



CITY OF
Lethbridge

BYLAW: 5412

DATE OF CONSOLIDATION: December 22, 2020

Amendment History:

BYLAW 5606	Deletes and replaces Section 5.
BYLAW 5678	Deletes and replaces Section 4.
BYLAW 6202	Deletes and replaces Section 5.
BYLAW 6256	New Section 17.1

DISCLAIMER:

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Last Revised: December 14, 2021
Effective Date: January 1, 2021
Bylaw 6256

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE TO ESTABLISH
THE LETHBRIDGE COMBATIVE SPORTS COMMISSION

The Council of the City of Lethbridge, duly assembled, hereby enacts as follows:

COMMISSION

1. For the purpose of regulating, governing and controlling boxing, wrestling, kickboxing, and all other sports that hold bouts and contests between opponents involving striking with hands, feet, knees or elbows, (hereinafter referred to as “the regulated sports”) within the City of Lethbridge, there is hereby created a Commission to be appointed by resolution of the City Council.
2. The said Commission shall be called “The City of Lethbridge Combative Sports Commission”, and shall, within the City of Lethbridge have full power and authority to supervise, regulate, govern and control all bouts and contests held in connection with the regulated sports.

COMMISSION MEMBERSHIP

3. The said Commission shall consist of at least four members, being at least:
 - a) At least three (3) or more citizens at large appointed by resolution of Council; and
 - b) The City Manager of the City of Lethbridge and/or his designate who shall be the Executive Director. The City Manager may appoint one additional City of Lethbridge employee as a member to the Commission, if in his opinion the work load of the Commission warrants such action.
4. All citizens at large appointed as members of the said Commission shall be residents of the City of Lethbridge and/or surrounding area.

Bylaw 5678 – December 13, 2010

5. Members of the Commission shall hold office for up to three years which may be renewed as many times as Council may deem appropriate.

Bylaw 6202 – October 28, 2019

6. No person while a member of the said Commission shall be connected with any exhibition or contest 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 such Commission member and the Commission as it performs its duties.

7. Any member of the Commission may resign therefrom at any time upon written notice to the Chair or Executive Director of the Commission, and any member of the said Commission may be removed for cause by the Council of the City at any time. Any vacancy created by reason of the resignation or removal as aforesaid and any vacancy arising by reason of the death of any member of the Commission shall, subject to the approval of said Council, be filled by the Commission for the remainder of the term of the person who has ceased to be a member of the Commission for any of the reasons aforesaid.
8. Subject to Section 5, any resident citizen of the City of Lethbridge may be appointed by the Council of the City as a member of the Commission, and any retiring member of the Commission shall be eligible for reappointment.
9. Each citizen at large member of the Commission must, in order to remain a member of said Commission, continue as a resident of the City of Lethbridge.

MEETINGS AND OFFICERS

10.
 - (1) 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.
 - (2) Meetings of the Commission may be held anywhere within the City of Lethbridge or, if a majority of Commission agrees, in any other place.
 - (3) Commissioners shall be given reasonable notice of the time and place of any meeting before the meeting is to be held, but the purpose of the meeting or the business to be transacted need not be specified.
 - (4) A Commissioner may in any manner waive notice of a meeting, and an attendance of a Commissioner is a waiver of notice of that meeting, except when the Commissioner attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting was not properly called.
 - (5) Notice of an adjourned meeting is not required to be given if the time and place of the adjourned meeting is announced at the original meeting.
 - (6) A Commissioner may participate in a meeting by means of telephone, or other communication facilities that permit all persons participating in the meeting to hear each other, and a Commissioner participating in such a meeting is deemed to be present at the meeting.
11.
 - (1) The Chairman and Vice-Chairman shall be elected at the first meeting of the Commission that follows the annual appointment of the members of the Commission by City Council.
 - (2) The Executive Director shall be appointed for the year at the first meeting of the Commission that follows the annual appointment of the members of the Commission by City Council.

12. (1) The Executive Director shall record the minutes of all meetings, handle all financial matters in accordance with Commission Policy, implement the Commission's decisions, enforce the Rules and conduct the Commission's business on a day to day basis.
- (2) If the Executive Director is temporarily unable to perform any of his duties, the Chairman may act in his place or another person designated by the Commission may act in his place.
13. (1) A majority of the members of the Commission shall constitute a quorum for the transaction of the business of the Commission.
- (2) A majority vote by a quorum of the Commission shall be deemed to be a binding decision of the Commission.
14. All meetings of the Commission shall be presided over by the Chairman, and in the event of such Chairman being absent from any meeting, the members present shall elect a Chairman for the meeting.
15. 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 desire kept as a record.
16. The Commission may from time to time delegate any of its duties to one or more of its members.
17. Any provision in this Part may be waived or amended by a quorum of the Commission.
- 17.1 In the event the Commission is required to report to Council, the Commission will report to the Cultural and Social Standing Policy Committee.

Bylaw 6256 – January 1, 2021

ADMINISTRATION

18. The Commission shall cause to be kept accurate accounts of all monies received and expended by the Commission, which accounts shall be open for the inspection by any official of the City appointed for that purpose by the Council and such minutes, record and accounts shall be produced to the Council of the City upon request of the Mayor.
19. For the purposes of the Commission, the end of the financial year shall be December 31 of each and every year. A report, together with a report of the year's working, shall be forwarded to the City Manager.
20. Neither the said Commission, nor any member thereof shall have the power of authority to pledge the credit of the City of Lethbridge.

LIABILITY

21. (1) The City of Lethbridge shall defend and indemnify Commission members for legal liability for loss or damage arising from anything said or done or omitted to be done in the performance of their functions duties or powers.
- (2) Subsection (1) does not apply if:
- a. the cause of action is defamation, or
 - b. the Commission member was dishonest, grossly negligent or guilty of wilful misconduct.

POWERS OF COMMISSION

22. All members of the Commission shall at all times have free access to all the regulated sports contests and for the purpose of proving their right of access, they may adopt a badge having thereon the words "City of Lethbridge Combative Sports Commission <_____>. year
23. The Commission shall have supervision and control of all regulated sports contests held in the City of Lethbridge and all the provisions of this Bylaw shall *mutatis mutandis* apply to all regulated sports contests held or proposed to be held in the City of Lethbridge.
24. All bouts and contests shall be under the supervision and control of the Commission, and they or any of them shall have the power to stop any bout or contest if either contestant is, in the opinion of any of them, unfit to continue or is not properly matched, and shall also have power to stop any bout or contest for any misconduct of any promoter or contestant or for disorderly conduct on the part of the audience.
25. (1) 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, the holding of bouts and contests, and the regulation of the conduct of promoters, principals, contestants, agents, seconds, attendants, managers and referees, including the discipline thereof.
- (2) The rules and regulations may include all or any portion of the rules, regulations and safety codes of the Canadian Amateur Boxing Association, Canadian Professional Boxing Federation, or any other organization deemed suitable by the Commission.
26. The Commission may from time to time appoint one or more of its members to carry out any of its decisions and to enforce any of its rules and regulations hereunder.
27. The appointment of any and all officials taking part in any bout or contest involving the regulated sports shall be subject to the approval and under the control of the Commission.
28. The Commission will require a promoter or person in charge of any contest to provide such medical, referees, judges, officials or supervisory personnel as the Commission deems proper, to be in attendance at any bout, contest or exhibition or at any training quarters, in order to ensure that such bout, contest or exhibition shall be conducted in a safe and orderly manner, and will require the promoter or person in charge of any bout, contest, or exhibition to pay such amount as will cover the cost of providing medical, referees, judges, officials or supervisory

personnel and may withhold the issue of any permit until the person concerned has made arrangements satisfactory to the Commission to pay such amount, provided that in case a promoter or person in charge considers the amount charged by the Commission, is, under the particular circumstances, unfair or excessive, the promoter or person in charge may appeal to Council within 14 days from the date the amount objected to was charged by the Commission and in case of an appeal within the time limited, the decision of Council shall be final and binding.

29. The Commission may, from time to time, appoint three of its members to a Discipline Committee which shall investigate, hear evidence and submissions and make recommendations in a report to the Commission in respect of any breach of the rules and regulations of the Commission or any act of misconduct related to activities controlled by the Commission.
30. The Commission shall have the power to suspend each or any of the promoters or contestants for misconduct or disobedience or breach of the rules and regulations made by the Commission for such length of time as the Commission may determine.

PERMITS

31.
 - (1) Any person who desires to promote a regulated sports bout or contest within the City of Lethbridge shall first obtain a permit in writing from the Commission to do so.
 - (2) The Commission may charge an application fee for the issuance of permits under this Bylaw and the amount of such fee shall be payable before a permit is issued.
 - (3) The amount of the said fee shall be established by the Commission.
 - (4) The said permit application fee is non-refundable in any event of the Commission's decision.
32. A separate permit shall be required for each individual event of a regulated sport.
33.
 - (1) No permit shall be issued by the Commission unless:
 - a. A Permit Application with all materials as prescribed by the rules has been filed with the Commission; and
 - b. The Permit Application fee has been received by the Commission no later than 45 days prior to the date the event is to be held.
 - (2) The Permit Application shall be made with forms prescribed by the Commission for that purpose and signed by the person intending to promote the event.
 - (3) If the applicant is a corporation, the application shall be signed by the president thereof.
34. The Commission may require the applicant to submit further information as it deems necessary to enable it to ascertain the merits of such application on a case by case basis.

35. (1) The Commission shall require the applicant to obtain and maintain in force insurance in such amounts as the Commission may from time to time require to provide indemnity against liability for all injuries and damages to any person and/or property.
- (2) Such policy shall insure the City of Lethbridge as well as the applicant against any and all claims, damages, actions, causes of actions, suits, settlements or judgments, which may be brought, made or obtained against the aforesaid parties by reason of exercising the rights of the applicant.
36. No bout involving the regulated sports shall be commenced, notwithstanding that a permit to hold same has been issued by the Commission, unless and until the Commission's medical requirements have been satisfied.
37. Before any permit to hold a bout or contest within the City of Lethbridge is issued by the Commission in respect of any of the regulated sports, the promoter or promoters and each of the contestants shall deposit with the Commission such sum of money as the Commission may determine as a guarantee that such promoter or promoters and contestants shall carry out such bout or contest, and shall observe all the rules and regulations of the Commission as to the conduct of such bouts or contests and in case such bout or contest is not carried out or in case any promoter or contestant is guilty of misconduct or of disobeying any of the said rules and regulations, then the sum of money deposited as aforesaid by the promoter or contestant who is guilty of misconduct or of failure to carry out such bout or contest shall, at the absolute discretion of the Commission be forfeited to the Commission.
38. (1) After the Commission has acted favourably upon any application, but before such permit is issued, the applicant may be required to furnish a bond in favour of the City of Lethbridge in a form and in an amount to be fixed and determined by the Commission.
- (2) All bonds in favour of the City of Lethbridge shall be determined by the Commission, the said bond to be set at a minimum of \$2,000.00.
- (3) The proceeds of the bond may be claimed to cover any cost incurred by the City or the Commission by reason of allowing the applicant to proceed.
39. The Commission may issue permits unconditionally, conditionally or may refuse to issue a permit.
40. The Commission shall have power and authority to cancel a permit issued by them if they deem it advisable so to do.
41. Failure to comply with these Bylaws or their corresponding rules and regulations as amended, may result in cancellation of a permit granted by the Commission.
42. Upon application for a permit the applicant shall be entitled to receive a copy of these Bylaws and the rules and regulations.
43. 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 principal, agent, second, attendant, referee or umpire, any regulated sports bout or contest within the City of Lethbridge, whether an administration fee to such bout or contest is charged or not, unless a permit to hold

such bout or contest has first been issued by the Commission and unless such bout or contest is held under the supervision and control of the Commission.

DISPUTED PERFORMANCE

- 44. (1) If any member of the Commission present at a regulated sports bout or contest is not satisfied with the performance of any contestant at such bout or contest, such member may forthwith notify the promoter of the event that the remuneration or purse of such contestant is to be withheld and that such promoter shall on the following business day deposit with the Executive Director of the Commission the remuneration of the contestant.
- (2) The Commission shall at its next meeting decide what part, if any, of such remuneration or purse shall be paid to the contestant and the Executive Director of the Commission shall forthwith advise the promoter and the contestant of the decision.
- 45. Any participant who enters into a bout or contest involving the regulated sports with a participant who has been suspended, or any participant who takes part in a bout or contest involving the regulated sports which is controlled or undertaken by any promoter who has been suspended by the Commission shall be deemed to be suspended by the Commission.

MISCONDUCT AND THE DISCIPLINE COMMITTEE

- 46. (1) If any person licensed pursuant to this Bylaw and its rules and regulations breaches any of the provisions therein, or if any misconduct of any licensed person is brought to the attention of a Commission member, or if a Commission member otherwise becomes aware of such breach or misconduct, the Commission may hold a hearing into the allegations made against such a person.
- (2) The said hearing shall take place before the Commission or the Discipline Committee.
- 47. At least one week prior to the hearing, a notice shall be served on the person against whom the allegation is brought, personally or by registered mail:
 - (a) containing reasonable particulars of the allegations; and
 - (b) specifying the time and place of the hearing.
- 48. Testimony may be adduced before the Commission or at the hearing in any manner the Commission considers proper.
- 49. If, upon the hearing having been held, the Commission finds that the person breached the rules and regulations, the Commission may:
 - (a) suspend the person for a stated period of time not exceeding one year;
 - (b) fine the person for a stated amount not exceeding \$2000.00, and suspend him until the fine is paid;
 - (c) revoke his license;
 - (d) reprimand the person; or
 - (e) a combination of (a) and (b) above.
- 50. If the person against whom the allegation is made does not attend the hearing, the Commission may, upon being satisfied that the Notice of Hearing was served upon the individual in accordance herewith, proceed with the hearing in his absence, without further notice to the individual.

51. The Commission may take disciplinary proceedings against any person who was or was required to be licensed by the Commission at the time of the alleged offense, whether that person is licensed at the time of the hearing or not.
52. The Commission may suspend the person against whom the allegations are made prior to the hearing until the matter has been determined in accordance with the provisions hereof.

COMING INTO FORCE

53. Bylaw No. 2939 and all amendments thereto are hereby repealed.
54. This Bylaw shall come into full force and effect on the day of the passing thereof.

READ A FIRST TIME THIS 14TH DAY OF NOVEMBER, 2006.

READ A SECOND TIME THIS 27TH DAY OF NOVEMBER, 2006.

READ A THIRD TIME THIS 27TH DAY OF NOVEMBER, 2006.

Sgd.) R.D. Tarleck
MAYOR

(Sgd.) C. Coutts
DEPUTY CITY CLERK