

BYLAW NO. 4048

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to establish a commission to regulate and control combative sports in the City of Medicine Hat.

WHEREAS Council considers it advisable to establish the Medicine Hat Combative Sports Commission to regulate and control combative sports within the City of Medicine Hat.

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as “The Medicine Hat Combative Sports Bylaw”.

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

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Bylaw 4380
Nov. 8, 2016

- (a) “CAO” means the Chief Administrative Officer for the City, and includes any person to whom the Chief Administrative Officer’s powers are delegated or any person appointed to act in the absence of the Chief Administrative Officer;
- (b) “City” means the City of Medicine Hat;
- (c) “Commission” means the Medicine Hat Combative Sports Commission established pursuant to this Bylaw;
- (d) “Council” means the Council of the City of Medicine Hat;
- (e) “Event” includes any exhibition, card, contest or promotion involving the presentation of the Regulated Sports;
- (f) “Executive Director” means the City employee appointed to the Commission by the CAO pursuant to section 5(b) of this Bylaw;
- (g) “Member” means a person appointed to the Commission pursuant to section 5(a) of this Bylaw;
- (h) “Permit” means a Permit issued to a person pursuant to the Rules;
- (i) “Permit Application” means an application in the form required by the Commission for the issuance of a Permit;
- (j) “Regulated Sports” includes any of the following:
 - a. boxing;
 - b. wrestling;
 - c. full contact karate;
 - d. kickboxing;
 - e. any other sport that holds contests where opponents strike each other with a hand, foot, knee or other part of the body; and
- (k) “Rules” means the rules and regulations developed by the Commission pursuant to section 22.

COMMISSION

3. For the purpose of regulating, governing and controlling the Regulated Sports within the City of Medicine Hat, there is hereby created a commission to be appointed by resolution of the City Council.
4. The Commission shall be called "The City of Medicine Hat Combative Sports Commission", and shall, within the City of Medicine Hat have full power and authority to supervise, regulate, govern and control all aspects of the Regulated Sports in the City.

COMMISSION MEMBERSHIP

5. The Commission shall consist of at least six persons:
 - (a) at least five (5) members of the public at large appointed by resolution of Council; and
 - (b) an employee of the City of Medicine Hat designated by the CAO who shall be the Executive Director and shall not have the right to vote in the affairs of the Commission.
6. Council may by resolution specify the dates of the beginning and end of the term of office of a Member.
7. No person while a Member of the Commission shall be connected with any Event held within the jurisdiction of the Commission by officiating therein or by acting as matchmaker, promoter, second, manager or in any other capacity where the possibility may arise of a conflict of interest between the Member and the Commission in the performance of its duties.
8. Any Member may resign that Member's appointment at any time upon written notice to the Chair or Executive Director of the Commission, and any Member may be removed by resolution of Council at any time, with or without cause. Any vacancy created by reason of the resignation or removal of a Member and any vacancy arising by reason of the death of any Member or otherwise may be filled by resolution of Council.

MEETINGS AND OFFICERS

9.
 - (a) The Commission shall hold regular meetings for the transaction of its business at such times and places as it may fix by resolution and any special meetings that may be held by the Commission shall be called in the manner the Commission shall deem most practicable.
 - (b) Meetings of the Commission may be held anywhere within the City.
 - (c) A Member may participate in a meeting by means of telephone, or other communication facilities that allows all persons participating in the meeting to hear each other, and a Member participating in such a meeting is deemed to be present at the meeting.
10. The Chair, Vice-Chair and Treasurer of the Commission shall be elected by the Members at the first meeting of the calendar year.

11.
 - (a) The Executive Director shall record the minutes of all meetings, perform administrative duties and act as a liaison between the Commission and the City.
 - (b) If the Executive Director is temporarily unable to perform any of his or her duties, the Chair or another Member designated by the Commission may act in the place of the Executive Director.
12.
 - (a) A majority of Members shall constitute a quorum for the transaction of the business of the Commission.
 - (b) A majority vote by a quorum of the Commission shall be deemed to be a binding decision of the Commission.
 - (c) Any vote that receives an equal number of votes for and against the question is deemed to be defeated.
13. All meetings of the Commission shall be presided over by the Chair, and in the event of the Chair being absent from any meeting then the Vice-Chair shall preside at that meeting. In the event that both the Chair and the Vice-chair are absent from any meeting the members present shall elect a Chair for the meeting.
14. Minutes of all meetings shall be kept by the Commission and also an accurate record of Permits issued and of every bout or contest involving the Regulated Sports under the control of the Commission, giving the names and descriptions of the contestants, the name of the officiating organization and of the medical practitioner in attendance and any other information the Commission may require to be kept as a record.
15. The Commission may from time to time delegate any of its duties to one or more of its Members.

ADMINISTRATION

16. The Commission shall cause to be kept accurate accounts of all monies received and expended by the Commission, which accounts shall be open for inspection by any person appointed for that purpose by the CAO and such records and accounts shall be produced to the City upon request of the CAO.
17. For the purposes of the Commission, the end of the financial year shall be December 31 of each and every year. A report on the financial transactions of the Commission, together with a report of the Commission's activities, shall be forwarded to the CAO within 90 days of the Commission's financial year end.

POWERS OF COMMISSION

18. Neither the Commission, nor any Member shall have the power or authority to pledge the credit of the City of Medicine Hat or bind the City.
19. All Members shall at all times have free and complete access to all Events and for the purpose of proving their right of access, they may adopt a badge bearing the words "City of Medicine Hat Combative Sports Commission".

20. The Commission shall supervise and control all Regulated Sports Events held in the City with the exception of those Events exempted by the Commission in the Rules, which Events shall be deemed to have been held with the permission of the Commission.
21. Any Member shall have the power to stop any Event if, in the opinion of the Member, either contestant is unfit to continue or is not properly matched, there has been any misconduct by a promoter or contestant, for disorderly conduct on the part of the audience or if circumstances otherwise warrant a stoppage.
22.
 - (a) Subject to the *Municipal Government Act*, this Bylaw and any other relevant legislation, the Commission may establish rules and regulations in respect of, but not limited to, its procedures, fees, the issuance of Permits, the holding of Events, and the regulation of the conduct of promoters, contestants, seconds, managers, referees, and other officials including the discipline thereof.
 - (b) The Rules may include all or any portion of the rules, regulations and safety codes of any organization deemed suitable by the Commission.
 - (c) The Rules established by the Commission and any amendments shall come into effect when the CAO has approved them in writing.
23. The Commission may establish a bank account in its name to be used only for the purpose of holding and disbursing security deposits, contestants' purses, official's fees, Permit fees and other monies related to Events.

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PERMITS

24.
 - (a) Any person who desires to promote, participate in or officiate an Event within the City shall first obtain a Permit or permission in writing from the Commission if required to do so in accordance with the Rules.
 - (b) The Commission may establish an application fee for the issuance of Permits under this Bylaw and the fee shall be payable before a Permit is issued.
 - (c) The application fee is non-refundable.
25. A separate Permit shall be required for each Event.
26. The Commission may issue Permits with or without conditions or may refuse to issue a Permit. If an application for a Permit is refused the Commission shall provide written reasons for the refusal to the applicant.
27. The Commission shall have the authority to cancel any Permit issued by them if, in the opinion of the Commission, there are just and reasonable grounds to cancel the Permit.
28. Without limiting the generality of section 27, failure to comply with this Bylaw or the Rules may result in cancellation of a Permit granted by the Commission.

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29. It shall be unlawful for any person or persons, association or club, to conduct, or for any other person or persons to take part in or be present at, whether as a contestant, second, official or promoter, any Event within the City, whether an admission fee to such Event is charged or not, unless a Permit or written permission to hold the Event has been issued by the Commission.

OFFENCE

30. A person who contravenes any provision of this Bylaw is guilty of an offence and liable upon conviction to pay a fine of not more than Ten Thousand Dollars (\$10,000.00) or in default of payment to imprisonment for a period of not more than one year.

TRANSITIONAL

31. All appointments to the former Medicine Hat Boxing Commission are deemed to be appointments to the Commission.
32. All actions and resolutions of the former Medicine Hat Boxing Commission are deemed to be the actions and resolutions of the Commission.

COMING INTO FORCE

33. Bylaw No. 2837 is repealed.
34. This Bylaw will come into force at the beginning of the day that it is passed.

READ A FIRST TIME in open Council on May 3, 2011.

READ A SECOND TIME in open Council on May 3, 2011.

READ A THIRD TIME in open Council on May 16, 2011.

SIGNED AND PASSED on May 17, 2011.