



Western Fair Exhibition – Trade & Consumer Shows – Meetings & Banquet Facilities – Horse Racing & Gaming – Agriplex

VISION STATEMENT

“Creating unique experiences that build positive memories”

**WESTERN FAIR
RACEWAY**

**RULES
&
REGULATIONS
BOOK**

March 1, 2007

TABLE OF CONTENTS

RULES & REGULATIONS	.....	2
PART I – GENERAL	.....	3
1.1 Conduct Generally	.....	3
1.2 Improper Behaviour	.....	3
1.3 Fire Safety	.....	4
1.4 Other General Rules	.....	4
1.5 No Liability of WFR	.....	4
PART II – PADDOCK AREA	.....	5
2.1 Entry	.....	5
2.2 Guests	.....	5
2.3 Traffic in Paddock Area	.....	5
2.4 Handling of Animals	.....	6
2.5 Additional Provisions	.....	6
2.6 Enhanced Drug Control	.....	6
2.7 Lasix	.....	6
PART III – CONDITIONS OF RACING	.....	7
3.1 ORC Rules of Racing	.....	7
3.2 Changes and Cancellations	.....	7
3.3 Track Problems	.....	7
3.4 Qualification of Horses	.....	7
3.5 Entry Fees	.....	7
3.6 Entry Procedure	.....	8
3.7 Pre Race Requirements	.....	8
3.8 Distance	.....	8
3.9 Attire	.....	8
3.10 Post Race	.....	8
PART IV – PENALTIES	.....	9
4.1 Penalties	.....	9
PART V – INTERPRETATION	.....	9
5.1 Definitions	.....	9
5.2 Other Interpretation Matters	.....	11

Consolidated Standardbred Rules and Regulations

Application of Rules:

These Rules and Regulations apply at all times to all of the Premises, including the Paddock Area, and to all individuals using these areas, without limitation, either as Occupants, party(s) to a contract with Western Fair Raceway, or in any other capacity whatsoever. Western Fair Raceway reserves the right to alter or amend any and all of these Rules and Regulations without notice, at any time and from time to time, after notice to and consultation with a senior executive officer of the Ontario Harness Horse Association.

Capitalized Terminology:

All capitalized terms used within the body of these Rules and Regulations are references to defined terms. Such term shall be interpreted and understood in accordance with the definitions set out within the "Definitions" section of these Rules and Regulations.

Breach of the Rules:

- (a) **A BREACH OF ANY OF THE RULES AND REGULATIONS OF WESTERN FAIR RACEWAY MAY RESULT IN SUSPENSION OF PRIVILEGES, LOSS OF ANY OR ALL FEES (OTHER THAN ENTRY FEES) AND/OR SUCH EVICTION FROM THE PREMISES.**
- (b) **ANY PERSON HAVING KNOWLEDGE THAT A BREACH OF ANY OF THE RULES AND REGULATIONS OR POLICIES OF WESTERN FAIR RACEWAY HAS BEEN COMMITTED MUST IMMEDIATELY REPORT SUCH A BREACH TO A SECURITY OFFICER, PADDOCK AREA SUPERINTENDENT, TRACK SUPERINTENDENT, OR ANY OTHER EMPLOYEE OF WESTERN FAIR RACEWAY.**

PART I – GENERAL

1.1 Conduct Generally

- a) **IT IS A PRIVILEGE, NOT A RIGHT, TO USE THE PREMISES AND RACE AT THE RACETRACK. ANY CONDUCT DETERMINED BY WESTERN FAIR RACEWAY, IN ITS SOLE AND ABSOLUTE DISCRETION, TO BE INJURIOUS TO THE SPORT OF HORSE RACING OR NOT BE IN THE BEST INTERESTS OF THE SPORT OF HORSERACING, MAY RESULT IN THE IMPOSITION OF A PENALTY IN ACCORDANCE WITH SECTION 4.1 OF THESE RULES & REGULATIONS.**
- b) **WESTERN FAIR RACEWAY RESERVES THE RIGHT UNDER THE *TRESPASS TO PROPERTY ACT* (ONTARIO) AT ANY TIME TO DENY ADMISSION TO ANY PART OR PARTS OF THE PREMISES TO AN OCCUPANT OR ANY OF HIS AGENTS, SERVANTS, EMPLOYEES, INVITEES OR ANY PERSONS UNDER HIS CONTROL, IN THE SOLE AND ABSOLUTE DISCRETION OF WESTERN FAIR RACEWAY, WITHOUT ANY REASON OR CAUSE EXISTING OR BEING STATED OR GIVEN. Nothing in these Rules and Regulations shall in any way limit any other rights which Western Fair Raceway may have, whether at common law or in statute, including and without limitation under the *Occupiers Liability Act* (Ontario) or the *Trespass to Property Act* (Ontario)**
- c) All persons using the premises will abide by the lawful direction of all Security Officers for the purpose of protecting any and all patrons on the premises.
- d) The Occupant shall at all times while on the premises abide by and comply with all applicable federal, provincial and local laws, regulations, by-laws, codes and other regulatory requirements in force from time to time, including laws and regulations relating to health and safety and the environment, applicable to the Occupant's attendance at or conduct on the premises.

1.2 Improper Behaviour

- a) The provisions under *The Liquor Control Act* (Ontario) and *The Liquor License Act* (Ontario) will be strictly enforced at all times. Any person found to be intoxicated on the premises will be evicted from the premises and/or turned over to the local police.
- b) No person on the premises shall have in his or her possession or under his or her control, any narcotics, hallucinogenic drug or derivative thereof, or any restricted or controlled drug under the *Food and Drugs Act* (Canada), unless such narcotic or other drug is specifically prescribed by a medical practitioner. Violations of this Rule and Regulation will result in the person being evicted from the premises and/or turned over to local police.
- c) No person shall use profane or indecent language or exhibit improper conduct towards any employee of Western Fair Raceway or any other person in authority while acting in the performance of his/her duties on the premises.

1.3 Fire Safety

- a) All persons shall familiarize themselves with the location of fire alarms, fire prevention signs and all firefighting equipment and shall obey Western Fair Raceway requirements as set down in the Fire Prevention Procedures.
- b) No person shall move, interfere with, damage or hinder the use of smoke detectors, heat detectors, carbon monoxide detectors, sprinkler systems, fire hose cabinets and equipment, fire extinguishers or fire prevention signs.
- c) Smoking in any stall or portion of the Paddock Area is strictly prohibited. Smoking is not permitted in the Paddock. For the purposes of this Rule, the Paddock Area includes the cafeteria, drivers' change rooms and offices within the Paddock. Any person who violates this rule will be dealt with as follows:
 - i) First Offence \$50.00 Fine
 - ii) Second Offence \$100 Fine and one week suspension from the premises
 - iii) Third Offence Suspended indefinitely from the premises

There are no provisions for warnings. All fines shall be paid to Western Fair Raceway, or as designated by Western Fair Raceway

These fines are in addition to any municipal fines and/or penalties imposed.

- d) All extension cords must be C.S.A. approved and for outdoor usage and not to be used as permanent wiring. GFCI protection is required for portable hand tools.
- e) Obstructing or blocking of fire hydrants and fire equipment is prohibited.
- f) Parking or obstructing Western Fair Raceway Official Fire Routes is prohibited and vehicles will be tagged or towed away.
- g) Firearms are strictly prohibited on the premises.

1.4 Other General Rules

- a) Pets. No pets allowed on the premises and for certainty, no pets, including cats are to be left in vehicles in the parking lot.
- b) Inspection. Western Fair Raceway reserves the right to inspect at any time all stalls and/or vehicles without notice and without cause.
- c) Parking. Owners of vehicles parked in unauthorized areas or otherwise improperly parked are subject to a fine and/or they may be suspended from the use of the premises.

1.5 No Liability of Western Fair Raceway

- a) Faulty Starting Gate. Western Fair Raceway will not be liable to any applicant for the failure of any starting mechanism to fairly start a race.
- b) Implementation of Rules and Regulations. Any action taken by Western Fair Raceway to implement or enforce these Rules and Regulations, or in furtherance thereof, shall be without liability to any person.

PART II – PADDOCK AREA

2.1 Entry

- a) All traffic entering or departing from the Paddock Area shall enter the Paddock gates designated by Western Fair Raceway for that purpose and shall stop before entering for identification purposes.
- b) Any vehicles either entering or departing from the Paddock Area may be subjected to a vehicle search by either an ORC official or a Security Officer or other employee of Western Fair Raceway or their designate.
- c) Persons wishing to drive a motor vehicle in the Paddock Area shall be responsible to ensure that any passenger(s) in such vehicle is/are likewise properly authorized to enter.
- d) Drivers of motor vehicles entering the Paddock Area shall have in their possession a valid motor vehicle driver's license and shall produce it upon request by a Security Officer. Persons who fail to operate motor vehicles in a responsible manner may be prohibited from driving in the Paddock Area and/or may be suspended and/or evicted from the Paddock Area and/or the premises.

2.2 Guests

- a) All guests or persons properly authorized to be in the Paddock Area (including guests of Owners, Applicants, Authorized Racing Officials, ORC Members, Veterinarians licensed by the ORC, Drivers with proper documentary credentials and Grooms) must be in possession of credentials satisfactory to the Security Officer to be permitted access to the Paddock Area.
- b) Notwithstanding the foregoing rule, any guest may be refused entry to the Paddock Area if such a guest is deemed unacceptable, for any reason whatsoever, by any Security Officer, in their sole and absolute discretion.
- c) Guests will be permitted entrance to the Paddock Area only through gates designated by Western Fair Raceway for that purpose and shall be recorded in the Security Register by the appropriate Security Officer.

2.3 Traffic in Paddock Area

- a) Horses shall have the right of way in the Paddock Area at all times.
- b) No person shall park or leave a standing vehicle on a designated fire route, on a horse path or other prohibited area. Vehicles parked in such manner may be tagged and/or towed away at the owner's expense.
- c) All horse trailers must be left parked in the designated horse trailer parking area and shall not be left parked beside the barns or on roadways.
- d) Recreational vehicles are not permitted in the Paddock Area.
- e) Taxi cabs are not permitted in the Paddock Area during racing and training hours.

2.4 Handling of Animals

Any applicant who, while occupying the premises, handles or treats any animal, including any horse, without regard for the well being of the animal or causes any physical or mental pain or suffering to the animal, including excessive or unnecessary whipping, in the sole and absolute discretion of Western Fair Raceway, may be assessed penalties by Western Fair Raceway, including suspension of privileges.

2.5 Additional Provisions for and Restrictions on Trainers/Owners

- a) By entering onto the premises and/or entering into races, each trainer agrees to accept and does accept full responsibility for the care and custody of all horses for which he or she is the trainer, including for every drug and prohibited substance violation pursuant to the *CPMA Regulations* or the *Rules of Racing*.
- b) By entering onto the premises and/or entering horses into races:
 - i) each trainer agrees that he or she will not, under any circumstance, act as a program trainer for, or otherwise train, enter any horse in a race for or act in the capacity of, any other trainer who at that time is not properly licensed by or is under suspension from the ORC;
 - or
 - ii) each trainer and owner agrees that he or she will not, under any circumstance, employ any other trainer who at that time is not properly licensed by or is under suspension from the ORC, or permit such a trainer to have any role in the care, custody or training of any horses registered to and/or racing under the name of such trainer/owner.

2.6 Enhanced Drug Control

Western Fair Raceway reserves the right, in its sole and absolute discretion, and without notice or cause, to request that the Canadian Pari-Mutuel Agency draw blood and/or urine sample from any horse for the purpose of having the blood and/or urine sample tested under enhanced Canadian Pari-Mutuel Agency approved protocols for any illegal drug or substance.

2.7 Lasix

Horses enrolled in the EIPH Program and receiving Lasix four (4) hours in advance of the scheduled post for a race may not be allowed to leave the premises until after the race.

PART III – CONDITIONS OF RACING

3.1 ORC Rules of Racing

The *Rules of Racing* in effect at the time any race is raced shall govern the race and any and all entries will be received only with the understanding and on the agreement of the applicant that the *Rules of Racing* govern.

3.2 Changes and Cancellations

- a) Subject to the *Rules of Racing*, Western Fair Raceway reserves the right, in its absolute and sole discretion to:
 - i) cancel any race, upon repayment of all nominating, sustaining and starting fees, if any, paid on such cancelled race; and or
 - ii) change the time and/or place of any race.
- b) Subject to the *Rules of Racing*, a race may, if Western Fair Raceway so determines in its sole and absolute discretion, be conducted by a racing association other than Western Fair Raceway and Western Fair Raceway shall have the right to assign or transfer every entry in respect to such race and all monies paid to Western Fair Raceway to such other racing association and in such event all obligations, if any, of Western Fair Raceway in respect of such race shall terminate.

3.3 Track Problems

Any problems relating to any of the racetracks or training tracks should be brought to the attention of the Track Superintendent.

3.4 Qualification of Horses

- a) Any horse four (4) years old and upward will be allowed four (4) consecutive chances to qualify. Three (3) year olds will be allowed five (5) consecutive chances to qualify. Horses failing to qualify under this rule will not be permitted to re-qualify for a period of six (6) months.
- b) A horse that has been refunded under the Starting Rule may be required to qualify twice and school to the satisfaction of the Western Fair Raceway Official Starter. Two (2) refunds within a period of one (1) year will mean the horse is barred from competition at Western Fair Raceway for a period of one (1) year. Following the year's suspension, the next refund at Western Fair Raceway will mean the horse will be barred for life. A horse must be entered through the Race Office by 10:00 a.m. on the day prior to a card of qualifying races.

3.5 Entry Fees

- a) Payments in U.S. funds will be accepted at the current U.S. exchange rate, unless otherwise published by Western Fair Raceway.
- b) Western Fair Raceway will not accept inadequacies of the postal system as an excuse for late payments.

3.6 Entry Procedure

- a) To enter a horse in a race at Western Fair Raceway all Occupants must contact Western Fair Raceway and provide all the information required under the ORC Rules of Racing.
- b) All applicants entering a horse in a pacing or trotting series must complete a stakes nomination form provided by Western Fair Raceway for each seasonal stakes series throughout the year.
- c) Failure to follow the proper entry procedures outlined above may result in the disqualification of a horse and driver from a race and/or suspension of privileges.

3.7 Pre-Race Requirements

- a) All horses declared to race must be in the Paddock of the racetrack where the race is being conducted at least 1 hour before the scheduled post time of the race for equipment check purposes (tattoos, etc.)
- b) Horses arriving late may be scratched by an ORC Official in charge and the Occupant may be subject to a fine by the ORC. While racing is being conducted at Western Fair Raceway, horses that are enrolled in the EIPH Program, have properly received Lasix, and are occupying the attached Lasix stalls at the Western Fair Raceway Paddock may not be scratched if the horse has not moved into the Paddock as outlined in 3.7 (a), and the Applicant may be subject of a fine by the ORC.
- c) All horses entering the Paddock Area on race days are required to have their tattoos or freeze bands presented for identification to a Western Fair Raceway Official on duty at the Paddock.
- d) All horses, once having been admitted to the Paddock, shall remain there other than to leave for warm-up miles, until the horse has completed racing and has reported to the test barn if required.
- e) Western Fair Raceway, in its sole and absolute discretion, may require horses, or any one or more of them, entered in a race to be on the racetrack premises for a period of up to 8 hours prior to the race in which such horses are to start.

3.8 Distance

All races are to be raced of a distance of ONE MILE (1609 M), unless otherwise provided by Western Fair Raceway, in its sole and absolute discretion.

3.9 Attire

Helmets must be worn and fastened at all times when on any racetrack and all training tracks. Driver's colours must be clean and presentable at all times.

3.10 Post Race

Each Driver in each race shall clear with the Starter on the turn before leaving the racetrack at the conclusion of a race.

PART IV – PENALTIES

4.1 Penalties

A violation of any of the Rules and Regulations may lead to the imposition of a penalty or penalties including

- i) Suspension of privileges;
 - ii) Loss of any or all fees;
- and/or
- iii) Eviction from the premises.

PART V - INTERPRETATION

5.1 Definitions

For the purposes of these Rules and Regulations, the following capitalized terms shall have the meaning attributed to them as follows:

“Occupant” means a person who intends to enter, train, drive or groom any horse or horses in any race or races at Western Fair Raceway.

“ARCI” means Association of Racing Commissioners International Inc.

“Authorized Racing Official” means anyone authorized by ORC or Western Fair Raceway.

“Paddock Area” means any area on the premises which:

- a) is not generally open to the public;
- and,
- b) is required to be accessed and used by those persons involved in the racing, training and use of horses at a racetrack.

“*CPMA Regulations*” means the Pari-Mutuel Betting Supervision Regulations established from time to time by the Canadian Pari-Mutuel Agency.

“Entry” means an application by an Occupant for:

- a) a specific horse to race in a specific race;
- or
- b) two (2) or more horses to race in the same race, which have common ties in ownership or lease.

“First Start Pole” means the pole erected at the point approximately 10’ nearer the race starting line than the pole 1/16 of a mile before the race starting line.

“Fee” means any Nomination Fee and/or Standing Fee prepaid to Western Fair Raceway and/or any Starting Fee due to or owing, and/or any other fee associated with participating in a race at Western Fair Raceway.

“Fire Prevention Procedures” means those written procedures and guidelines relating to fire prevention which are established by Western Fair Raceway from time to time and posted throughout the Paddock Area.

“Groom” means an individual actively working in the horse racing industry as a groom.

“Nomination Fee” means the fee paid to nominate a horse to ensure the eligibility of a horse to race in a race and/or series of races.

“OHRIA” means the Ontario Harness Horse Racing Industry Association.

“ORC” means the Ontario Racing Commission.

“ORC License” means the license issued by the ORC from time to time pursuant to the *Rules of Racing*.

“ORC Official” means an official appointed by the ORC to carry out all the duties and responsibilities specified by the ORC in the *Rules of Racing*.

“Paddock” means a security controlled facility operated by Western Fair Raceway where horses and race participants shall assemble for the purposes of conducting a race card or race related event.

“Premises” shall include all of Western Fair Raceway’s property located at the racetrack including all Paddock Areas, grandstand, parking lots and associated grounds.

“Race” means a contest between horses taking place on a racetrack.

“Racetrack” means the racetrack facility operated by Western Fair Raceway or located on any part of the premises.

“Racing Secretary” means an individual employed by Western Fair Raceway who is responsible for overseeing the preparation of race cards and the general supervision of the Paddock Area.

“Rules and Regulations” means the Standardbred Rules and Regulations of Western Fair Raceway herein prescribed and any amendments made thereto from time to time.

“*Rules of Racing*” means the Standardbred Rules of Racing established from time to time by the ORC.

“Security Officer” means a uniformed member of Western Fair Raceway’s Security Department.

“Paddock Area” includes those places within the premises comprising of the track kitchens, racing offices, training areas, driver’s rooms, race office and paddock.

“Paddock Superintendent” means the person employed by Western Fair Raceway and designated as the Paddock Superintendent.

“Stakes Race” means any race in which nominations close more than 72 hours in advance of the racing of the race and for which subscribers contribute money towards the purse of the race.

“Starting Fee” means the fee paid to render a horse eligible to start and compete in a race.

“Starting Rule” means the rule that comes into effect if a horse has not reached the Fair Start Pole when horses are released at the starting point by the Official Starter, pursuant to which the judges will cause the inquiry sign to be displayed immediately and shall request the horse be scratched from wagering.

“Sustaining Fee” means the fee paid to sustain a horse’s eligibility to race in a race and/or series of races.

“Track Superintendent” means the individual employed by Western Fair Raceway responsible for overseeing the track surface preparation and maintenance.

“WFR” means Western Fair Raceway.

5.2 Other Interpretation Matters

In this agreement:

- a) words denoting the singular include the plural and vice versa and words denoting any gender include all genders, unless the context otherwise requires;
- b) the word “including” or “includes” shall mean “including [or includes] without limitation;

and

- c) the division of these Rules and Regulations into separate Articles, Sections, Subsections and Schedules, the provision of a table of contents and the insertion of headings are for convenience and reference only and shall not effect the construction or interpretation of these Rules and Regulations.