

CHAPTER 127

ULTIMATE FIGHTING

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127.01 AUTHORIZATION. This chapter is enacted pursuant to the general police power, the authorities granted to cities and towns by the Iowa State Constitution, and by the Iowa Code.

127.02 PURPOSE AND INTENT. The purposes of this chapter are to promote the public health, safety, and general welfare of the citizens of the City of Spirit Lake. It is intended to regulate “ultimate fighting” as described herein.

127.03 DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Ultimate fighting” is any activity, regardless of how named or described, or any form of entertainment where the primary practice involves individuals engaged in physical contact by striking an opponent with hands, head, feet or body. This includes, but is not limited to, “ultimate fighting,” “extreme fighting,” “no holds barred fighting,” “full contact fighting,” “cage fighting,” “mixed martial arts contests,” “ground or pound challenges,” “tough man contests,” or any contest where kicking, punching, martial arts, or submission holds are permitted. The City Council finds that the practice of ultimate fighting is dangerous and puts individuals and the public health, safety and welfare at great risk. Officially sanctioned and regulated boxing, martial arts, wrestling and team sports in which physical contact is incidental to the primary purpose of the game such as hockey, basketball, volleyball, soccer, baseball, softball and football are not included among activities regulated by this chapter.

2. “Sanctioning body” is any nationally recognized organization which engages in sanctioning matches or contests either nationally or regionally, provided the region includes the State of Iowa. The sanctioning body must have been in existence a minimum of five (5) years and be able to demonstrate that the sanctioning body has safely and successfully sanctioned ultimate fighting events for at least three (3)

years. The sanctioning body must have adopted a set of rules governing the manner in which the matches or contests will be conducted and the sanctioning body must also have established licensed officials who supervise all sanctioned events.

3. “Serious bodily injury” is an injury that creates a substantial risk of death or substantial risk of serious permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss of the function of a bodily member or organ.

127.04 PERMIT REQUIRED. No person shall conduct, manage, or participate in any ultimate fighting event for which a written permit has not been issued in accordance with this chapter. This permit is in addition to any license that may be required by the Iowa State Commissioner of Athletics.

127.05 APPLICATION FOR PERMIT. Any person desiring a permit required by the provisions of this chapter shall make application at least 30 days prior to the proposed commencement date of the event to the Police Chief or such other person or department as the City may designate from time to time, on a form requiring the following information where applicable:

1. The name and address of the applicant or responsible officer of the applicant, and the name and address of the person or persons promoting the event, match or contest if different than the applicant.
2. The exact time and date of commencement and termination of each act or activity desired.
3. The purpose and location of such act or activity.
4. The name and address of the person or persons or entity owning the facility in which the event, match or contest will be held.
5. The person, group, association, or body to be authorized under the permit to do such act or activity and the number of persons to participate.
6. The security to be provided by the person, group, association, or body authorized under the permit.
7. Proof of a bond or certificate of liability insurance, in the amount of at least one million dollars (\$1,000,000.00), indemnifying the public against damages sustained as a result of holding the ultimate fighting event. Such bond or certificate of insurance shall be subject to the approval by the City Attorney.

127.06 PERMIT FEE. Payment of a permit fee shall be submitted with each application. The fee for such permit shall be established by the City

Council by resolution from time to time and shall be on record in the office of the City Administrator.

127.07 CONTENTS OF PERMIT.

1. The permit required by this chapter shall contain all information contained in the application and be signed by the Police Chief or other designated person, with a signed copy kept with the application on file in the office of the Police Chief, or other office designated by the City.
2. The Police Chief or other person designated by the City shall have the authority to attach any conditions for the protection of the health, safety, and well-being of the general public.

127.08 RESPONSIBILITIES OF PROMOTER/APPLICANT.

1. The promoter/applicant shall have responsibility for compliance with the rules of this chapter. The promoter/applicant shall make certain that the official/referee is familiar with the rules and that the official/referee enforces them, and that all participants are familiar with the rules. The promoter/applicant shall be responsible for the conduct of all officials and participants at a contest, match or event. The promoter/applicant shall not allow any participant to take part in any contest, match or event if such person is under the influence of alcohol or illegal substances.
2. The promoter/applicant shall provide to the City written proof that all participants of an ultimate fighting contest are covered by a valid health insurance policy covering all medical expenses incurred for any bodily injury sustained or illness contracted by the participant during an event. If a participant is not covered by health insurance, or if for any reason the participant's health insurance coverage is denied as the result of any bodily injury sustained or illness contracted by the participant during an event, then the promoter/applicant shall be responsible to pay for any and all medical, surgical and hospital care and expenses for injuries sustained and illnesses contracted by a participant during the event. The promoter/applicant cannot allow or have the participants sign a waiver waiving said promoter/applicant's responsibilities of liability to provide medical coverage for injuries sustained in a match.
3. Any person or entity that holds an ultimate fighting contest, match or event shall provide adequate security on the premises. The security shall be approved by the Police Chief at least twenty-four (24) hours in advance of the contest, match or event. In addition, a City law enforcement officer shall attend each contest, match or event, and may

stop the event if a violation of any of the rules of this chapter is observed by said law enforcement officer.

4. The promoter/applicant shall indemnify and hold harmless the City, its officers, employees, representatives and agents from any and all losses, claims, expenses, damages, liabilities or obligations of any kind related to any contest, match or event for which a permit is issued.

5. No promoter, matchmaker or any other person shall arrange, match or advertise any contest between persons of the opposite sex or fights in which more than two contestants are to appear in the ring, fenced area or cage at the same time.

6. The promoter/applicant shall provide and maintain a container with a solution of ten parts water to one part bleach to be used to clean any blood or bodily fluids from any part of the ring, ring enclosure, cage, or floor where the event is taking place.

127.09 PARTICIPANTS AND ATTENDEES – AGE RESTRICTIONS.

1. No participants under the age of 18 years shall be permitted to participate in any contest, match or event.

2. No persons under the age of 14 shall be permitted to attend an ultimate fighting event. No persons between the ages of 14 and 17 shall be permitted to attend an ultimate fighting event unless accompanied by a parent or legal guardian.

127.10 ISSUANCE OF PERMIT. The permit required by the provisions of this chapter shall be issued by the Police Chief or other person designated by the City, provided that such permit may be denied or refused if it shall appear that the applicant or the act or activity requested on the application shall violate any applicable provisions of this Code of Ordinances or State law. A separate permit shall be required for each event.

127.11 DEVIATION FROM PERMIT. No person participating in any act or activity for which a permit has been granted under the provisions of this chapter shall deviate from or alter any of the terms or contents of such permit.

127.12 DISPLAY OF PERMIT. Every person having a permit issued under the provisions of this chapter shall have the permit in his or her possession during the activity permitted thereby, and shall display the permit upon the request of any law enforcement officer. Failure to display the permit shall be unlawful.

127.13 REVOCATION OF PERMIT.

1. The Police Chief or other person designated by the City may revoke a permit required under this chapter at any time if information is obtained after the permit is issued from which the Police Chief may reasonably conclude that the permit should have been denied.
2. The Police Chief or other person designated by the City may revoke the permit if he/she finds:
 - A. The person, group, association, or body which had been authorized under the permit has deviated or will deviate from what was approved in the permit;
 - B. The contestants are violating the law or permit conditions;
or
 - C. Other emergency requires the ultimate fighting event to be concluded to protect public safety.

Prior to terminating the ultimate fighting event pursuant to subsection (2)(A), (B), or (C) of this section, the officer or other person designated by the City must warn the participants and provide them with an opportunity to return to compliance with the permit conditions.

127.14 APPEAL FROM DENIAL OF PERMIT. The denial of a permit by the Police Chief or such other person designated by the City to issue permits may be appealed to the City Council. In order to appeal such order, written notice of appeal must be filed with the City Administrator within three (3) business days after receipt of the denial. Failure to file such written notice of appeal shall constitute a waiver of the right to appeal the denial of the permit. The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the City Administrator. The hearing of such appeal shall be scheduled within 20 days of the receipt of notice of appeal. The hearing may be continued for good cause. After such hearing, the City Council may affirm or reverse the denial of permit. Such determination shall be contained in a written decision and shall be filed with the City Administrator within three (3) business days after the hearing or any continued session thereof. The hearing shall be confined to the record made before the Police Chief or other person designated by the City to issue permits, the arguments of the parties or their representatives, any additional evidence which was not available to the Police Chief or the person designated by the City to issue permits, and any other information the City Council deems necessary.

127.15 PENALTY. Any violation of this chapter may be prosecuted as a misdemeanor or municipal infraction. Each match or contest conducted in violation of this chapter constitutes a separate offense. In addition, law