

**CITY OF YELLOWKNIFE
BY-LAW NO. 4396**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to establish a Boxing and Wrestling Commission, for the City of Yellowknife.

PURSUANT TO section 70(1)(h) of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22, which provides that the Council of a municipality may make by-laws for municipal purposes respecting programs, services, infrastructure and facilities provided or operated by or on behalf of the municipal corporation;

AND PURSUANT TO section 60(1) of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22 which provides that the Council of a municipality may, by by-law, establish a board or commission to administer or provide a service, public utility or facility as an agent of the municipal corporation;

WHEREAS the City of Yellowknife is desirous of establishing an Athletic Commission to regulate, govern and control boxing, wrestling, full-contact karate, kickboxing, and all other sports that hold contests between opponents involving striking with hands, and/or feet, conducted within the municipal boundary.

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular sessions duly assembled, enacts as follows:

SHORT TITLE

1. This By-law may be cited as the Boxing, Wrestling and Other Combative Sports By-law.

DEFINITIONS

2. In this By-law:

"City"	means the Municipal Corporation of the City of Yellowknife;
"City Administrator"	means the City Administrator as appointed by by-law by Council.
"Council"	means the Municipal Council of the City;

"Commission"	means the City of Yellowknife Boxing and Wrestling Commission;
"Mayor"	means the Mayor of the City;
"Official"	means Referees, Judges, Dressing Room and Corner Supervisors and Inspectors, Time Keepers, the Executive Director and any other Member of the Commission.
"Regulated Sports"	means boxing, wresting, full-contact karate, kickboxing and all other sports that hold contests between opponents involving striking with hands, feet, knees or elbows.
"Rules"	means the Rules of the Commission as adopted by it.

APPLICATION

3. (a) For the purpose of regulating, governing and controlling the regulated sports and training quarters for persons in training for the regulated sports within the City of Yellowknife, there is hereby created a Commission consisting of up to thirteen (13) members to be appointed by resolution of Council.
- (b) Members of the Commission shall hold office for a period at the pleasure of Council to a maximum period of one (1) year per term.
- (c) Five (5) members of the Commission, which includes one (1) current member of Council, shall be residents of the City of Yellowknife.
- (d) 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.

- (e) One member of the Commission may be a current member of the City Council.
4. The said Commission shall be called "The City of Yellowknife Boxing and Wrestling Commission", and shall, within the City of Yellowknife, have full power and authority to supervise, regulate, govern and control all bouts and contests held in connection with the regulated sports and training quarters for persons in training for the regulated sports.
5. Any member of the Commission may resign there from at any time upon written notice to the Chairman and Secretary-Treasurer 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. Any resident in the City or otherwise may be appointed by the Council of the City as a member of the Commission, and any retiring member of the Commission shall, in accordance with the Appointments to Municipal Boards and Committees Policy, be eligible for reappointment.
6. (a) It shall be unlawful for any person or persons, association or club, to conduct, or for any person or persons to take part in or be present at (either as promoter, principal, contestant, agent or second, attendant or referee) any bout or contest involving the regulated sports within the City of Yellowknife, whether an admission 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 said Commission.
- (b) The Commission shall charge a fee for the issuance of permits under this by-law and the amount of such fee shall be payable before a permit is issued. The amount of the fee for each type of permit is set out in Schedule "A" of this By-law.

- (c) Subject to the Cities, Towns and Villages Act, this by-law and other relevant legislation, the Commission may establish Rules 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.
 - (d) The Rules may include all or any portion of any of the rules, regulations and safety codes of the Canadian Amateur Wrestling Association, World Karate Association, Canadian Amateur Boxing Association and Canadian Professional Boxing Federation, or any other organization deemed suitable by the Commission.
 - (e) No person shall carry on within the City of Yellowknife the business, calling, trade or occupation of manager, promoter, contestant, referee, matchmaker, second, timekeeper or judge unless he or she has first obtained from the Commission, a license to do so in the form prescribed by the Commission, and has paid to the Commission such license fee as is set out in Schedule "A".
 - (f) Subject to Section 22 hereof, 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.
7. Application for such permit shall be made in writing, signed by the promoter of the bout or contest and addressed to the Chairman and Secretary-Treasurer of the Commission. A separate permit shall be required for each individual bout or contest.
8. (a) The Commission may issue permits unconditionally, conditionally or may refuse to issue a permit.
- (b) The Commission shall have power and authority to cancel a permit issued by them if they deem it advisable so to do.
9. (a) All bouts and contests shall be under the supervision and control of the Commission and the City Administrator, or his or her designate, the Detachment Commander of the Royal Canadian Mounted Police in the

City, 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.

- (b) The Commission shall arrange to provide such medical, police, 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 or training quarters shall be conducted in a safe and orderly manner, and may require the promoter or person in charge of any bout, contest, exhibition or training quarters to pay such amount as will cover the cost of providing medical, police, 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 the Council shall be final and binding.
10. 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.
11. 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 Yellowknife Boxing and Wrestling Commission, <year>."
12. Neither the said Commission nor any member thereof shall have power or authority to pledge the credit of the City. All permits issued by the Commission shall be subject to the said conditions and shall have printed on the face thereof, a copy of this paragraph of the by-law.

13. (1) In this Section, "Official" includes Referees, Judges, Dressing Room and Corner Supervisors and Inspectors, Time Keepers, the Executive Director and any other member employee of the Commission.
- (2) The City shall indemnify Commission members and Officials 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.
- (3) Subsection (2) does not apply if
 - (a) the cause of action is defamation, or
 - (b) the Commission member or Official was dishonest, grossly negligent, or guilty of wilful misconduct.
14. All monies received as a result of or in consequence of the holding of any bout or contest involving the regulated sports, whether by way of the admission fee or otherwise, shall be held under the control of the Commission and such monies shall not be dealt with or disposed of by the person holding the same except under the direction of the Commission in writing.
15. Before any permit to hold a bout or contest within the City 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 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 said Rules, 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.
16. 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.

17. Five (5) members of the Commission, three (3) of which must reside in the City, shall constitute a quorum for the transaction of the business of the Commission.
18. All meetings of the Commission shall be presided over by the Chairman who shall be appointed by the membership for the year at the first regular meeting of the Commission held after the appointment of the members thereof by the Council of the City, and in the event of such Chairman being absent from any meeting, the members present shall elect a Chairman for the meeting.
19. 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 referee and of the medical practitioner in attendance, the number of rounds and any other information the Commission may desire kept as a record. Copies of all minutes of meetings and record of permits shall be forwarded to the City Clerk.
20. The Commission shall also 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 Council, and such minutes, records and accounts shall be produced to the Council of the City upon the request of any member of such Council.
21. No boxing contest or bout within the City of Yellowknife shall exceed twelve (12) rounds of three minutes each with an interval of at least one minute between each round.
22. (a) When a breach of any of the provisions of the Rules by or the misconduct of, any person licensed pursuant to this by-law and the Rules comes or is brought to the attention of the Commission or any member thereof, the Commission may hold a hearing into the allegations made against such person.

(b) At least one (1) week prior to the hearing, a notice shall be served on the person against whom the

allegation is brought, personally or by registered mail,

- (i) containing reasonable particulars of the allegations; and
 - (ii) specifying the time and place of the hearing.
- (c) Testimony may be adduced before the Commission or at the hearing in any manner the Commission considers proper.
- (d) If, upon the hearing having been held, the Commission finds that the person has breached the Rules, the Commission may:
- (i) suspend the person for a stated period of time not exceeding one(1) year;
 - (ii) fine the person for a stated amount not exceeding \$2,000.00, and suspend him until the fine is paid;
 - (iii) revoke their license;
 - (iv) reprimand the person; or
 - (v) a combination of (i) and (ii) above.
- (e) 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 their absence, without further notice to the individual.
- (f) 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 offence, whether that person is licensed at the time of the hearing or not.
- (g) 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.

- (h) The Commission may, from time to time, appoint three (3) 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 of the Commission or any act of misconduct related to activities controlled by the Commission.
23. 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.
24. 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.
25. The Commission shall also have supervision and control of all wrestling contests held in the City of Yellowknife and all the provisions of this by-law (except Section 21 hereof), shall mutatis mutandis apply to all wrestling contests held or proposed to be held in the City of Yellowknife.
26. The Commission is hereby authorized to regulate, govern and control all places or premises now established or used or which may hereafter be established or used as training quarters for persons in training for the regulated sports, and all the provisions of this by-law which by their nature are applicable shall apply mutatis mutandis to such training quarters, and the said Commission is hereby further authorized to issue such reasonable regulations (not being contrary to any Dominion or Territorial laws or regulations nor the provisions of this or any other by-law of the City), as may be requisite and necessary for such purposes, including the power to provide in such regulation that no premises or place within the City of Yellowknife shall be used as training quarters for persons in training for the regulated sports without first obtaining from the Commission a written permit so to do.

27. In carrying out the provisions of this by-law, the Commission shall at all times be the agent of the City, and while acting bona fide within the limits of the authority of the by-law, neither the Commission nor any member thereof shall incur any liability by reason of anything done or left undone by the Commission provided, however, that nothing in this paragraph shall authorize or empower the Committee to incur any debt, liability or obligation for which the City shall become liable without having previously obtained the consent of Council.

SEVERABILITY

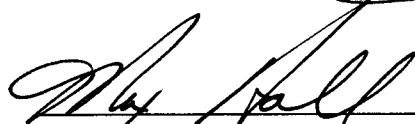
28. If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law will be considered to be severed from the balance of the by-law, which will continue to operate in full force.

EFFECT


29. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First time this 13TH day of MARCH, A.D. 2006.


MAYOR


CITY ADMINISTRATOR

READ a Second time this 13TH day of MARCH, A.D. 2006.


MAYOR


CITY ADMINISTRATOR

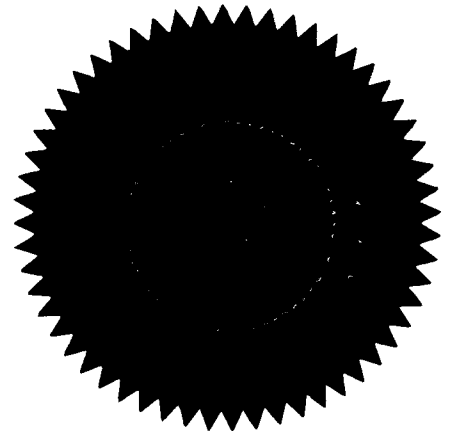
READ a Third time and Finally Passed this 27TH day of MARCH, A.D. 2006.


MAYOR


CITY ADMINISTRATOR

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.


CITY ADMINISTRATOR



CITY OF YELLOWKNIFE
BY-LAW NO. 4396
Schedule "A" - Fees

Event Permit Fee: Cost recovery for direct costs incurred, including but not limited to per diems and compensation for officials and other professionals, travel and accommodation costs for professionals and officials deemed necessary by the Commission for the contest or bout to proceed, plus 10% as an administrative fee

Permit Fee for Officials:

Manager	\$25.00/year
Contestant	\$25.00/year
Referee	\$25.00/year
Match Maker	\$100.00/year
Second	\$25.00/year
Timekeeper	\$25.00/year
Judge	\$25.00/year