

Proposed by-law's wording challenged

By DONNA DANIELLI

While Milton residents didn't seem to object to the principle of a new business licensing by-law, it was the actual wording of the proposal that drew comments at a recent Administration and Planning (A&P) meeting.

The proposed by-law combines several existing by-laws into one and creates new licensing requirements for personal care services such as acupuncture, hair cutting, manicuring, electrolysis and more. "By-laws are written for three reasons," explained Licensing Administrator Selena Campbell.

"Health and safety, nuisance control and consumer protection."

Milton resident Ann Marie Furness, who offers part-time personal care services out of her home, questioned how the by-law would affect home businesses. "I'm confused, I don't know where I fit in," she told the committee. "Is this a way of earning more income tax?" Ms. Campbell was quick to respond that "the licensing of personal care services is for health and safety reasons and for consumers' protection. We are not trying to earn more income tax."

For Patrick Tierney, owner of Milton's new Microplay store, the wording of the by-law is already outdated. He sells secondhand games within his store and as such will fall under the licensing requirements in the by-law for secondhand dealers. Those requirements entail keeping a written record of all second hand goods bought and sold on his premises, a record he is already meticulously keeping on a computer system. "To do this on paper is 19th cen-

ture and we're in the 21st," he argued. "We have a point of sale system and security management in the store." Microplay uses digital photography as part of its record keeping process. "This would degrade the level of service I offer. It is onerous and would have a huge cost."

Local Golden Retriever breeder Stephen Baker took exception to the wording contained in the licensing requirements. He pointed to sections of the by-law which allow a Licensing or Animal Control Officer to enter a kennel at any time and gives the Licensing Officer the authority to suspend or revoke the licence of anyone suspected of behaving without "honesty and integrity". "This contravenes the Canadian Charter of Rights and Freedoms," he told the committee. "it gives the Town's agents powers in excess of those granted to the police... These are sweeping powers to be assigned to a by-law officer."

Dennis Durante, a scrap metal depot

owner, was puzzled by the section of the by-law which does not allow his business to accept any salvage from anyone under the age of sixteen. "We have kids that bring in aluminum cans," he pointed out. Fellow scrap dealer Steve Moffatt questioned the uniformity of the fencing required for those in his industry. "I believe each yard should be considered individually," he commented, adding that each property has a unique geography and may require different fencing needs. In his case he would have to spend upwards of \$150,000 to put up such a fence.

"I refer to these as sleeper by-laws," said Milton Mayor Gord Krantz. "You really don't know what the impact will be or how it will affect someone." All of the public comments were received by the committee and by Town staff and will be included in a draft of the by-law that is scheduled to be presented to Council in December.


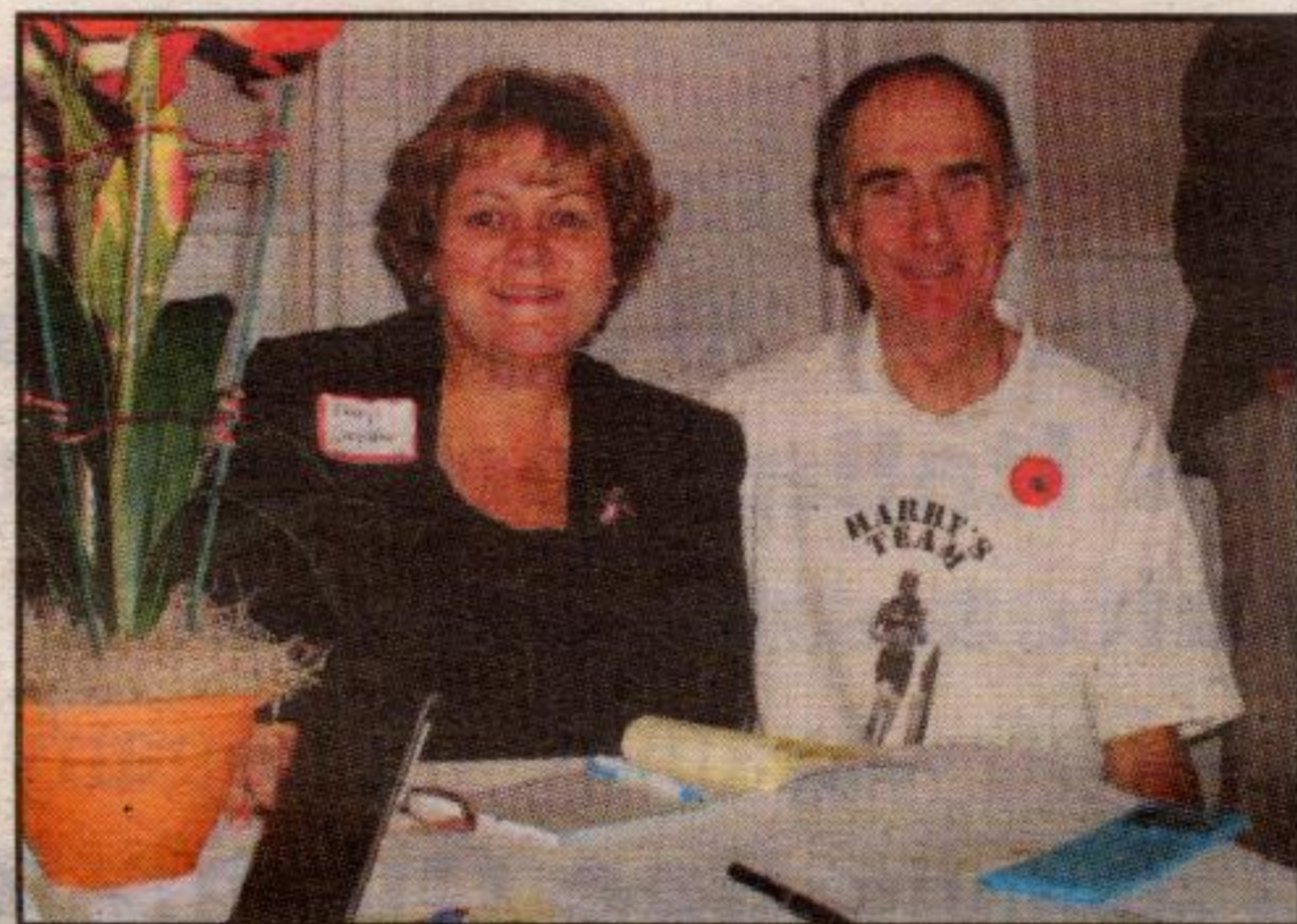
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Triathlete, Harry Barnes guest of honour in Milton

PHOTO BY JENNIFER ENRIGHT

Harry Barnes was the guest of honour at a recognition celebration held on November 14 at Hugh Foster Hall in Milton. As a triathlete, Harry is ranked top three in the world in the Olympic distance for those between 55 and 59. The 57-year-old athlete, who turns 58 on December 1, said thanks to his many supporters at the celebration, including Cheryl Crowder. Cheryl was selling t-shirts to raise money to cover Harry's training and travel costs.

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