100.00
Promoter also requires a criminal background check

Contestant License Fee (Annual Fee per Contestant) \$ 20.00

Officials License Fee (Annual Fee per Official) \$ 20.00

A City of Cold Lake Business License will also be required to host an event.