

# Farmer gets time to clean-up

When the beef business took a fall last summer, farmer Murray Simon of Monteith had to get out of it to pay his bills.

Because he had the equipment, he started picking old cars, storing them at his gravel pit and then selling them for scrap.

The pit is within the boundaries of the town of Iroquois Falls. Mr. Simon's home and barns are in the township of Black River-Matheson.

Mr. Simon has a scrapyard licence from BR-M but he doesn't have one from Iroquois Falls. He decided to temporarily dump the cars in the gravel pit.

His actions led to an appearance February 24 at Iroquois Falls Provincial Court, where he and his wife, Lise, were charged with failing to keep their grounds free of rubbish -- old cars and trucks. The charge was laid under an Iroquois Falls by-law. Mr. Simon pleaded not guilty in behalf of his wife and himself.

But because Mr. Simon agreed to rectify the situation within a reasonable time the case was adjourned until June 23.

J. K. Alexander, solicitor for the town of Iroquois Falls, objected to the adjournment.

Judge Gauthier said it was questionable whether the by-law was drawn up to cover the built-up area of the town -- not farms.

"This court, in its wisdom, feels that this matter can be solved by agreement between the parties," said the judge.

The by-law under which the charge was laid is that of the old Township of Calvert. Under the Ontario Municipal Board's order for the amalgamation of Iroquois Falls and Calvert, these by-laws are still in force.

By-law enforcement officer Maurice Michaud testified that on September 18, he noticed the

cars and trucks on Mr. Simon's land, Walker Township.

He told Mr. Simon that if he wanted to go into the scrapyard business, he should get a licence. "To this date he has never applied," stated Mr. Michaud.

On October 31, Mr. Michaud noticed that there were more cars and trucks on the property. That day he sent a registered letter to the Simons, giving them 30 days in which to clean-up the area. On November 2, Mr. Michaud took pictures of the area. He made another inspection December 2, and then laid the charge.

"Mr. Simon doesn't live on the property," said Mr. Michaud. "He lives across the highway on a piece of land. You can see these vehicles from the highway."

Questioned by Mr. Simon, Mr. Michaud said that the accused said he wasn't operating a scrapyard. Mr. Simon said he had a letter giving him only 15 days to clean up the yard. "Possibly I haven't got the other letter," Mr. Simon added.

Solicitor Mr. Alexander denied Mr. Simon's allegation that he was being singled out from among others operating scrapyards closer to town.

Mr. Simon alleged the municipality is operating an illegal scrapyard in the area.

"What harm was I doing? I was helping the town pick them up. I had the equipment. I went into places where it takes good machines to get them out. It was costing the town nothing," he said.

Mr. Simon told Mr. Michaud he used him like "a second class citizen" when he phoned. "You started to throw orders at me right and left."

Mr. Simon said he put the scrap in the pit because he had built a road in there. He thought the cars would have been

disposed of by Christmas, but, "due to unforeseen circumstances," he hadn't been able to clean them up.

"I have been working on them he said. He has about a dozen now.

Asked by Judge Gauthier why he hadn't obtained a scrapyard licence from the town of Iroquois Falls, Mr. Simon replied, "I don't believe I could deal with the town of Iroquois Falls, with their staff here."

"I am quite sure you can," said the judge.

"Not with the Environment Act, which was what they were going to hold me to," said Mr. Simon.

"Black River-Matheson said they were happy to give me a licence and have me pick-up cars and get rid of them. I couldn't afford to set up what Iroquois Falls wanted under the Environment Act."

He didn't put the cars behind his barn (in Black River-Matheson) because he intended to clear up the pit.

At this the judge said he would adjourn the case so that Mr. Simon could complete the clean-up.