

THE CORPORATION OF CITY OF DAWSON CREEK

BYLAW NO. 3933

A Bylaw of the City of Dawson Creek that establishes an Athletic Commission.

WHEREAS the Council of the City of Dawson Creek, pursuant to Section 143 of the *Community Charter*, is empowered to establish an Athletic Commission and set out the composition and powers of the Commission.

NOW THEREFORE in open meeting assembled, Council of the City of Dawson Creek, **ENACTS AS FOLLOWS:**

TITLE

This bylaw may be cited for all purposes as the “Dawson Creek Athletic Commission Bylaw No. 3933, 2007”.

PART I – GENERAL

1.1 **Interpretation**

In this Bylaw:

“Council”	means the City Council of the City of Dawson Creek.
“Commission”	means the Dawson Creek Athletic Commission.
“Connected with any Regulated Sport”	refers to an official, referee, matchmaker, promoter, financier, second, manager, or any other position or capacity where the possibility may arise of a conflict of interest between such member and his or her duties and responsibilities as a member of the Commission.
“Member”	means a member of the Dawson Creek Athletic Commission.
“Promoter”	means any person holding a promoter’s licence under this bylaw or the rules adopted under this bylaw.
“Regulated Sport (s)”	means professional boxing, wrestling, kickboxing and like activities, contests, and exhibitions.

1.2 **The Role of the Commission**

The Commission is hereby authorized to:

- (a) Make rules regulating “Regulated Sports”;
- (b) Approve and maintain control over the appointment and or dismissal of any and all officials taking part in any “Regulated Sports”.
- (c) Issue or refuse to issue permits that include terms and conditions of the Commission sanctions to the persons conducting “Regulated Sports” as a condition of their being held.
- (d) Issue or refuse to issue permits to boxers, wrestlers, and other participants in “Regulated Sports”, as deemed necessary, and as a condition of their participating therein.
- (e) Review and approve contracts for “Regulated Sports”.
- (f) Investigate the conduct of any participants in “Regulated Sports” or of the persons conducting them, and particularly with respect to any alleged breaches of this bylaw or rules made hereunder.
- (g) Establish and impose reasonable fines for misconduct, or breaches of this bylaw or other rules established by the Commission to prohibit such participants or persons from taking part in any “Regulated Sports” in the City of Dawson Creek for reasonable periods.
- (h) Prohibit a person from participating in or conducting “Regulated Sports”, or from advertising them, unless he has been granted a permit for that purpose.
- (i) Require persons conducting “Regulated Sports” to pay a fee to the Commission for the issuance of permits under this bylaw. The fees shall be set out in Appendix A to this Bylaw.
- (j) Require medical personnel, police, referees, judges, officials, or supervisory personnel as the Commission deems appropriate, to be in attendance at any “Regulated Sport”.
- (k) Require the promoter or persons in charge of any regulated event to pay such amount as will cover the costs of providing medical, police, referees, judges, officials or supervisory personnel, as deemed appropriate by the Commission.
- (l) Require a medical officer (who shall be a duly qualified medical practitioner from the Province of BC) to examine the contestants immediately prior to a “Regulated Sport” event and to pronounce each contestant physically fit to engage in the event.
- (m) Require the Promoter or persons in charge of any regulated event to pay the costs of providing medical services imposed under (l).

- (n) Disqualify persons deemed to be unfit by a medical officer under (l).
- (o) Establish and seek advice as required from an advisory group to assist in carrying out their duties under this bylaw.

1.3 **Quorum**

A quorum of the Commission shall be two (2) voting members.

1.4 **Appointment of Members**

The Commission shall consist of three (3) members, each appointed by Council. One City Councillor shall sit in an advisory capacity, as a non-voting member.

1.5 **Terms of Appointment**

1.5.1 Initial appointments to the Commission shall be as follows:

- a) One commissioner for a period of one year;
- b) One commissioner for a period of two years; and
- c) One commissioner appointed for a period of three years.

1.5.2 After initial appointments are made under section 1.5.1, every subsequent appointment shall be for a period of 3 years.

1.5.3 A member, while an appointee to the Commission, shall not be directly or indirectly connected with any "Regulated Sport" held within the City of Dawson Creek.

1.5.4 Every member shall continue to hold office until a successor is appointed.

1.5.5 Council may, by an affirmative vote of not less than two-thirds (2/3) of the council members, remove a member of the Commission from office at any time.

1.5.6 Upon the resignation, the removal from office, or the death of any member during their term of office, Council shall appoint a successor in accordance with the provisions by which the vacating member was appointed.

1.6 **Inaugural Meeting**

1.6.1 At the inaugural meeting of the Commission, the members shall confirm that the member appointed for a period of 3 years is the chair. The chair, thus confirmed, shall serve a one (1) year term. After the inaugural meeting, the commission shall appoint the chair by simple resolution.

1.6.2 At the inaugural meeting of the Commission, the members shall from amongst its members appoint, by resolution, persons to serve on a rotating basis as acting chair and each member duly appointed as such shall fulfill the responsibilities of the chair in their absence.

1.7 **Notice of Commission Meetings**

Notice shall be provided in accordance with "Council Procedures Bylaw No. 3445, 2000" as amended.

1.8 **Location and Time of Commission Meetings**

Regular meetings of the Commission shall be held at least once every six (6) months, or more frequently at the direction of the chair, to deal with outstanding matters in regard to "Regulated Sports". Meetings shall be held in the Boardroom at City Hall, Dawson Creek, or at another location specified by the chair.

1.9 **Attendance of Public at Meetings**

1.9.1 Except where the provision of Sections 90(1) and 90(2) of the *Community Charter* apply, all commission meetings shall be open to the public.

1.9.2 Where the Commission wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with Section 92 of the *Community Charter*.

PART II - MEETINGS

2.1 **Chair**

2.1.1 The chair, when present, shall preside at all meetings of the Commission using Robert's Rules of Order to govern the meeting.

2.1.2 Every resolution adopted and every question submitted to a meeting shall be decided by a simple majority of the members present.

2.1.3 In the absence of the chair, the acting chair shall have all the powers and responsibilities afforded to the chair.

2.2 **Delegations**

All delegations requesting permission to appear before the Commission shall submit a written request, including a written synopsis clearly outlining their topic of concern.

2.3 **Opening Procedures**

2.3.1 Call Meeting to Order - At the hour set for a meeting to commence, and provided that a quorum is present, the chair shall call the meeting to order.

2.3.2 Lack of Quorum - Should there be no quorum present within fifteen minutes after the time appointed for the meeting to commence, the chair shall ask the secretary to record the names of the members present and then adjourn the meeting.

2.4 Minutes

Minutes of the proceedings of the Commission shall be legibly recorded in a minute book. The minutes shall be certified as correct by the chair or other member presiding at the meeting, or at the next meeting at which they are adopted. A copy shall be forwarded to the Corporate Administrator to be included in the City of Dawson Creek records.

PART III – REGULATION PROCESS

3.1 Prohibition

No person shall hold, conduct, participate in or be connected with any “Regulated Sport” except in compliance with this bylaw and all rules and regulations prescribed by the Commission under this bylaw, including all required permits and licenses and paying all permit and licence fees prescribed by this or another bylaw.

3.2 Security Deposit

3.2.1 Before any permit is issued to hold a “Regulated Sport”, the promoter and each of the contestants shall deposit such security as the Commission may determine reasonable for the faithful performance of their obligations as specified by the Commission.

3.2.2 In the event such “Regulated Sport” is not carried out or in case any promoter or contestant is guilty of misconduct or of disobeying any of the rules and regulations established by the Commission, the security so deposited by the promoter or contestant who is guilty of such misconduct or is in breach of contract, shall be forfeited to the Commission.

3.2.3 The Commission may disburse the proceeds from the security deposit to persons entitled to a claim thereunder.

PART IV - FINANCIAL AND LIABILITY RESPONSIBILITIES

4.1 The proposed expenditures and revenues to be incurred in the operation of the Dawson Creek Athletic Commission shall be included in the provisional and annual budgets of the City of Dawson Creek.

4.2 The Commission shall keep accurate records of all monies received and expended by it which accounts shall be open for the inspection by any official of the City of Dawson Creek so appointed for that purpose.

PART V - APPEAL

5.1 Any decision of the Commission made pursuant to this bylaw may be appealed to the Council of the City of Dawson Creek.

5.2 Notice of such appeal setting out the grounds thereof shall be given to the Officer Responsible for Corporate Administration within seven (7) days of the decision complained of. The Corporate Administrator shall place such appeal on the next agenda of the regular

meeting of the Council, following receipt of such notice; or the appeal may be heard at a special meeting of Council called for such purpose.

PART VI – REPEAL AND SEVERABILITY

6.1 If any part of this bylaw is found to be unenforceable by a court of competent jurisdiction, the impugned section shall be severed and the remainder of the bylaw shall remain in full force and effect.

READ a first time this 11th day of June , 2007.

READ a second time this 11th day of June , 2007.

READ a third time this 11th day of June , 2007.

ADOPTED this 25th day of June , 2007.

CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 3933, 2007 cited as "CITY OF DAWSON CREEK ATHLETIC COMMISSION BYLAW NO. 3933, 2007".

ORIGINAL SIGNED BY
John Malcolm
Corporate Administrator

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

ORIGINAL SIGNED BY
Calvin Kruk – Mayor

ORIGINAL SIGNED BY
John Malcolm – Corporate Administrator

APPENDIX 'A'

Fees and charges

Category	Standard Rate	Discount rate
Event	\$500.00	\$400.00
Event Security	\$250.00	\$250.00
Promoter	\$100.00 per year	\$80.00 per year
Fighter with Passport	\$10.00 per year	\$10 per year
Fighter without Passport	\$25.00 per year	\$25.00 per year
Officials (referees & judges)	\$10.00 each per year	\$10.00 per year
Inspectors	\$25.00 each per event	\$25.00 per year
Medical Personnel (Emergency medical personnel and any other personnel required)	Actual costs	Actual costs
Pay per view	3% of gross revenue for first \$500,000 and 1% thereafter	3% of gross revenue for first \$500,000 and 1% thereafter

1. Definitions

1.1 Standard Rate: applies to all applications.

1.2 Discount rate: applies to Dawson Creek based promoters or organizations.

2. Terms and Conditions:

Event permit	Event terms and conditions requirements must be established and event fee must be received prior to a permit being issued. If any of the terms and conditions on the permit are not met, the permit may be revoked by the Dawson Creek Athletic Commission.
Insurance	Proof of \$2,000,000 liability insurance with the City of Dawson Creek and the Athletic Commission as an additional named insured on the policy is required 48 hours prior to the event.
Payment	
Promoter Fees	Due on application
Fighters, Officials, Inspector Fees	Due four hours prior to the event
Medical personnel fees	Due 48 hours prior to the event

APPENDIX 'B'

CITY OF DAWSON CREEK ATHLETIC COMMISSION
APPLICATION FOR PROFESSIONAL MIXED MARTIAL ARTS EVENT

I, _____ of _____,
apply for a license to hold a mixed martial arts event called _____ in
Dawson Creek at _____ (Facility), on _____ (Date)
under the terms and conditions listed below:

1. Each application must be for one date only, and a non-refundable event fee and security fee must be received upon application. The security fee is refundable upon successful completion of the Event, which is deemed to occur when all Dawson Creek Athletic Commission requirements have been met.
2. The Fight Rules must be submitted to the Dawson Creek Athletic Commission upon application.
3. All gloves must be approved by the Dawson Creek Athletic Commission and a sample submitted to the Dawson Creek Athletic Commission at least one month prior to the event.
4. The promoter shall supply the Dawson Creek Athletic Commission with blank copy of the "Official Fight Contract" upon application and signed copies of the "Official Fight Contract" and waiver for each and every participant in the show at least ten days prior to the show.
5. One week prior to each match the promoter shall supply the Dawson Creek Athletic Commission with a signed Initial Medical examination form from a fully licensed medical doctor, for each participant, all required medical tests, along with proof of age and two passport photographs. This examination Including blood work must take place within 90 days prior to the event and after their last fight (Initial _____). Fighters must be re-examined by an authorized Dawson Creek Athletic Commission doctor at weigh in who will determine whether they are fit to fight.
6. The promoter shall remit to the Dawson Creek Athletic Commission, at least ten calendar days prior to the show, a certified cheque payable to the City of Dawson Creek, or equivalent, in the amount of the combined prize purses to the Dawson Creek Athletic Commission.
7. Promoters must carry \$2,000,000 public liability insurance, with the City of Dawson Creek and Dawson Creek Athletic Commission as "additional named insured". A certified copy of such insurance to be supplied to the Dawson Creek Athletic Commission 3 business days prior to the event.

8. The Dawson Creek Athletic Commission will appoint the officials and doctors for the event, and the promoter agrees to pay the fees and expenses of all required officials and medical personnel, emergency medical personnel and security required for the fight.
9. The promoter shall supply each member of the Dawson Creek Athletic Commission, the fight medical doctors and officials with a ringside table, without charge. Pre-contest medical examinations and weigh-in shall take place no more than 30 hours and no less than eight hours before the event commences.
10. Officials, referees, and fighters shall produce their current license, issued by the Dawson Creek Athletic Commission, or secure their license at the weigh-in.
11. Licenses for Fighters, Seconds and all Officials are issued for a calendar year and expire December 31 of that year.
12. Any Fighter, Promoter or Official suspended by a Dawson Creek Athletic Commission or by any other athletic or boxing commission will not be granted a license by the Dawson Creek Athletic Commission until the said suspension is lifted.
13. The promoter shall be responsible for the proper conduct of all fighters, managers, seconds, and associates involved.
14. The promoter shall be responsible for attending.

I, the undersigned, have read and hereby accept and agree to abide by the above conditions and by the Rules and Regulations of the Dawson Creek Athletic Commission.

Signed this _____ day of _____, 20__.

Promoter (Print Name): _____

Promoter Signature: _____

Phone: _____ Email: _____

Appendix C – Page 2

The following tests and surveys shall be conducted upon all applicants.

Hearing		
Any impairment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please describe.		

Vision		
Corrected Vision: R: L: PERL	Yes <input type="checkbox"/>	No <input type="checkbox"/>
React to light and Accomodation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Fundiscopic examination normal?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Mouth		
Any disease of the mouth or throat?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Glands		
Any enlargement of Thyroid or Lymph nodes?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Respiratory		
Any evidence of acute respiratory disease?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Blood Pressure		
Initial	Systolic	Diastolic
Additional		

Heart		
Heart rate counted at the apex for one minute		
If applicant is over 30, re-check heart rate and record temperature.		
Any disturbances of cardiac rhythm?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Any indication of disease of the heart, major blood vessels, or peripheral vasculature?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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Abdomen		
Does examination reveal any abnormality?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please describe		
Hernia		
Does examination reveal any evidence of hernia?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please describe.		
Knees		
Are knee jerks present and equal?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Neurological		
Any evidence of disease of the nervous system?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Infection tests		
HIV Test	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>
Hepatitis B Test	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>
Hepatitis C Test	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>
EKG		
EKG Report	Positive <input type="checkbox"/>	Negative <input type="checkbox"/>
Concussion		
Has the applicant sustained a concussion in the past? If yes, how long ago?	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

Appendix C – Page 4**To be completed for all applicants**

General	
Is there any condition or disorder, not covered by the above information, that requires additional examination, or that would debar the applicant from competing in combative sports? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, please describe	
Fitness	
The Applicant is considered FIT <input type="checkbox"/> UNFIT <input type="checkbox"/> to take part in Combative Sports. The medical examiner has given special consideration to applicants over the age of 35.	
Date	
Medical Examiner's Signature	
Medical Examiner Name	
Medical Examiner Mailing Address	

APPENDIX 'E'

RELEASE, WAIVER OF CLAIM and ASSUMPTION OF RISK

In consideration of permission, granted now or in the future by the Dawson Creek Athletic Commission (The Commission) to participate in the _____ (The Event) on, _____, 20 __,

I agree and acknowledge that:

1. I have met all the prerequisites required for participation in The Event.
2. I will abide by the rules and regulations imposed on the participants in The Event.
3. There are risks and hazards inherent in the very nature of The Event and that as a result of these risks and hazards, I, as a participant, may suffer personal injury, even death, as well as property loss. I nevertheless freely and voluntarily assume the aforementioned risks and hazards and accordingly my participation in The Event shall be entirely at my own risk.
4. I waive any claim I may have against The City of Dawson Creek and The Commission arising from my participation in The Event and agree to indemnify and hold harmless The City of Dawson Creek and The Commission for any and all claims, actions, causes of action, dues, expenses, general damages, special damages, costs, claims and demands of any and every kind whatsoever at law or in equity, or under any statute, which I ever may have, now have, or can or shall have against The City of Dawson Creek or The Commission as a result of my participation in The Event.
5. The Commission may secure such medical advice and services as it, in its sole discretion, may deem necessary for my health and safety and I shall be financially responsible for such advice and services.
6. This RELEASE, WAIVER OF CLAIM and ASSUMPTION OF RISK is binding on myself and my insurers, heirs, successors, executors, administrators, personal representatives and assigns.

Dated at Dawson Creek, BC this _____ day of _____, 20 _____.

Name (Please Print)

Signature of Participant

Signed, Sealed, and Delivered in the presence of:

Name of the Commission Witness (print)

Signature of Witness

APPENDIX 'F'

IMMEDIATE PRE-FIGHT MEDICAL – MIXED MARTIAL ARTS

Applicant name _____ DOB _____ AGE _____

Address _____

Current Blood Test Results have been provided as Yes No
 NEGATIVE for HIV, Hepatitis, A, B, C

Pulse _____ BP#1 _____ BP#2 _____

Any history of hearing impairment Yes No

Medications _____ Allergies _____

Vision Abnormality of pupils or Accommodation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Mouth Any disease of the mouth or throat?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Glands Any enlargement of Thyroid or Lymph nodes?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Lungs Any evidence of acute respiratory disease?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Hands Any evidence of swelling or injury	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Heart Any abnormality on EKG Evidence of disease of the Heart or BV	Yes <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> No <input type="checkbox"/>
Is there any evidence that the Fighter has been using Alcohol?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there any evidence that the Fighter has been using other drugs or substances?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are there any other conditions or disorder apparent that should prevent the fighter from fighting?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Specify condition:		

This is to certify that the above named fighter has been examined by me and is considered to be:	<input type="checkbox"/>	<input type="checkbox"/>	To fight on the	
	Fit	Unfit	Card	Time
Physician Name		Signature		

Appendix F – Page 2

RECERTIFICATION

This is to certify that the above named fighter has been re-examined by me and is considered to be:	<input type="checkbox"/>	<input type="checkbox"/>	To fight on the	
	Fit	Unfit	Card	Time
Physician Name		Signature		

POST CONTEST MEDICAL AND INJURY REPORT

To be completed by a physician at the conclusion of the contest for each participating noting the general medical condition of the participant and any specific injury that has occurred whether from training, competition, or by any other means. This form is to be returned to the Dawson Creek Athletic Commission.

General Condition			
Specific Injury			
Treatment and Recommendations			
Physician Name		Signature	Time

OFFICE USE ONLY

Nature of Injury		
Date of suspension	Length of suspension	Date Suspension Lifted

APPENDIX 'G'

Dawson Creek Athletic Commission Checklist

Name of Promoter _____

Type of Event _____

Location of Event _____

Type of Promotion _____

The promoter is required to complete and submit this checklist to the Office of the Corporate Administrator by: _____

Item #	Description	Done
Licensing and Sanctioning Requirements		
1.	The promoter has obtained a Dawson Creek Athletic Commission Promoters' Licence (\$100) for the current calendar year.	
2.	The Dawson Creek Athletic Commission has approved the date, location, and time of the proposed event, no less than 30 days prior to submitting this checklist.	
3.	The card consists of a minimum of 30 rounds of professional competition and no less than five bouts.	
4.	The Dawson Creek Athletic Commission has received written sanctioning from the national sports governing authority for any Canadian Championship(s) on the card	
5.	The promoter has provided a signed license for event from the event venue.	
Financial Responsibilities		
1.	The promoter has paid the event fee (\$500).	
2.	The promoter has deposited by certified cheque a sum set by the Dawson Creek Athletic Commission to cover the fighters' contracted purses, the doctors' professional fees, ambulance charges, officials' honoraria, seat taxes and other expenses ten days before the event	

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Item #	Description	Done
Professional Combative Sport Contract Responsibilities		
1.	The promoter has provided the Dawson Creek Athletic Commission with the original copies of the PCMMAC Official Contract, completed in full and legible, 10 days prior to the event.	
2.	The promoter has provided fighters and/or their managers with copies of their contracts	
3.	The promoter has notified non-Canadian fighters of the 15% Federal Withholding Tax	
Medical Clearance Responsibilities		
1.	The promoter has provided the Commission doctor with a copy of the Dawson Creek Athletic Commission Initial Medical Form, fully completed by the fighter's physician, for all fighters ten days prior to the event.	
2.	All female fighters have provided the Commission doctor with a negative pregnancy test result completed in the week prior to the fight.	
3.	All fighters have had blood tests for HIV, Hepatitis B & C, and the fighters have submitted these results to the Commission doctor 10 days prior to the event.	
4.	The promoter gives assurance that no fighter on the card is currently under suspension for a ring injury or knockout in the last sixty days	
5.	The promoter gives assurance that he has contacted the manager of the venue regarding appropriate placement of the ambulance(s).	
Weigh In Responsibilities		
1.	The promoter has received approval for his choice of the weigh-in site.	
2.	The promoter assures that all fighters will appear on time at the weigh-in site for weigh-in, licensing, signing of waiver forms and pre-fight medical.	
3.	The promoter assures there will be appropriate separate and adjacent space for doctors to complete the pre-fight medical examinations.	
	The promoter will provide an approved medical scale for weigh-in.	
Tickets, Seating, Parking Provisions		
1.	The promoter will provide at ringside seats for timekeepers, judges, doctors and first aid personnel and PCMMAC scorekeepers and a diagram of their locations. The doctors' seats should be in a neutral corner.	
2.	Tickets for the officials, doctors and Dawson Creek Athletic Commission members and their guests will be provided ten days before the event.	

Item #	Description	Done
Program		
1.	The promoter has received approval from the Commission for sequence of bouts, interval between bout, intermissions, advertising and/or other commercial endeavors, and entertainment at the event, ten days prior to the event.	
2.	The promoter shall assure that he has provided adequate security with the venue management.	

Promoter's Questions or Comments:

Failure to comply with any of the above provisions may result in:

- Cancellation of the event
- A fine or fines
- Revocation of promoter's licence

Date

Promoter's Signature

Received by Office of the Corporate Administrator

Date
