

THIS IS SCHEDULE "B" TO BY-LAW 2012-225 OF THE CORPORATION
OF THE CITY OF NORTH BAY

AUCTIONEER

Applicable to:	Every Person who sells or offers goods for sale by public Auction.
Definitions:	<p>Auctioneer – shall mean a person who conducts a sale by Auction.</p> <p>Auction - shall mean a public sale to Persons in which bids on goods, articles, merchandise, effects, etc., are received by an Auctioneer and where each bid offers more than the last previous bid, the article being put up for Auction sold to the highest bidder. Shall not include a Silent auction or Chance Auction.</p> <p>(i) Silent Auction - shall mean an Auction conducted by means of written bids given on displayed goods, wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item.</p> <p>(ii) Chance Auction – (also known as a “Chinese Auction”) shall mean an Auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.</p>
Exemptions:	<p>The requirement to obtain an “Auction Licence” does not apply to:</p> <ol style="list-style-type: none"> 1. a Sheriff or court Bailiff acting under a court procedure; 2. a Municipality conducting an auction under the tax sale provisions of the <i>Municipal Act, 2001</i>; 3. a Person who engages the services of a licensed Auctioneer to conduct an Auction on his or her behalf; 4. a Person registered under the <i>Real Estate and Business Brokers Act</i> who is selling real estate by public auction; 5. a Person licensed under the <i>Livestock Community Sales Act</i> who is conducting a community livestock sale; 6. Silent Auction and Chance Auction.
Licence Fee:	<p>\$100.00 per year.</p> <p>Every Auctioneer shall advise the Issuer of Licences a minimum of seven (7) days in advance, of the time, date and location of every auction scheduled by such Auctioneer.</p>
Licence Circulated to:	<ol style="list-style-type: none"> 1. North Bay Police Service.
Special Conditions:	<ol style="list-style-type: none"> 1. Every Auctioneer shall keep a proper ledger of account of the Auction transacted by them as an Auctioneer. The entries in the ledger shall give the names and addresses of the owners of the goods, wares, merchandise or effects to be sold, the description of the same, the price for which the same was sold, the names and addresses of the persons purchasing such goods, wares, merchandise or effects or any portion thereof, the price for which the item was sold and the Auctioneer shall forthwith, after the sale of same, or any portion thereof, account for the proceeds and pay to the person entitled to such proceeds, less the Auctioneer’s legal and proper commissions and charges and they shall, in case no sale is made of such goods, on payment of their proper costs and charges, return such goods to the person entitled to receive such goods on demand being made for such goods.

	<p>2. No Auctioneer shall:</p> <ul style="list-style-type: none">(i) permit any disorder in their auction room or offices,(ii) conduct or permit to be conducted any mock auction,(iii) knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by them,(iv) give away articles or sell them for nominal amounts for the purpose of stimulating bidding,(v) do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount they pay for any article(s),(vi) by deceit, falsehood, or other fraudulent means stimulate or raise bids or cause to stimulate or raise bids affecting the selling price of any item offered for sale to the public by public auction,(vii) sell or put up for sale by auction any goods, wares, merchandise or effects held on a reserve bid basis without first announcing to those in attendance at the auction the fact that such item is held on a reserve bid. <p>3. The Applicant shall provide to the Issuer of Licences at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.00.</p>
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