

1 “Kickboxing” has the same meaning as that term is defined in California Business and
2 Professions Code Section 18627(b), or any successor legislation.

3 “Mixed martial arts”:

4 1. Means— regardless of what it is formally called, whether cagefighting, vale tudo, no holds
5 barred, sport karate, pankration, or otherwise— the act, activity, or sport:

6 a. In which:

7 i. Two or more contestants— using a combination of two or more combat
8 sports (including, but not limited to, boxing, kickboxing, taekwondo,
9 karate, wrestling, judo, or jiu-jitsu)— strike, kick, hit, punch, grapple with,
10 jump on, throw, unbalance, immobilize, or subdue each other; and

11 ii. One or more of the following circumstances exist:

12 (A) Contestants compete for valuable consideration, including, but not
13 limited to: a purse, money, or prize;

14 (B) Contestants participate in a bona fide athletic contest or competition;

15 (C) Contestants use their best efforts to win; or

16 (D) Contestants score points, in one or more matches, from a judge or
17 judges; and

18 b. That is subject to regulation under California Business and Professions Code,
19 Division 8, Chapter 2, Sections 18600 to 18887, or any successor legislation.

20 2. Does not include professional boxing.

21 “Person” means an individual, company, firm, organization, association, trust, estate,
22 partnership, corporation, limited liability company, or entity however organized.

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1 “Professional boxing”:

2 1. Means boxing that is:

- 3 a. Subject to regulation under California Business and Professions Code, Division 8,
4 Chapter 2, Sections 18600 to 18887, or any successor legislation; and
5 b. Performed for valuable consideration, including, but not limited to: a purse,
6 money, or prize.

7 2. Does not include an act, activity, or sport in which each contestant— using one or more
8 parts or appendages of the body, or using any combination of them— strikes, kicks, hits,
9 punches, grapples with, jumps on, throws, unbalances, immobilizes, or subdues the other
10 contestant, such as any one or more of the following contact sports or activities:

- 11 a. Kickboxing;
12 b. Mixed martial arts;
13 c. Wrestling; or
14 d. Professional wrestling.

15 “Professional wrestling” means the act, activity, or sport in which:

16 1. Two or more contestants— using one or more parts or appendages of the body, or using
17 any combination of them— strike, kick, hit, punch, grapple with, jump on, throw,
18 unbalance, immobilize, or subdue each other; and

19 2. One or more of the following circumstances exist:

- 20 a. Contestants compete for valuable consideration, including, but not limited to: a
21 purse, money, or prize;
22 b. Contestants provide staged entertainment for spectators rather than participate in a
23 bona fide athletic contest or competition;
24 c. Contestants may not use their best efforts to win; or
25 d. The winner may have been selected before the contestants perform in front of spectators.

26 “Promoter” means a person who organizes, promotes, produces, conducts, or carries on a
27 professional boxing event.

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1 “Purse”:

- 2 1. Means the financial guarantee or other remuneration for which contestants are
3 participating in an event.
- 4 2. Includes a contestant’s share of any payment that the contestant receives for radio
5 broadcasting, television (whether over-the-air, cable, pay-per-view, or closed-circuit),
6 motion picture rights, or event admission (gate) receipts.

7 “School, college, or university” means a secondary school, the University of California, a
8 California State University, public community college, or any other private, postsecondary educational
9 institution that is:

- 10 1. Established, operated, and governed by the federal government or by this state, or its
11 political subdivisions; or
- 12 2. Licensed, approved, registered, certified, accredited, or recognized by:
- 13 a. This state or its political subdivisions;
- 14 b. The United States Department of Education or another federal agency; or
- 15 c. An accrediting agency or association included in a list that the United States
16 Secretary of Education publishes under the requirements of the Higher Education
17 Act of 1965, as amended (20 U.S.C. Section 1001(c), or any successor legislation).

18 “Sparring” means a practice round or training exercise in boxing, in which two or more
19 contestants partake in the motions or semblance of boxing— such as jabbing or feinting movements—
20 with or without landing a punch on the other person.

21 “Wrestling” means the act, activity, or sport in which two or more contestants, in a bona fide
22 athletic contest:

- 23 1. Struggle against each other to unbalance, immobilize, or subdue the other person, using
24 grappling techniques or maneuvers (including, for example, clinching, throws,
25 takedowns, joint locks, pins, holds, escapes, turnovers, or reversals); and
- 26 2. Score points, in one or more matches, from a judge or judges.

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1 **SECTION 5.** Section 5.32.040 is added to the Glendale Municipal Code, 1995, to read as
2 follows:

3 **5.32.040 Exception— Professional boxing at the Glendale Civic Auditorium; reservation**
4 **request; conditions for holding event.**

5 A. The prohibition of section 5.32.020 does not apply to a professional boxing event that
6 takes place at the city’s Civic Auditorium, when the director of community services and parks or a
7 designee approves the facility’s use for the event.

8 B. An applicant shall complete a Civic Auditorium reservation request form and submit it to
9 the director of community services and parks or a designee.

10 C. The director of community services and parks or a designee:

- 11 1. Shall evaluate, on a case-by-case basis, each request to hold a professional boxing
12 event at the Civic Auditorium;
- 13 2. May refer the completed reservation request to city departments or sections—
14 including, but not limited to, police, fire, building and safety, and traffic
15 engineering— for any one or more of the following purposes:
 - 16 a. A review of the completed reservation request;
 - 17 b. An investigation of the applicant’s background; or
 - 18 c. A recommendation of conditions or requirements for the facility’s use for
19 the professional boxing event;
- 20 3. May require the applicant to provide additional information, or documents, or both;
- 21 4. Shall approve the reservation request, approve the reservation request with
22 conditions, or disapprove the reservation request; and
- 23 5. May prepare, adopt, amend, repeal, and enforce rules, regulations, or procedures for:
 - 24 a. Using the Civic Auditorium for a professional boxing event;
 - 25 b. Limiting the maximum number of professional boxing events occurring at
26 the Civic Auditorium in a calendar month, or calendar year, or both; and
 - 27 c. Implementing and administering this section.

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1 D. An applicant shall:

2 1. Pay to the city:

- 3 a. All fees and deposits for renting or using the Civic Auditorium; and
- 4 b. All fees, costs, and expenses that the city incurs for the professional
5 boxing event, including, but not limited to:
 - 6 i. Administrative costs;
 - 7 ii. Inspection and investigatory fees; and
 - 8 iii. Expenses in providing city personnel for security or another
9 purpose;

10 2. Furnish all additional information and documents that the city deems necessary or
11 appropriate for its review of the completed reservation request; and

12 3. Comply with all conditions and requirements that the city deems necessary or
13 appropriate for using the Civic Auditorium for the professional boxing event.

14 E. An applicant may appeal to the council within the time and in the manner provided in
15 Chapter 2.88, or any successor legislation, when the director of community services and parks or a
16 designee:

- 17 1. Disapproves the applicant's Civic Auditorium reservation request to use the
18 facility for a professional boxing event; or
- 19 2. Imposes one or more conditions as part of the reservation request's approval.

20 F. When an applicant fails, neglects, or refuses to pay one or more fees, costs, deposits, or
21 expenses, or when an applicant otherwise pays the fee, cost, deposit, or expense but later cancels or
22 stops payment on it— and in either situation the fee's, cost's, deposit's, or expense's payment is
23 lawfully due or owing— the unpaid amount constitutes a debt owed to the city by that applicant, from
24 whom the city may recover in a civil action.

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CITY OF GLENDALE CALIFORNIA
REPORT TO CITY COUNCIL

March 30, 2010

AGENDA ITEM

Report on the One Year Trial Period of Professional Boxing at the Glendale Civic Auditorium.

- 1. Ordinance for introduction, regarding "Boxing and Wrestling," Chapter 5.32 of the Glendale Municipal Code:
Option #1: Allowing professional boxing at the Civic Auditorium on a permanent basis.
Option #2: Extending the one year trial period, allowing professional boxing at the Civic Auditorium, for one additional year.
Option #3: Reinstating the ban on boxing matches in Glendale.

COUNCIL ACTION

Public Hearing [] Ordinance [] Consent Calendar [] Action Item [X] Report Only []
Approved For March 30, 2010 Calendar

ADMINISTRATIVE ACTION

Signature

Submitted

George Chapjian, Director of Community Services and Parks

Prepared

Brittney Bilotti, Community Services Administrator

Ross Phares, Community Services Manager

Approved

James E. Starbird, City Manager

Reviewed

Scott Howard, City Attorney

Handwritten signatures for George Chapjian, Brittney Bilotti, Ross Phares, James E. Starbird, and Scott Howard.

RECOMMENDATION

Of the three options listed, the Community Services and Parks Department recommends that the City Council introduce Ordinance Option # 1, which amends Chapter 5.32 of the Glendale Municipal Code to allow professional boxing at the Civic Auditorium on a permanent basis.

SUMMARY

On March 17, 2009, the City Council adopted Ordinance No. 5646 which added Section 5.32.030 to the Glendale Municipal Code (Attachment 3). This new section allows professional boxing matches to be held at the Glendale Civic Auditorium on a trial basis for a one year period, beginning April 16, 2009 and ending April 15, 2010. It also allows the City Manager or a designee to evaluate each request to hold a professional boxing event on a case-by-case basis. The City Manager or designee also has the authority to establish and enforce any rules, regulations or procedures required for each event proposal.

During the one year trial period, Iconarm, Inc., d.b.a. Art of Boxing Promotions hosted two events. The first event was a series of 6 bouts on June 12, 2009. The second event took place on January 8, 2010. Each event consisted of a series of 6 bouts throughout the evening. Three of six bouts held on January 8th were televised on ESPN as part of their "Friday Night Fights" series. A complete summary of each event accompany this report as Attachments 1 and 2 of this report.

Both events were considered a success for the promoter as well as the city. The Community Services and Parks department viewed this as a positive experience and generated a total of \$19,342 in revenue for the Civic Auditorium.

Sgt. Oscar Rodriguez from the Glendale Police Department reported that there were no issues of crowd problems, fights, and or disorderly individuals at either event. He stated that from the police perspective, he felt that the events went very well.

The Glendale Fire Department also reported that all fire safety procedures were followed and the 20' x 40' designated smoking area created in the parking lot outside of the lower level auditorium doors worked well. There were no smoking compliance issues during either event.

At this time, the Community Services and Parks Department recommends that the City Council introduce Ordinance Option # 1, which amends Chapter 5.32 of the Glendale Municipal Code to allow professional boxing at the Civic Auditorium on a permanent basis. This recommendation applies only to professional boxing events. Wrestling and other sports are not included in the proposed Ordinance.

FISCAL IMPACT

The Civic Auditorium generated a total of \$19,342 in revenue from the two boxing events held during the one year trial basis. The following chart summarizes the revenues generated by each event:

	June 12, 2009	January 8, 2010
Total fees paid by promoter	\$ 9,984	\$ 14,340
Glendale Police & Fire Department Personnel Costs	\$ 2,890	\$ 4,432
Security Guard Costs	\$ 500	\$ 750
Parking Revenue	\$ 1,424	\$ 2,166
Total Civic Auditorium Revenue	\$ 8,018	\$ 11,324

BACKGROUND

Boxing, sparring, and wrestling matches have been prohibited in Glendale since 1947. Chapter 5.32 of the Glendale Municipal Code states: "No person shall give, hold, conduct, manage or engage in any boxing contests or sparring or wrestling match in the city" with the exception of

amateur events conducted by a school, college or university. The code pertains to the entire City of Glendale; not just the Civic Auditorium.

In 2008 and 2009, a total of approximately ten requests were made to permit the Civic Auditorium for the purposes of conducting a boxing, wrestling, kick boxing, and/or martial arts event. This issue was discussed at the September 30, 2008 meeting of the Glendale City Council after a request was declined to use the Civic Auditorium by Iconarm, Inc., d.b.a. Art of Boxing Promotions to host a boxing match. At that council meeting, staff members were directed to return to Council at a later date with an ordinance which would permit a trial professional boxing match at the Civic Auditorium. Staff was also directed to include language which would permit additional boxing matches on a case-by-case basis as approved by the City Manager for up to one year at the Civic Auditorium. Lastly, staff members were directed to include a plan for full cost recovery for all City services provided in connection with the staging, managing, security, insurance and other issues related to holding a boxing match. Staff returned with an ordinance which the Council adopted on March 17, 2009.

As a result, several meetings were held to discuss and negotiate the terms and conditions relative to holding a trial boxing match to be held at the Glendale Civic Auditorium on May 8, 2009. This was done in an attempt to determine whether or not such an event would be profitable for the promoter to pursue. The meeting participants included representatives from the following agencies: Iconarm, Inc., d.b.a. Art of Boxing Promotions, the Parks, Recreation & Community Services Department, the Police Department, the Fire Department, the City Attorney's Office, and the Risk Management Section.

It should also be noted that boxing, martial arts fighting, kick-boxing, mixed martial arts and combinations of forms of full contact martial arts contests are regulated by the State Athletic Commission. The commission has the sole direction, management, control of, and jurisdiction over all professional and amateur events of these types. No event will be permitted to take place without the prior approval of the commission. And, no person can engage in the promotion of, or participate in, a boxing or martial arts contest, match, or exhibition without a license.

Accordingly, the Community Services and Parks Department recommends that the City Council introduce the Ordinance (Option #1), which amends Chapter 5.32 of the Glendale Municipal Code to allow professional boxing at the Civic Auditorium on a permanent basis. This recommendation applies only to boxing events. Wrestling and other sports are not included in the proposed Ordinance.

ATTACHMENTS

- (1) Summary of the June 12, 2009 Boxing Event.
- (2) Summary of the January 8, 2010 Boxing Event.
- (3) Ordinance No. 5646.
- (4) Ordinance for introduction, regarding "Boxing and Wrestling," Chapter 5.32 of the Glendale Municipal Code:
 - Option #1: Allowing professional boxing at the Civic Auditorium on a permanent basis.
 - Option #2: Extending the one year trial period, allowing professional boxing at the Civic Auditorium, for one additional year.
 - Option #3: Reinstating the ban on boxing matches in Glendale.