

1960

## c 221 Live Stock Community Sales Act

Ontario

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## CHAPTER 221

## The Live Stock Community Sales Act

## 1. In this Act,

Interpre-  
tation

- (a) "Commissioner" means the Live Stock Commissioner;
- (b) "community sale" means a sale or offering for sale of live stock by public auction held at an established place of business where live stock is assembled for the purpose;
- (c) "inspector" means an inspector appointed for the purposes of this Act;
- (d) "licence" means a licence under this Act;
- (e) "live stock" means cattle, horses, sheep or swine, or the young thereof;
- (f) "operator" means a person engaged in the business of operating community sales;
- (g) "premises" means the land, buildings and structures at the place of business of an operator;
- (h) "regulations" means the regulations made under this Act;
- (i) "veterinarian" means a veterinarian appointed under this Act. 1959, c. 53, s. 1.

## 2. This Act does not apply to,

Where Act  
does not  
apply

- (a) a sale at a stock yard operated by the Ontario Stock Yards Board;
- (b) a sale of live stock by a local board or marketing agency under *The Farm Products Marketing Act*;
- (c) a sale held for the purpose of selling pure bred live stock; or
- (d) a sale held for the purpose of selling feeder cattle. 1959, c. 53, s. 2.

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## Licence

**3.** No person shall engage in the business of operating community sales without a licence therefor from the Commissioner. 1959, c. 53, s. 3.

## Conditions of licence

**4.** Every licence is subject to the conditions that the operator,

- (a) maintains the security required by the regulations;
- (b) is in possession of premises that have at least one building for the stabling of the live stock that is assembled for the purpose of sale; and
- (c) complies with this Act and the regulations and any other condition that is imposed by the regulations. 1959, c. 53, s. 4.

## Requirements for premises

**5.** No operator shall hold a community sale unless,

- (a) every building in which live stock is kept is subdivided into areas so that each class of live stock may be kept separately and so that the live stock that is designated for sale for purposes other than slaughter may be kept separate from the live stock that is designated for sale for slaughter;
- (b) facilities for watering live stock are provided in each separate area in which live stock is kept;
- (c) every floor of every building used for keeping live stock and every passageway over which live stock passes has a reasonably smooth and impermeable surface;
- (d) every wall, partition, barrier, fence, manger, trough and other structure or part thereof with which live stock may come into contact is free from sharp projections and obstructions that may injure live stock;
- (e) a room is provided in a convenient location for the use of a veterinarian as an office and as a laboratory equipped with such facilities as are required by him in the course of his duties under this Act and the regulations; and
- (f) a set of scales with a weighing capacity of at least 3,000 pounds is installed and maintained in good operating condition. 1959, c. 53, s. 5.

## Number of live stock on premises

**6.** No operator shall assemble live stock for a community sale in greater numbers than may be kept, fed, watered and otherwise cared for on the premises without overcrowding or risk of injury. 1959, c. 53, s. 6.

7. The Lieutenant Governor in Council may appoint such veterinarians as are required for the purposes of this Act. <sup>Appoint-  
ment of vet-  
erinarians</sup>  
1959, c. 53, s. 7.

8. A community sale shall not be held until a veterinarian, <sup>Conditions  
precedent  
to sale</sup>

- (a) has inspected the premises at which the sale is to be held;
- (b) has examined or inspected all live stock that is to be offered for sale; and
- (c) has carried out such other duties as are prescribed by the regulations. 1959, c. 53, s. 8.

9. Every operator shall, at least twelve hours before any live stock is received on his premises for the purpose of a community sale, clean and disinfect the premises in such manner as the regulations prescribe. <sup>Cleaning of  
premises  
before sale</sup> 1959, c. 53, s. 9.

10. Every operator shall keep for at least twelve months <sup>Records</sup> after each community sale a record of the sale showing,

- (a) the names and addresses of the sellers and buyers of the live stock;
- (b) the dates of arrival at and departure from his premises of the live stock;
- (c) an identification or description of the live stock;
- (d) the sale price of the live stock; and
- (e) where the live stock is sold by weight, the weight thereof. 1959, c. 53, s. 10.

11.—(1) The Commissioner or an inspector or a veterinarian may enter any premises for the purpose of enforcing this Act. <sup>Powers of  
entry</sup>

(2) No person shall obstruct the Commissioner or an inspector or a veterinarian in the performance of his duties or refuse to permit the inspection of any live stock or furnish him with false information. <sup>Obstruction</sup>

(3) Every person shall, when required by the Commissioner or an inspector, produce any books, records or other documents relating to any live stock assembled or sold at a community sale. <sup>Production  
of records</sup> 1959, c. 53, s. 11.

## Offence

**12.** Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on summary conviction is liable for a first offence to a fine of not more than \$100 and for a second or subsequent offence to a fine of not more than \$500. 1959, c. 53, s. 12.

## Regulations

**13.** The Lieutenant Governor in Council may make regulations,

- (a) establishing classes of community sales and limiting the application of any regulation to any such class;
  - (b) providing for the issue, renewal, refusal to grant or renew, suspension and revocation of licences;
  - (c) providing for a person whose licence is refused, suspended, revoked or not renewed to show cause why the licence should not be refused, suspended, revoked or should be renewed, as the case may be;
  - (d) prescribing additional conditions to those mentioned in section 4;
  - (e) prescribing the fee payable for a licence and for the renewal thereof;
  - (f) requiring the bonding of operators and prescribing the amount and form of such bonds, the classes of securities that are acceptable as collateral security, the period that bonds shall subsist, the condition upon which bonds may be forfeited, and respecting all matters subsequent to forfeiture;
  - (g) prescribing the duties of veterinarians and inspectors;
  - (h) respecting the times of delivery of live stock to premises and the hours for holding community sales;
  - (i) respecting the conditions under which live stock shall be assembled or offered for sale at community sales;
  - (j) prescribing the manner in which premises shall be cleaned and disinfected;
  - (k) designating diseases and providing for the disposal of live stock found infected with any such disease;
  - (l) prescribing forms and providing for their use;
  - (m) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1959, c. 53, s. 13.
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