



To: Parks Recreation & Cultural Services Committee
From: Dave Semple, Director of Parks Operations
Re: Richmond Athletic Commission Proposal

Date: April 20, 2005
File:

Staff Recommendation

That Staff be directed to prepare a draft Bylaw for an Athletic Commission in Richmond.

Dave Semple
Director of Parks Operations
(3350)

Att. 2

FOR ORIGINATING DIVISION USE ONLY			
ROUTED TO:	CONCURRENCE		CONCURRENCE OF GENERAL MANAGER
Community Bylaws	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REVIEWED BY CAO YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

Staff Report

Origin

In September 2004, the Corporate Sponsorship Committee received a letter detailing a proposal and request for the establishment of a Boxing Commission for Richmond (Attachment 1). The purpose of this report is to present and outline a process for the establishment of an Athletic Commission in Richmond.

Analysis

Athletic Commissions undertake the operation and enforcement of professional boxing, martial arts and wrestling contests or exhibitions within a City. Commissions have the power within the City to prescribe event rules, issue permits for promoters and participants, investigate any wrongful acts by promoters and participants, discipline participants and promoters for wrongful acts, restrict any person from having an event without the proper sanctions and assure that all contracts are fulfilled. The Commission members are volunteers that work to serve and protect the interests of the City.

Best practice research of Vancouver, Victoria, Nanaimo and Prince George (Attachment 2) shows that most of the Commissions have a minimum of three members (with a maximum of five). Each of the members are appointed by Council for a one-year term. Both Vancouver and Nanaimo, for example, includes a member of Council on the Commission in a liaison/advisory role. Members should have considerable and/or continuous experience in this specialized area and are not directly or indirectly connected with the event.

For the safety of the participants, each sport has a set of rules and controls that govern professional contests in Canada. This will include the presence of doctors, ambulance, and pre-fight examination among other duties, which the Commission would have to ensure that the promoter follows.

Richmond currently does not have an Athletic or Boxing Commission. There are a number of martial arts studios in Richmond and one boxing club (Steveston Boxing Club) which could benefit from the establishment of an Athletic Commission.

The creation of a Commission would allow enthusiasts an opportunity to enjoy the various events locally and for local venues to be further utilized. Potential venues include the Olympic Oval, Minoru Arenas, local hotels and the River Rock Casino. This would also be an excellent opportunity to showcase local fighters.

Enabling Legislation

In compliance with the Criminal Code of Canada, "prize fights" require a duly appointed civic or provincial authority to regulate these types of events. The Community Charter (Division 4 Section 143.2) allows for Council to adopt a Bylaw to establish an Athletic Commission.

The Community Charter Bylaw will allow Council to do one or more of the following:

- (a) authorize the Commission to make rules regulating professional boxing, wrestling and similar activities, contests and exhibitions;
- (b) in relation to contraventions of the Bylaw or rules made under it, authorize the Commission to impose reasonable fines for misconduct and to prohibit those participants or persons from taking part in contests or exhibitions in the municipality for reasonable periods;
- (c) whether or not a penalty has been imposed, authorize the Commission to restrain, by legal action brought by the Commission in its name, a person conducting a contest or exhibition or participating in it without a required permit, and for these purposes section 274 (2) [*actions by municipality*] applies;
- (d) provide that a decision of the Commission under this section is subject to appeal to the Council.

Staff believe that the Richmond Bylaw should include but not limited to the following:

- Commission
 - i. Establishment of a Commission with a minimum of three and a maximum of five members, with one of the members being a member of Council
 - ii. Appointment to the Commission as per City of Richmond Administrative Procedure 1014.01
 - iii. Terms of Commission appointment
 - iv. Meetings and meeting protocol
- Regulation process
 - i. Security Deposits
 - ii. Safety of the participants
 - iii. Medical Officer
 - iv. Creation of terms and conditions for the promoter
- Financial and Liability Responsibilities
 - i. Insurance
 - ii. Record keeping
 - iii. Fee Schedule
 - iv. Creation of a "Seat Tax" to cover the operating costs of the Commission
- Issue permits for event promoters and participants
- Development of investigation and discipline procedures of participants
- Creation of an appeal process for discussions made by the Commission

- Prescribe rules of the regulated sports
- The Parks Recreation and Cultural Services Division staff person be appointed as the Staff liaison to the Commission. This person will serve as a meeting coordinator and a contact person to the Commission.

Financial Impact

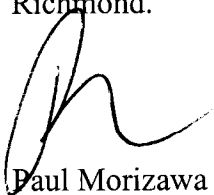
Research shows that all the four cities in BC with Commissions have a tax associated to the enabling Bylaw. This tax, fixed by Council, is paid by the promoter on a “per seat available to the public” basis. These fees are then used to provide funds for the expenses of the Commission.

The City can also expect direct revenue generation from licensing and indirect revenue from the local hotels, restaurants and casino as the result of these events. Complete details are unknown at this time.

All costs associated with the creation and operation of a Commission would be the responsibility of the Commission. Staff time associated with the Commission would be mainly as a liaison and possibly in the case of an appeal of a decision made by the Commission. The cost of a staff liaison is estimated to be \$200 (one Coordinator and one Clerk Typist) per meeting. The yearly cost would depend on the number of meetings (applications) received each year.

Conclusion

If approved, Staff will develop and forward a draft Bylaw, as pursuant to the provisions of the Community Charter, that would outline the establishment of an Athletic Commission in Richmond.



Paul Morizawa
Coordinator, Parks Programs
(1266)

Att. (2)

REPORT TO PARKS, RECREATION & CULTURAL SERVICES DIVISION OF RICHMOND

TO: Dave Semple, Director of Parks Date: Sept 3rd, 2004
 CC: Michael Redpath, Manager, Parks;
 Ross Sakai, Coordinator, Sports Services
 FROM: Neil Pope, Manny Sobral, Bernie Crump
 SUBJECT: Richmond Boxing Commission proposal

Thank you very much for the time you spent with us recently. Further to your request for a letter outlining our needs, we are pleased to submit to you the following information (and proposed charter).

PURPOSE

The proposed Richmond Boxing Commission respectfully submits to City of Richmond an application to start a Richmond Professional Boxing Commission.

BACKGROUND

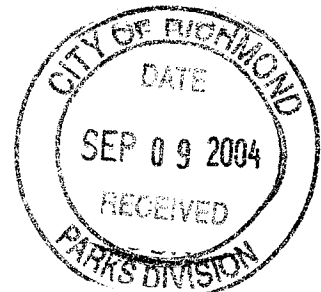
A professional fighter is defined as one who receives a purse or a prize, hence the term prize fighter, for his/her efforts. In compliance with the Criminal Code of Canada, such contests require a duly appointed civic or provincial authority to regulate these events. The Richmond Boxing Commission will undertake that responsibility for the City.

The Richmond Boxing Commission will:

- license promoters;
- sanction events and matches;
- name a medical officer;
- establish rules and regulations;
- certify that athletes are medically fit;
- hold purse money and other expense moneys in bond;
- examine and hold contracts between promoters and fighters;
- collect a modest seat tax;
- exact fines for failure to perform;
- appoint all judges, referees, timekeepers and other minor officials; or delegate that responsibility;
- report all results to the Canadian Professional Boxing Federation;
- liaise with the Richmond Police Department;
- file an annual financial statement with the City;
- establish security requirement with venue proprietors;
- carry out other related duties; and
- notify the Licensing Department of events.

The Richmond Boxing Commission will be a working volunteer committee that serves and protects the interests of the City. It will initially consist of three members - two appointed by City Council, the third being a Councilor. The City Clerk will provide a meeting coordinator and an initial contact person for those seeking the expertise of the Commissioners. The committee members will be appointed annually. Individuals from the Vancouver Athletic Commission have agreed to assist us in setting up our initial events. In Vancouver, no athlete has endured serious injury in the ring; no litigation against the City has occurred concerning contracts, purses, fees or services provided; and no incidents at venues have occurred that have not been acted upon without dispatch. Vancouver Athletic Commission members are:

George Angelomatis - Vice Chair (Judge Angelomatis is our main contact. Tel: 604-266-2204)
 Robert Gatto - Treasurer/Signing Officer
 Donald McIntyre - Recording Secretary/Signing Officer
 Roy Nosella - Chair
 Councillor Peter Ladner - Council Liaison
 Lori Isfeld - Meeting Coordinator, City Clerk's Office



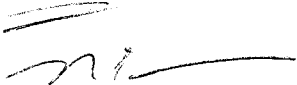
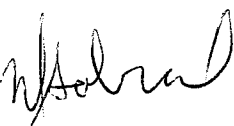
Our Commission doctor will be Dr. Debbie Collins, a specialist in sports medicine. The doctor examines all boxers prior to and after fights. Safety precautions include the authority of the doctor to stop a fight, having two doctors at ringside, an ambulance with trained attendants at ringside, and prior to the event, the neurologist at the local hospital is notified. The Vancouver Athletic Commission recently approved the costs for travel, meals and accommodation for Dr. Collins to attend a medical conference for ringside doctors in Nevada. The Nevada Commission is foremost in North America for fighter safety.

Our Commission will be a fee-paying member of the Canadian Professional Boxing Federation (CPBF). This federation sets national safety code standards, sanctions all Canadian Championships and maintains rankings of Canadian boxers. Members of the federation include provincial, civic and First Nations representatives.

CONCLUSION

The Richmond Boxing Commission will be a team of volunteers who are pleased to serve the City regulating professional boxing under the Richmond Charter. The foregoing is submitted to the Richmond Parks, Recreation & Cultural Services Division for information.

Enclosure: Proposed Charter (which is based on the current Charter for the Vancouver Athletic Commission).

Repods



Proposed Charter

Richmond Boxing Commission

Commission may be established

The Council may make by-laws establishing and appointing annually a board of not more than five members to be known as the "Richmond Boxing Commission" who, subject to clause (1), shall serve without remuneration, and for providing that such board shall have power within the City

To regulate boxing

- (a) to regulate and supervise professional boxing exhibitions;

Fees may be imposed

- (b) in addition to any other tax or fee payable under this Act and for the purpose of providing funds for the board's proper expenses, to require persons conducting such contests or exhibitions to pay to the board a fee, to be fixed by the Council, in respect of each such contest or exhibition;

Commission may make rules

- (c) to specify equipment and rules for the conduct of professional boxing within the jurisdiction of the board;

Issue permits to promoters

- (d) to issue permits to persons conducting professional contests or exhibitions as a condition of their being held;

To participants

- (e) to issue permits to boxers as a condition of their participating therein;
- (f) to empower the board before issuing any permit to require the applicant to give such security as the board may determine for the faithful performance of his obligations as specified by the board. The security so given may be enforced by and in the name of the board for the benefit of all persons entitled to claim thereunder;

Pass upon contracts

- (g) to pass upon and approve contracts for such contests or exhibitions as a condition of their being held;

May discipline participants

- (h) to investigate the conduct of any participants in such contests or exhibitions or of persons conducting the same, and particularly with respect to any alleged breach of the by-law or rules made thereunder, with power by way of punishment to impose reasonable fines for misconduct, or to prevent such participants or persons from taking part in any contests or exhibitions in the city for reasonable periods;

Decisions appealable to Council

- (i) to provide that the decision of the board with respect to the granting or refusal of any permit or any other matters within its jurisdiction shall be final, subject to an appeal to the Council;

Permit required

- (j) to prevent any person from participating in or conducting any such contest or exhibition, or from advertising the same, unless he has been granted a permit for the purpose;

Remedy by injunction

- (k) whether or not any penalty has been imposed, to restrain any person conducting any such contest or exhibition or participating therein without the specified permit, by action in the Supreme Court brought by the board in its name without the Crown or the Attorney-General or any other officer of the Crown being made a party to such action.

Appointment of secretary

- (l) To appoint and remunerate a member of the board or some other person to be secretary of the board, with such duties as the board may prescribe.

City of Vancouver

- Prescribed in the Vancouver Charter, s.338 and Vancouver Athletic Commission By-law No. 2875.
- Membership consists of five members, four appointed by Council and the fifth is a Councillor in a liaison role.
- Commission meets at the call of the Chair.

City of Victoria

- Victoria Athletic Commission By-law No. 81-54.
- Membership consists of three members appointed by Council.
- Commission meets at the call of the Chair.

City of Prince George

- Prince George Athletic Commission By-law No. 2706.
- Membership consists of three members appointed by Council.
- Commission meets at the call of the Chair.

City of Nanaimo

- Nanaimo Athletic Commission By-law No. 5563.
- Membership consists of five members, three appointed by Council and two Council members to sit in an advisory capacity.
- Commission meets at the call of the Chair.