

1970

# c 259 Lord's Day Act

Ontario

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## CHAPTER 259

## The Lord's Day (Ontario) Act

**1.**—(1) Where a by-law passed under this section is in force and subject to its provisions, it is lawful in the municipality or in such part or parts thereof as are specified in the by-law for any person, after 1.30 o'clock in the afternoon of the Lord's Day or during such period or periods of time after 1.30 o'clock in the afternoon of the Lord's Day as are specified in the by-law, to provide, engage in or be present at any public game or sport that is specified in the by-law and which but for this Act would be unlawful under section 6 of the *Lord's Day Act* (Canada), or to do or engage any other person to do any work, business or labour in connection with any such public game or sport which but for this Act would be unlawful under section 4 of the *Lord's Day Act* (Canada). 1960-61, c. 50, s. 1 (1).

Sunday sports may be made lawful

R.S.C. 1952, c. 171

(2) The council of any city, town, village or township may pass a by-law,

Implementing by-law authorized

- (a) providing that subsection 1 applies in the municipality or specifying a part or parts of the municipality in which subsection 1 applies;
- (b) providing that subsection 1 applies after 1.30 o'clock in the afternoon of the Lord's Day or specifying the period or periods of time after 1.30 o'clock in the afternoon of the Lord's Day during which subsection 1 applies; and
- (c) specifying the public games and sports to which subsection 1 applies. 1960-61, c. 50, s. 1 (2); 1968, c. 68, s. 1 (1).

(3) Any provision of a by-law under this section may differ in different parts of the municipality and with respect to different public games and sports.

Variation in by-law authorized

(4) A by-law under this section shall not specify horseracing as a public game or sport. 1960-61, c. 50, s. 1 (3, 4).

Horse-racing

**2.**—(1) In this section, "municipality" means a city, town, village or township and includes a metropolitan municipality but does not include a local municipality in a metropolitan municipality.

Municipality defined

(2) The council of a municipality may pass a by-law providing that this section applies in the municipality.

By-laws authorized

Horse-  
racing

(3) In every municipality in which a by-law passed under subsection 2 is in force, it is lawful for any person after 1.30 o'clock in the afternoon on the Lord's Day to provide, engage in or be present at a horse race that, but for this Act, would be unlawful under section 6 of the *Lord's Day Act* (Canada), or to do or engage any other person to do any work, business or labour in connection with any such horse race which, but for this Act, would be unlawful under section 4 or 6 of the *Lord's Day Act* (Canada). 1968, c. 68, s. 2.

R.S.C. 1952,  
c. 171

Sunday  
movies, etc.,  
may be  
made lawful

**3.—(1)** Where a by-law passed under this section is in force and subject to its provisions, it is lawful in the municipality or in such part or parts thereof as are specified in the by-law for any person, after 1.30 o'clock in the afternoon of the Lord's Day or during such period or periods of time after 1.30 o'clock in the afternoon of the Lord's Day as are specified in the by-law, to provide, engage in or be present at any exhibition of moving pictures or any theatrical performance, any concert or any lecture or such of them as are specified in the by-law and which but for this Act would be unlawful under section 6 of the *Lord's Day Act* (Canada), or to do or engage any other person to do any work, business or labour in connection with any such exhibition of moving pictures, theatrical performance, concert or lecture, as the case may be, which but for this Act would be unlawful under section 4 of the *Lord's Day Act* (Canada). 1960-61, c. 50, s. 2 (1).

Implement-  
ing by-law  
authorized

(2) The council of any city, town, village or township may pass a by-law,

- (a) providing that subsection 1 applies in the municipality or specifying a part or parts of the municipality in which subsection 1 applies;
- (b) providing that subsection 1 applies after 1.30 o'clock in the afternoon of the Lord's Day or specifying the period or periods of time after 1.30 o'clock in the afternoon of the Lord's Day during which subsection 1 applies; and
- (c) specifying that subsection 1 applies to the exhibition of moving pictures, theatrical performances, concerts and lectures or any one or more of them. 1960-61, c. 50, s. 2 (2); 1968, c. 68, s. 3 (1).

Variation  
in by-law  
authorized

(3) Any provision of a by-law under this section may differ in different parts of the municipality and in respect of the exhibition of moving pictures, theatrical performances, concerts or lectures. 1960-61, c. 50, s. 2 (3).

"Concert"  
defined

(4) The expression "concert" in this section does not include a concert of an artistic and cultural nature that is governed by section 5. 1960-61, c. 50, s. 2 (8).

**4.**—(1) Every by-law under this Act shall provide for the regulation and control of the activities specified therein, and may provide for the regulation and control of any matter or thing in connection therewith. 1960-61, c. 50, s. 4.

Regulation  
and control

(2) Part XXI of *The Municipal Act* applies to by-laws passed under subsection 1. 1965, c. 66, s. 1.

Application  
of R.S.O.  
1970, c. 284  
Pt. XXI

**5.** It is lawful for any person after 1.30 o'clock in the afternoon of the Lord's Day to provide, engage in or be present at any concert, recital or other musical performance of an artistic and cultural nature produced by a non-profit organization at which an admission fee is charged and which but for this Act would be unlawful under section 6 of the *Lord's Day Act* (Canada), or to do or engage any other person to do any work, business or labour in connection with any such concert, recital or other musical performance which but for this Act would be unlawful under section 4 of the *Lord's Day Act* (Canada). 1960-61, c. 50, s. 5.

Sunday  
musical  
concerts  
lawful

R.S.C. 1952,  
c. 171

**6.**—(1) In this section, "municipality" means a city, town, village or township and includes a metropolitan municipality but does not include a local municipality in a metropolitan municipality.

Municipality  
defined

(2) The council of a municipality may pass a by-law providing that this section applies in the municipality in respect of such exhibitions or shows referred to in clause *a* of subsection 3 and such activities referred to in clause *b* of subsection 3 as are specified in the by-law.

By-laws  
authorized

(3) In every municipality in which a by-law passed under subsection 2 is in force, it is lawful for any person after 1.30 o'clock in the afternoon on the Lord's Day to provide, engage in or be present at,

Agricultural,  
horticultural or  
trade  
exhibitions  
or shows

(a) any exhibition or show that is conducted by any society or association to which *The Agricultural Associations Act*, *The Agricultural Societies Act* or *The Horticultural Societies Act* applies or by any corporation incorporated without share capital by or under any special or general Act or at any trade show or scientific exhibition; and

R.S.O. 1970,  
cc. 8, 15, 207

(b) any activity provided or arranged for by such association, society or corporation in connection therewith,

specified in the by-law and that, but for this Act, would be unlawful under section 4, 6 or 7 of the *Lord's Day Act* (Canada), or to do or employ any other person to do any work, business or labour in connection with any such exhibition, show or activity that, but for this Act, would be unlawful under section 4, 6 or 7 of the *Lord's Day Act* (Canada). 1968, c. 68, s. 5.

When  
daylight  
saving time  
in effect

**7.** If and so long as the time commonly observed in a municipality in which a by-law under this Act is in force or in which a concert, recital or other musical performance is produced under section 5 is one hour in advance of standard time, the times mentioned in this Act or in a by-law under this Act shall be reckoned in accordance with the time so commonly observed and not standard time. 1960-61, c. 50, s. 6.

Subject to  
R.S.O. 1970,  
cc. 459, 398

**8.** This Act and any by-law passed thereunder are subject to *The Theatres Act* and *The Racing Commission Act* and to the regulations made thereunder. 1968, c. 68, s. 6.

Sunday  
sports  
by-laws  
heretofore  
passed

**9.** Any by-law passed under the authority of a predecessor of this Act shall be deemed to have been passed under the authority of this Act. 1960-61, c. 50, s. 8 (2).

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