

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW NO. 002-23

Being a bylaw of the City of Chestermere in the Province of Alberta, Canada 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 Chestermere 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 Chestermere 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 Chestermere 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 Chestermere deems it desirable to establish a Combative Sports Commission to sanction and monitor combative sports events conducted within the boundaries of the municipality.

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 Chestermere duly assembled enacts:

1. Title

This Bylaw may be cited as the "Combative Sports Commission Bylaw"

2. Definitions

In this Bylaw, the following terms when capitalized shall have the following meanings:

- (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 Chestermere Combative Sports Commission Bylaw;
- (e) "City" means the City of Chestermere;
- (f) "City Director" means the City Director of Community Growth and Operations, or their designate.
- (g) "Commission" means the City of Chestermere Combative Sports Commission;
- (h) "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;
- (i) "Contestant" means any person engaged as an opponent in a Regulated Combative Sports Event;
- U) "Council" means the municipal Council of the City of Chestermere;
- (k) "Event" means a Regulated Combative Sports Event;
- (l) "Regulated Combative Sports Permit" means the written authority of the City allowing the holding of a Combative Sports Event in the City;
- (m) "Regulated Combative Sports Permit Fee" means a fee payable for a Regulated Combative Sports Permit;
- (n) "Licence" means a licence issued by the City Director to a Promoter;
- (o) "Licence Fee" means a fee payable for a Licence;
- (p) "Member" means a member of the Commission pursuant to this Bylaw;

- (q) "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;
- (r) "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;
- (s) "Person" includes an individual, partnership, association, corporation, trustee, executor, administrator, legal representative and assigns;
- (t) "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
- (u) "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 sanctioned by a recognized amateur association."

3. Establishment

There is hereby continued a Commission to be known as "The City of Chestermere Combative Sports Commission."

4. Roles and Responsibilities

The Role of the City is to give final approval, in signing, for an Event to take place within the City of Chestermere. The City is responsible to ensure that the interests of the City are being protected at all times and due diligence is being applied by the Commission before giving final approval for a Regulated Combative Sports Event to be conducted.

In addition, the City is responsible to ensure that the approval process is completed in a timely manner, and not to intentionally uphold the Commission's activities with unnecessary delays

The City is the final signing authority. At any time, the City may withdraw its approval of a Regulated Combative Sports Event if the City believes that course of action to be in the City's best interest.

The Role of the Commission is to act in an advisory role to the City. It is the Commission's responsibility to provide the City with accurate and up-to-date information about an Event, Promoter, Contestant, and so on, to facilitate the City is making informed and accurate decisions with regards to a Regulated Combative Sports Event.

The Responsibility of the Commission is to control, provide oversight of, and regulate all aspects of Combative Sports and Events in the City of Chestermere including:

- (a) Making 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 applicable City Bylaws or Policies, 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 Regulated Combative Sports Permitting for Regulated Combative Sports Events.
- (b) To Review and recommend applicants for Licences and Regulated Combative Sports Permits to the City Director, pursuant to this Bylaw.
- (c) Considering City policies and the safety of the Contestants or spectators in the review of applications for Regulated Combative Sports Permits and Licenses.
- (d) The Commission will make recommendations to the City Director for the approval of a Regulated Combative Sports Licence and Permit and the Licence or Permit will ultimately be issued by the City Director.

5. Membership

- (a) The said Commission shall consist of at least five, and no more than seven, members:
 - i. At least four (4) members shall be appointed or dismissed by resolution of Council pursuant to Bylaw #025-22, being the City of Chestermere Boards and Committee Bylaw, and;
 - ii. The City Director or their designate.
- (b) Membership on the Commission is voluntary, and no remuneration will be paid by the City for serving as a Member.
- (c) 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.

- (d) The Commission shall hold regular meetings as required but no less than twice each year.
- (e) 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 may arise between such Commission Member and the Commission as it to the performance of performs its duties.
- (f) If not stated in this Bylaw, refer to Bylaw #025-22, being the City of Chestermere Boards and Committee Bylaw, for procedures, requirements, and regulations.

6. Regulated Combative Sports Permit and Licences

- (a) No Person shall carry on, promote, be a Contestant in, or act as an Official, agent or in any other such capacity at any Regulated Combative Sports Event within the City controlled or regulated by the Commission, without first applying for and being granted a Licence and a Regulated Combative Sports Permit.
- (b) A Regulated Combative Sports Permit issued by the City does not act in lieu of a City of Chestermere Event Agreement, as outline and defined in Policy #653 being the Events & Festival Policy, in the circumstance an Event Agreement is required to conduct the event. If needed, the Promoter must acquire one to conduct the event.
- (c) 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.
- (d) No Event shall be commenced, notwithstanding that Licences and a Regulated Combative Sports Permit have been issued, unless and until the requirements of the medical Official for the Event have been satisfied.
- (e) The Promoter of a Regulated Combative Sports Event shall pay a Licence fee in accordance with the fees set out in Schedule "A" of this Bylaw.
- (f) The Event Promoter shall be required to pay a Regulated Combative Sports Permit Fee in accordance with the fees set out in Schedule "A" of this Bylaw.
- (g) A Regulated Combative Sports Permit is required for each Regulated Combative Sports Event within the City.

- (h) In addition to Licence and Regulated Combative Sports Permit Fees, the Promoter shall be responsible to provide any such Officials as the City, pursuant to advice from the Commission, deems appropriate to be in attendance at any Event, bout, contest, exhibition, or training quarters, in order to ensure that such Event, bout, contest, or exhibition, or training quarters shall be conducted in a safe and orderly manner. The Promoter must have a medical Official and private security Officials, in the number specified by the City, pursuant to advice from the Commission, at every Event, bout, contest, exhibition, or training quarters. The Promoter shall be responsible to pay such amount to cover the costs for Officials required by the City to oversee the Event.
- (i) In addition to the Promoter providing private security Officials for the Event, the Promoter will also be required to hire, if required by the City Director or at the recommendation of the Commission, uniformed police officers to be present at said Event at the Promoter's own expense. 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.
- U) The Commission may seek the assistance of a Consultant to review applications for Licences and Regulated Combative Sports Permits, or to formulate a checklist for a Promoter wishing to host an Event. The Commission's Consultant fees shall be the responsibility of the Promoter applying to host said Event.
- (k) Where Officials from outside of the City are required to oversee an Event, as a condition of a Regulated Combative Sports Permit approval, the Promoter shall be responsible to compensate said Officials for meals, travel, and accommodation associated with the Event.
- (l) The Commission may recommend that the City refuse, suspend, cancel or revoke an application for a Regulated Combative Sports Permit where the Commission believes on reasonable grounds that the Promoter:
 - i) cannot ensure the safety of the participants or spectators,
 - ii) has not made adequate financial or other arrangements for the purpose of protecting the integrity of the Event, or
 - iii) has not complied with the Bylaw in any other way.

8. Approval Process

- (1) Every Promoter pursuant to this Section shall provide the following information in a form to the Commission, then sent for approval by the Director, no later than forty-five (45) days prior to the date of the

event:

- (a) applicant and promoter information, including:
 - (i) the full name and address of the applicant,
 - (ii) if the applicant is a corporate entity, the names and addresses of the directors and shareholders of the corporation,
 - (iii) the full name and addresses of the event promoter, and
 - (b) event information including:
 - (i) the location of the event,
 - (ii) the date of the event,
 - (iii) the times the event will begin and end,
 - (iv) the name and address of the owner or operator of the event location, and
 - (v) the expected attendance.
 - (c) such other information as the Director may reasonably require.
- (2) Every applicant pursuant to this Section shall provide no later than fifteen (15) days prior to the date of the event the following information in a form approved by the City, pursuant of advice and recommendations from the Commission:
- (a) contestant information, including:
 - (i) a detailed list of all contestants, including the names, addresses, email addresses and dates of birth of each,
 - (b) confirmation, if required, of:
 - (i) police attendance at the event;
 - (ii) Fire Marshal approval of the event;
 - (iii) Emergency Medical Services coverage.
 - (c) a copy of the liability insurance, and;
 - (d) such other information as the Commission, or City, may reasonably require.
- (3) A Permit and licence to stage or promote a combative sports event is required for each event.
- (a) The Commission upon being satisfied that the requirements of this Bylaw and of all applicable Commission policies have been met may recommend to the Director that a permit for the event be

issued.

(b) In making a recommendation to the Director, the Commission may recommend conditions be placed on the licence relating to any or all of the following:

- i. The obligation of a promoter to pay for physicians and physicians assistants to attend an event;
- ii. Approval of the layout of the venue;
- iii. Fire Chief approval;
- iv. Emergency Medical Services Coverage;
- v. Attendance of Local Law Enforcement personnel;
- vi. Provision of security Personnel;
- vii. Weigh-in set-up;
- viii. Placement of camera crews;
- ix. Provision of gloves, tape and other contestant equipment;
- x. Provision of a translator approved by the Commission;
- xi. Limitations on filming the event; and any other condition the Commission deems necessary.

9. General Conditions

- (a) Failure to comply with the Commission's rules and regulations as amended, constitutes an offence under this Bylaw.
- (b) Failure to comply with these Bylaws or the Commission's corresponding rules and regulations as amended, may result in cancellation of a Regulated Combative Sports Permit granted by the City.
- (c) Upon application for a Regulated Combative Sports Permit the Applicant shall be entitled to receive a copy of these Bylaws and the Commission's rules and regulations.
- (d) 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, Promoter, attendant, or Official, any Combative Sports Event within the City, whether an admission fee to such Event is charged or not, unless a Permit to hold such Event has first been issued by the City and unless such Event is held under the supervision and control of the Commission, on behalf of the City.
- (e) A Regulated Combative Sports Permit must be issued by the City on a form bearing the identification of the City and all Regulated Combative Sports Permits issued pursuant to this Bylaw are, and shall remain the property of the City.

- (f) A Regulated Combative Sports Permit must bear on its face the date on which it is issued and the date on which the License will expire.
- (g) Any License holder who holds a Regulated Combative Sports Permit shall keep it posted in public view in the licensed premises.
- (h) A License holder who is a Contestant or Official shall, upon request, immediately produce the License to a Member.
- (i) It is a deemed condition of every Regulated Combative Sports Permit that the permit holder will:
 - a. comply with the approved security plan;
 - b. comply with the approved medical and safety plan;
 - c. ensure that liability insurance for the Event remains in full force and effect;
 - d. comply with all rules and regulations of the Commission;
 - e. not reproduce, falsify, alter, or deface the Regulated Combative Sports Permit ;
 - f. not falsify any medical or fitness documentation provided to the Commission for the Event;
 - g. conduct the weigh-in for the Event in a place accessible to the public within the City;
 - h. only hold the Event on the days and at the times and at the location specified in the Regulated Combative Sports Permit;
 - 1. comply with the maximum attendance requirements of the premises; and not transfer, assign, sell, lease, or otherwise dispose of the Regulated Combative Sports Permit to another Person.
- U) It is a deemed condition of every Regulated Combative Sports Permit where the permit holder is a Promoter, that the Promoter will provide the City, via the Commission, with a criminal record check that is no more than one (1) month old. The City may, in its sole discretion, refuse, suspend, revoke, or cancel a Regulated Combative Sports Permit where the Promoter does not provide a clear criminal record check.

10. EventSecurities

- (a) As a condition of issuing a Regulated Combative Sports Permit to hold a Regulated Combative Sports Event, the Commission, on behalf of the City, may require the Promoter of the Event to provide security, in a form

prescribed by the Commission, in order to ensure that the Promoter holds the Event in accordance with the provisions of this Bylaw.

- (b) Any or all of the security deposited in accordance with the conditions of a Regulated Combative Sports Permit may be forfeited to the City 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
 - 11. The Promoter has breached any conditions of the Regulated Combative Sports Permit issued by the Commission, or any part of this Bylaw.
- (c) The Promoter shall remit to the Commission, on behalf of the City, 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 Regulated Combative Sports Permit application review process. The Commission shall have the option to pay Contestants' purses and Official's fees directly at the conclusion of the Event, or return the cheque to the Promoter at the conclusion of the Event, less any Consultant fees incurred by the City.

11. Insurance

- (a) The City, through the Commission, shall require the Promoter to obtain and maintain in force general liability insurance in such amount as the Commission shall require, but no less than two million dollars (\$2,000,000) per occurrence, 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.
- (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.

12. Offences

- (a) Any Person who contravenes this Bylaw, or any term or condition of any Licence or Regulated Combative Sports Permit issued pursuant to this Bylaw, is guilty of an offence.

- (b) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each day that the offence continues.
- (c) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or participated in the act or omission that constitutes the offence, is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (d) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of that offence.
- (e) For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed to also be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.
- (f) A Person who is guilty of an offence pursuant to this Bylaw is liable to a fine in an amount not less than that specified in this section and not exceeding \$10,000.00, and to imprisonment for not more than six (6) months for non-payment of the fine. The following specified penalties apply:
 - i. \$5,000 - falsification of any medical or fitness document provided to the Commission as part of an Event;
 - ii. \$2,000 - taking part as a Promoter, Contestant, or Official in an Event without a valid Licence, or as a Promoter, conducting an Event without a valid Regulated Combative Sports Permit;
 - iii. \$150 - commission of any offence for which a fine is not otherwise specified in this Bylaw.
- (g) A Person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

- (h) A Peace Officer is authorized to issue a Violation Ticket pursuant to this Bylaw. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - i. specify the fine amount established by this Bylaw for the offence; or
 - ii. require the Person charged to appear in court without the alternative of making a voluntary payment.
- (i) A Person who commits an offence may:
 - i. if a Violation Ticket is issued in respect of the offence; and
 - ii. if the Violation Ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine.
- U) Nothing contained in this Bylaw shall restrict the Commission or the City to the remedies or enforcement mechanisms contained herein. The City or the Commission may pursue any other remedy or enforcement action which may be legally available, including municipal enforcement orders and injunctions.
- (k) No Person shall obstruct or hinder the Commission or the Commissions' Members, voluntary supervisory personnel, or Officials in the exercise or performance of their powers or duties.

13. Indemnities and Waivers

- a) The Commission, as a condition of granting a Promoter a Regulated Combative Sports 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:
 - 1. 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, any terms of a License or Regulated Combative Sports Permit, or any rules or regulations prescribed by the Commission, or any condition of any agreement entered into between the Contestant, Promoter or other Person and the Commission; or

2. 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.

COMING INTO FORCE

This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON February 7, 2023

READ A SECOND TIME ON February 14, 2023

READ A THIRD TIME ON



MAYOR Jeff Colvin



City Director of Community Operations, Cameron Wong

Schedule "A"

Event and Licence Fees

Regulated Combative Sports Permit Fee \$1000.00

Note: In addition to the Regulated Combative Sports 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 Regulated Combative Sports Permit Fee.

Promoter Licence Fee (Annual Fee) \$100.00