

*Amended by Ord. 2570
Repeal Ord. 11 2462-93*

ORDINANCE NO. 1763

A Bill For:

AN ORDINANCE making it unlawful to hold or conduct any boxing or wrestling exhibition within the City of Albany without the consent of the Boxing and Wrestling Commission and providing for the appointment of a Boxing and Wrestling Commission prescribing the duties, powers, and authority of said commission, and providing for a penalty for the violation thereof.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. It shall be unlawful for any person, firm, association, or corporation, either as principal, agent, servant or employee to engage in, carry on, instigate, aid, encourage, or to do any act to further any boxing or wrestling contest or boxing or wrestling exhibition within the corporate limits of the City of Albany, Linn County Oregon, except under the terms and upon the conditions hereinafter specified.

Section 2. That there is hereby created a commission to be known as a boxing and wrestling commission of the City of Albany, Oregon, which said boxing and wrestling commission shall consist of three (3) members to be appointed by the Mayor with the approval of the Council of the City of Albany, and said members of said commission are to serve for a period of one year, unless in the discretion of the Mayor and the common council said commissioners or either of them should be removed.

Section 3. That the Mayor of the City of Albany, Oregon, be and he is hereby authorized to appoint the three members of said commission by and with the approval of the Council, and the said persons so appointed shall be residents and inhabitants of the City of Albany, Linn County, Oregon.

Section 4. That any person, firm, association, or corporation desiring to hold or conduct a boxing or wrestling exhibition in the City of Albany shall apply to said commission for a permit to hold said exhibition, which said application must be in writing, and said application must designate the time and place of said performance, which time must be at least ten (10) days from the date of filing said application; the names of the participants in said exhibition; the rules and regulations in reference to boxing or wrestling which will govern said exhibition; the award or percentage of the receipts or the prize which is to be awarded the winner and loser respectively of said contest; the names of the person or persons, associations, or corporation desiring to hold said exhibition; the name or names of the employees who are to be actively in charge of and managing said exhibition; and said application shall be accompanied by the sum of \$2.50, which said sum shall be acknowledged and receipted for by the commission, in the event the application is granted, and immediately deposited with the City treasurer, who shall issue a duplicate receipt therefor, which said duplicate receipt must be filed with the City Recorder; and all fees collected under this Ordinance shall revert to and become a part of the general fund of said City.

Section 5. The Commission, within two (2) days after the receipt of an application, shall meet and examine said application, and in the event the commission determines that the person or persons making said application are of good moral character and are persons who in the judgment of the commission will conduct said boxing or wrestling contest or exhibition in a lawful, peaceful, and orderly manner and in compliance with the rules and regulations promulgated by said commission, then and in that event the commission shall grant said license.

Section 6. The Commission hereby created shall have the power and authority to prescribe reasonable rules and regulations for the purpose of governing any boxing or wrestling contest or exhibition, and in the event any person, persons, associations, or corporation conducting a boxing or wrestling match or boxing or wrestling exhibition shall fail, refuse, or neglect to obey and comply with such rules and regulations, then and in that event the commission shall have power and authority to stop any contest or exhibition and refuse said person, persons, association, or corporation the privilege of conducting any future boxing or wrestling contest or exhibition in the City of Albany.

Section 7. The said commission shall in its discretion have power to accept or reject any applicant for the purpose of conducting or holding any boxing or wrestling contest or exhibition; provided, however, the applicant or applicants shall have the privilege of appealing from the decision of said commission to the common council of the City of Albany.

ORDINANCE NO. 1763 cont'd.

Section 8. The said commission shall have the further power and authority, and is hereby directed, that whenever any application is granted for the purpose of conducting a boxing or wrestling exhibition, to select and appoint competent persons to act as the officials of said boxing or wrestling contest and exhibition and said persons so appointed to act as said officials shall have the control of said boxing or wrestling contest or exhibition.

Section 9. The members of the boxing and wrestling commission together with the officials appointed by said boxing and wrestling commission, shall be entitled to free admission to any boxing or wrestling contest or exhibition hereafter held or conducted in the City of Albany.

Section 10. The applicant or applicants for a license to conduct a boxing or wrestling exhibition in the City of Albany shall guarantee the payment of a reasonable fee to the officials selected by the commission for the purpose of conducting said boxing or wrestling contest or exhibition.

Section 11. Any person, firm, or corporation who shall violate any provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof before the City Recorder, shall be punished by a fine not exceeding one hundred dollars (\$100.00), or by imprisonment not more than thirty (30) days, or by both such fine and imprisonment, in the discretion of the court.

Section 12. Whereas, it is necessary for the immediate preservation of public peace, health, and safety of the inhabitants of the City of Albany that this ordinance shall become immediately operative and an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor of the City of Albany.

Passed by the Council January 22, 1947

Approved by the Mayor January 22, 1947

RALPH L. BANTON
Mayor

Attest: C. R. Ashton

I, C. R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of the Ordinance No. 1763, has been by me carefully compared with the Ordinance Bill No. 1884, as passed by the Council January 22, 1947, and approved by the Mayor on the 22nd day of January, 1947.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 23rd day of January, 1947.

C. R. Ashton
Recorder of the City of Albany, Oregon