

Resident charged under bylaw feels discriminated against

By BEN DUMMETT
The Herald

Halton Hills resident and outdoor pool owner Tony Zillo, says enforcement of the Town's pool fence bylaw is discriminatory.

Mr. Zillo was fined \$500 earlier this month for not having an acceptable fence around his pool.

C.V.C.A. sits on fence

The Credit Valley Conservation Authority has made no decision on whether it will lift the conditions attached to Norval's Willow Park residents staying in the park until Aug. 15, said CVCA committee member Marilyn Serjeanston Monday.

The province has told the CVCA that it hopes the authority will allow the residents to stay in the park until Aug. 31, without condition, in light of the hardships the residents are now experiencing.

Last month, the CVCA decided to issue a three-month extension to the deadline - from May 15 to Aug. 31 - when the residents would have to vacate the property. The extension was to apply to those residents who first abided by certain CVCA conditions.

However, the residents have adamantly opposed these conditions describing them as nothing more than threats.

Ms. Serjeanston said the Authority will make no response to the province's request until the authority has first received a response from the Willow Park residents to the conditions the authority has proposed as part of the Aug. 31 extension.

The CVCA conditions include the residents not claim any more money than the CVCA has already paid to the residents to help cover their expenses to leave the property and that the residents cover the legal costs incurred by the Authority to draw up a new vacancy deadline contract.

Although the province has indicated it hopes the CVCA will abide by the request, North-Halton MPP Noel Duignan says this is a polite way of requiring the CVCA to eliminate the conditions.

The CVCA insists the residents leave the property because the park is located in the Credit River floodplain putting the residents lives' at risk if a major flood occurs.

Willow Park spokesperson, Heather Croft, said the residents lawyer sent a letter to the Authority dated March 27 stating the extension with conditions was unacceptable.

She said another letter will be sent today (Monday) to the authority saying the same thing.

Cancer meeting

Living with Cancer Group discussions to provide emotional support and practical guidance to patient, families and friends.

Groups are sponsored by the Canadian Cancer Society and led by nurses.

Held at: Living with Cancer Group, Canadian Cancer Society, Milton Branch, 751 Main Street East, Milton, Ontario. (West of Bunsmaster Building on 2nd Floor).

When: Every 2nd Thursday from 7:30-9:00 p.m.

Next meeting dates: May 2, 1991, May 16, 1991, May 30, 1991.

For information call the Cancer Society - Milton Unit, 878-5228 or 878-1876.

Town bylaw Enforcement Officer Ron Stein laid the charges against Mr. Zillo after he found that Mr. Zillo's pool, which is located off of Sideroad 27, was surrounded by a wire fence on one side, a wooden farm fence on another side and thick bushes on the other two sides.

According to Mr. Stein the Town's pool bylaw stipulates a homeowner's entire property or the pool itself must be surrounded with a chain link or similar-type fence that is four feet high and not climbable. As well, the fence must have one or more gates that are self-locking in which the locks are located on the inside of the gate doors, he said.

Mr. Stein investigated the Zillo pool after receiving a public complaint.

Mr. Zillo's preference is that all homeowners living in the rural area with pools be exempt from the bylaw. Pools located in the rural area are located on large lots not easily accessible to the public, said Mr. Zillo.

He made his comments in reference to the Town's claim that the pool bylaw reduces the chance of children entering a property and accidentally falling into a pool. Mr. Zillo said his pool doesn't present a danger to children, pointing out the pool can't even be seen from the road. This reporter recently visited the Zillo house and confirmed that claim.

Mr. Zillo said if the Town won't exempt rural pool owners from the bylaw, the Town should apply the bylaw to all rural pool owners. Not only that, but the bylaw should also apply to people with ponds on their lands.

The Town's enforcement policy requires the bylaw enforcement officer to investigate possible pool fence infractions upon receiving a public complaint. This policy is followed because of

a lack of manpower to patrol the town limits on a regular basis.

Mr. Zillo points out unfenced ponds present a hazard to children as much as unfenced rural area pools. He states the ponds located at North Halton Golf and Country Club on Maple Avenue in Georgetown are unfenced and therefore easily accessible for children to enter.

These ponds, said Mr. Zillo, are more accessible than his pool because the golf course is supervised less.

Mr. Zillo said, since installing the pool in 1969, during which time there has never been a fence, his children and friends have all used the pool without incident. If there was any possibility of danger the pool would have been fenced long ago, he said.

Mr. Zillo also goes on to say he was unfairly treated during his court hearing.

The court refused to consider three letters Mr. Zillo had from his neighbors saying they had no objections to the Zillo pool as is.

Mr. Zillo said the court rejected the letters because the signatories were not present during the court proceedings. Mr. Zillo was told anyone could have signed those letters.

When Mr. Zillo asked Mr. Stein to reveal the name of the person who complained about the pool, no name was given. Mr. Zillo believes it's unfair the public complainant wasn't required to attend the hearing when those who supported his position had to be at the hearing.

Mr. Zillo also points out that his three neighbors all have young children.

Finally, Mr. Zillo objects to being told the maximum fine he could receive was \$300 when first charged with contravening the pool bylaw and then only later told the maximum fine had been increased to \$2,000.



Arbor Week recognized

The Town of Halton Hills Civic Centre has another addition which will undoubtedly brighten its landscape. A Sunburst Locus tree was donated by Union Gas to the Civic Centre in recognition of Arbor Week in Canada, April 26-May 5. Taking part in the tree-planting ceremony held Monday were, left to right: Town of Halton Hills Mayor Russ Miller, Eastern Region Account Manager for Union Gas Kevin Reaume, Eastern Region Credit Supervisor for Union Gas June Lindsay and Town of Halton Hills Recreation and Parks Director Tom Shepard. (Herald photo)

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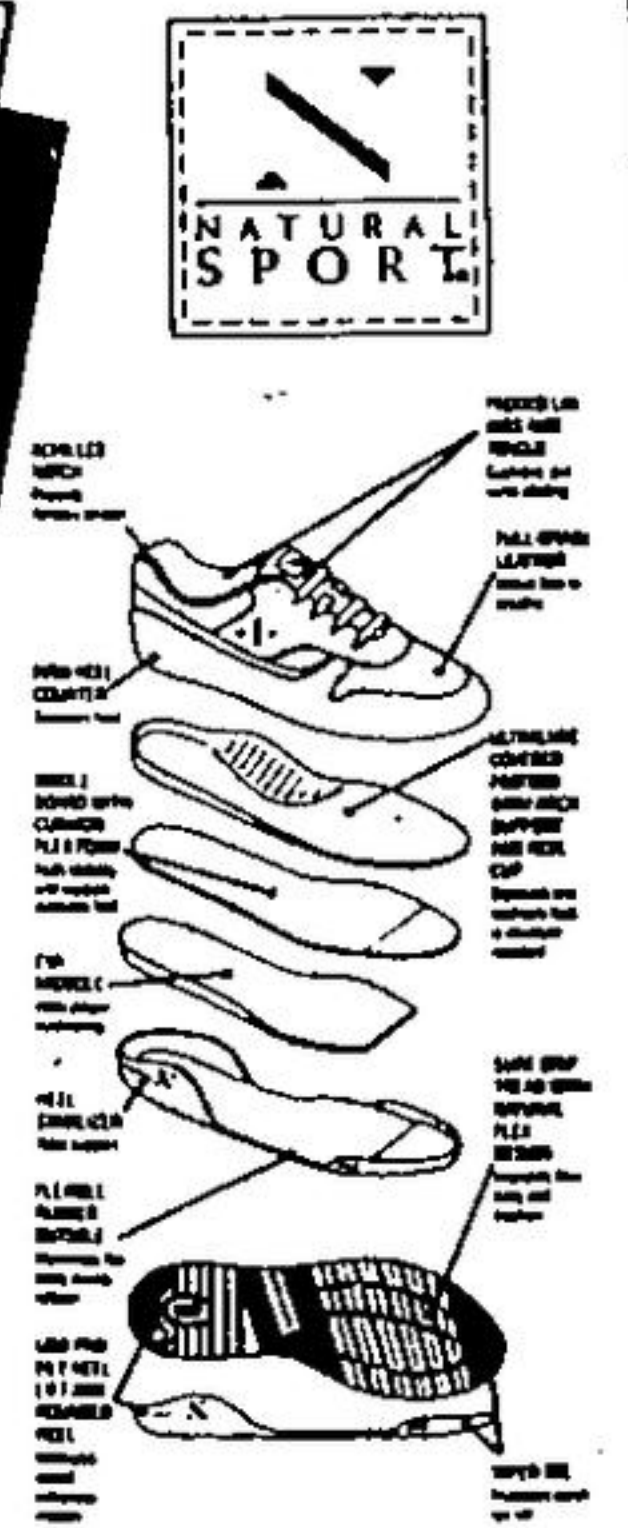
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