



CITY OF EDMONTON

BYLAW 15638

**EDMONTON COMBATIVE SPORTS COMMISSION
BYLAW**

(CONSOLIDATED ON NOVEMBER 27, 2018)

THE CITY OF EDMONTON**BYLAW 15638****EDMONTON COMBATIVE SPORTS COMMISSION BYLAW**

Whereas a boxing contest or mixed martial arts contest held with the permission or under the authority of a commission or similar body established under the authority of the legislature is not considered a prize fight pursuant to section 83 of the Criminal Code, RSC 1985, c C-46;

And Whereas, pursuant to section 535.1 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a commission established by bylaw for controlling and regulating boxing, wrestling, full contact karate, kickboxing, or any other sport that holds contests where opponents strike each other with a hand, foot, knee, elbow or other part of the body and its members, officers, employees and any volunteers and officials performing duties under the direction of any of them 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 under any enactment;

And Whereas pursuant to section 7 of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property; people, activities and things in, on or near a public place; businesses, business activities and persons engaged in business; and the enforcement of bylaws including the creation of offences, and for each offence, imposing of a fine not exceeding \$10,000 or imprisonment for not more than one year, or both;

And Whereas, pursuant to section 8 of the *Municipal Government Act*, a council may regulate or prohibit, and provide for a system of licences, permits or approvals including establishing fees for licences, permits and approvals, prohibiting any activity, industry, business or thing until a licence, permit or approval has been granted, providing that terms and conditions may be imposed on any licence, permit or approval, the nature of the terms and conditions and who may impose them, setting out the conditions that must be met before a licence, permit or approval is granted or renewed, the nature of the conditions and who may impose them, providing for the duration of licences, permits and approvals and their suspension or cancellation for failure to comply with a term or condition or the bylaw or for any other reason specified in the bylaw, and provide for an appeal, the body that is to decide the appeal and related matters;

And Whereas pursuant to section 145 of the *Municipal Government Act*, a council may pass bylaws establishing council committees, which includes all committees, boards or other bodies established by Council under the *Municipal Government Act*, and Council may prescribe the procedure and conduct for all council committees by bylaw;

And Whereas pursuant to section 203 of the *Municipal Government Act*, a council may delegate its powers, duties or functions to a council committee, a chief administrative officer or a designated officer, unless legislation prohibits delegation, and if Council delegates a power, duty or function it may authorize the committee or officer to further delegate the matter;

And Whereas pursuant to sections 197 and 198 of the *Municipal Government Act* the public is permitted to attend all council committee meetings unless a person is expelled by the chair for improper conduct at a meeting or the meeting is closed to the public in accordance with the provisions of the *Freedom of Information and Protection of Privacy Act*;

And Whereas pursuant to section 154 of the *Municipal Government Act*, the chief elected official is a member of all council committees unless a council provides otherwise;

And Whereas pursuant to section 210 of the *Municipal Government Act*, Council may by bylaw establish one or more positions to carry out the powers, duties and functions of a designated officer, and if that position is vacant, the chief administrative officer exercises all of the designated officer's powers, duties and functions;

And Whereas pursuant to section 213 of the *Municipal Government Act*, Council may authorize a designated officer to sign agreements, cheques, and negotiable instruments, acting alone or in conjunction with another person;

(S.2, Bylaw 17681, November 29, 2016)

Edmonton City Council enacts:

PART I - PURPOSE, DEFINITIONS AND INTERPRETATION

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| PURPOSE | 1 | The purpose of this bylaw is to continue the Combative Sports Commission as the Edmonton Combative Sports Commission and to: <ul style="list-style-type: none"> (a) establish the Commission's terms of reference; (b) prescribe the Commission's powers, functions, duties, structure and procedures; (c) prescribe rules for the appointment of Commission Members; (d) establish the position of Executive Director as a designated officer serving the Commission and to prescribe the Executive Director's powers, duties and functions; and (e) give direction to the City Manager with respect to providing resources and assistance to the Commission. |
| DEFINITIONS | 2 | In this bylaw: <ul style="list-style-type: none"> (a) "City" means the municipal corporation of the city of |

Edmonton;

- (b) “**City Manager**” means the City’s chief administrative officer or delegate ;
- (c) “**Combative Sports**” means any professional boxing Contest or professional mixed martial arts Contest where opponents strike each other with hands, feet, knees, elbows, or other part of the body and includes, but is not limited to, wrestling, except sport entertainment wrestling with a predetermined outcome, full contact karate, kickboxing, martial arts, muaythai, or any combination of any of the above;
- (d) “**Combative Sports Bylaw**” means City Bylaw 15594, as amended;
- (e) “**Commission**” means the council committee known as the Combative Sports Commission continued under this bylaw;
- (f) “**Contest**” means a bout, match, or fight;
- (g) “**Contestant**” means an individual who participates in a Contest;
- (h) “**Council**” means the governing body of the City;
- (h.1) “**Council Procedures Bylaw**” means the City’s Council Procedures Bylaw, Bylaw 18155;
- (i) “**Event**” means a Combative Sports competition with one or more Contests, including weigh-ins, medical examinations and other Contest related activities;
- (j) “**Executive Director**” means the Commission’s chief executive officer or delegate;
- (k) “**FOIP Act**” means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, as amended;
- (l) “**FOIP Head**” means the individual designated under this bylaw as being responsible for all Commission records and information for the purposes of the FOIP Act;
- (m) “**Member**” means an individual appointed to the Commission;
- (n) “**Municipal Government Act**” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
- (o) “**Official**” means an individual who is authorised by the Commission to provide services at an Event, including but not limited to judges, timekeepers, dressing-room supervisors, referees, medical advisers, ringside physicians,

timekeepers, scorekeepers, knockdown judges, paymasters, ring generals, technical advisors, corner supervisors and inspectors;

- (p) **“Person”** means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator or legal representative;
- (q) **Deleted;**
(S4, Bylaw 18409, November 27, 2018)
- (r) **“Promoter”** means a Person engaged in the business of organizing, managing or facilitating Events, including all the officers, directors, employees, agents and contractors of the Promoter;
- (s) **“Regulation”** is a written rule of the Commission including a written Commission policy, procedure, or directive.

(S.3, 4, Bylaw 17681, November 29, 2016) (S4, Bylaw 18409, November 27, 2018)

**RULES FOR
INTEPRETATION**

- 3 The marginal notes and headings in this bylaw are for reference purposes only.

PART II - ESTABLISHMENT AND MANDATE OF THE COMMISSION

ESTABLISHMENT

- 4 The Edmonton Combative Sports Commission is continued as the council committee named the Edmonton Combative Sports Commission.

MANDATE

- 5 The mandate of the Commission is to control and regulate all aspects of Combative Sports and Events in the city including:
 - (a) hearing appeals from the Executive Director’s licensing and permitting decisions;
 - (b) approving Regulations governing the:
 - (i) licensing criteria and requirements for all aspects of Combative Sports and Events;
 - (ii) conduct of Promoters, Contestants, and other Persons participating in Combative Sports or attending Events;
 - (iii) credentials, qualifications and selection processes

- for Officials;
- (iv) Contests;
- (v) disciplinary proceedings and sanctions;
- (vi) internal Commission procedures and governance; and
- (vii) any other matter relating to the control or regulation of Combative Sports and Events in the city.

- 6 The Commission may establish relationships with other bodies engaged in licensing or regulating Combative Sports.
- SUB-COMMITTEES** 7 The Commission may create sub-committees to conduct research, provide review and commentary on existing or proposed Regulations, and otherwise assist the Commission to fulfill its mandate, but it may not delegate the Commission’s decision making power to a sub-committee.
- REPORTING** 8 The Commission must at least annually provide a report on its activities to Council.

PART III - COMMISSION MEMBERS

- APPOINTMENT** 9 The Commission will be comprised of seven volunteer Members appointed at the pleasure of Council for two year terms.
- 10 Members may be re-appointed for successive terms totalling not more than six consecutive years.
- 11 If a Member ceases to serve the Commission before the Member’s term ends, or misses more than three successive Commission meetings, Council may appoint a replacement Member.
- QUORUM** 12 The Commission may conduct its business with less than seven appointed Members.
- 13 Quorum is equal to a majority of the appointed Members.
- ELIGIBILITY** 14 Promoters, Contestants, or individuals involved in the business of Combative Sports are not eligible to serve on the Commission until two years have passed from the last date on which the applicant participated at an Event unless Council otherwise directs.
- 15 Prior to being considered for appointment, every applicant must

certify in a form acceptable to the City Manager that the applicant:

- (a) is eligible for appointment; and
- (b) is not aware of any actual or potential conflict of interest that could affect the applicant's ability to serve on the Commission in a fair and impartial manner.

16 The Mayor is not a Member of the Commission.

TERM

17 Notwithstanding any other provision in this bylaw, Council may make or extend any term of appointment, including the final term, for any length of time it deems appropriate.

EXPENSES

18 The Commission may reimburse its Members for out of pocket expenses reasonably incurred while conducting Commission business, provided that the cost of the expenses so incurred are within the limits approved by the Commission.

(S.8, Bylaw 16516, August 28, 2013)

PART IV - COMMISSION MEETINGS AND PROCEDURES

CHAIR

19 Members will annually elect a chair and vice chair and establish the Commission's meeting schedule.

20 The chair will preside at meetings, and if the chair is absent, the vice chair will preside, but if neither is present, the Members attending the meeting may elect a chair from their number.

PROCEDURES

21 The Commission and any sub-committee created by the Commission will follow the meeting and other procedures prescribed for council committees by the Council Procedures Bylaw.

(S5, Bylaw 18409, November 27, 2018)

21.1 Members may participate in Commission meetings using the same procedures for remote participation for members of Council prescribed in the Council Procedures Bylaw, and Members participating by remote participation will count towards quorum.

(S.5, Bylaw 17681, November 29, 2016) (S6, Bylaw 18409, November 27, 2018)

22 Commission meetings are open to the public unless the meeting is closed to the public in accordance with the provisions of the Municipal Government Act and the FOIP Act, but the Commission must make all decisions in public.

23 The Member chairing a meeting may expel a member of the public

from a meeting if that Member determines that the individual is engaging in improper conduct.

PART V - EXECUTIVE DIRECTOR

OFFICE

- 24 The designated officer position of Executive Director to the Edmonton Combative Sports Commission is established.
- 25 The Executive Director will be the City Manager.
(S.6, Bylaw 17681, November 29, 2016)
- 26 The City Manager will be the FOIP Head for the Commission.
(S7, Bylaw 18409, November 27, 2018)
- 27 The Executive Director will take direction from the Commission with respect to matters within its mandate, but will be accountable to and under the supervision of the City Manager.

POWERS, DUTIES AND FUNCTIONS

- 28 The Executive Director has the following powers, duties and functions:
- (a) managing the Commission's budget, records, information technology, finances, resources, and administrative matters in accordance with City policies, bylaws, and practices, adapting them where necessary to address Commission business requirements;
 - (b) in consultation with the Commission, preparing the Commission's budget and requesting budget and other resources from the City;
 - (c) developing Regulations for Commission approval, including Regulations establishing licensing criteria, appeal and other procedures, and conduct requirements;
 - (d) approving forms for Commission use;
 - (e) making all licensing and permitting decisions for the Commission, including requiring the payment of deposits and imposition of such other conditions as the Executive Director deems appropriate;
 - (f) providing written notice of permitting and licensing decisions made by the Executive Director or the Commission to applicants or appellants;
 - (g) recruiting and supervising Officials and establishing their

remuneration, powers and duties;

- (h) supervising all aspects of Events and making all Commission decisions during an Event;
- (i) making appropriate investigations and taking necessary steps to ensure compliance with, and enforcement of, the provisions of this bylaw and the Combative Sports Bylaw;
- (j) executing agreements, cheques and other negotiable instruments within approved budget allocations for Commission business, and in accordance with City policies, practices, and procedures adapted as necessary for Commission business requirements;
- (k) receiving and receipting Commission revenues and making arrangements for payments to successful Contestants;
- (l) acting as a liaison between the City, Council and the Commission;
- (m) assisting the Commission with the preparation of the Commission’s reports to Council and attending at Council when Commission reports are presented;
- (n) assisting the Commission to establish relationships with other Combative Sports regulatory bodies;
- (o) exercising the powers, duties and functions of the FOIP Head, as prescribed by the FOIP Act;
- (p) such other and further powers, duties or functions with respect to matters within the Commission’s mandate as directed by the Commission or the City Manager.

TEMPORARY RESTRICTION

- 28.1 **Deleted**
(S.2, Bylaw 18268, December 9, 2017)
(S.2, Bylaw 18310, January 23, 2018)
(S. 2, Bylaw 18351 February 27, 2018)

SUB-DELEGATION

- 29 (1) The Executive Director may in writing sub-delegate the Executive Director’s powers, duties or functions under this bylaw, including the power to sub-delegate those powers, duties or functions to City employees.
- (2) **Deleted**
(S8, S9, Bylaw 18409, November 27, 2018)

- REPORTING** 30 The Executive Director will provide quarterly reports on the Executive Director's activities to both the Commission and the City Manager.

PART VI - COMMISSION RESOURCES

- 31 The City Manager will consult with the Executive Director and the Commission to determine the Commission's needs for administrative, financial, technical, professional, equipment, materials and other resources, and will allocate appropriate and sufficient City resources for the Commission's use within approved budgets.
- 32 Revenue earned by the Commission will be exclusively used to meet Commission expenses.
- 33 The Commission's budget requests will be submitted to Council during Council's annual budget process.

PART VII - GENERAL

- REPEALS** 34 Bylaw 14308, titled the Boxing, Wrestling, and Other Combative Sports Bylaw, is repealed.
- 35 *Deleted* (S.7, Bylaw 17681, November 29, 2016)

(NOTE: Consolidation made under Section 69 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 and Bylaw 16620 Section 16, and printed under the City Manager's authority)

Bylaw 15638 passed by Council November 9, 2011:

Amendments:

- Bylaw 16516, August 28, 2013
- Bylaw 17681, November 29, 2016
- Bylaw 18268, December 9, 2017
- Bylaw 18310, January 23, 2018,
- Bylaw 18351 February 27, 2018,
- Bylaw 18409, November 27, 2018