

Norval bar contravened Liquor Act—AGCO

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Residents as well as private and public property in the village," said the board.

The board also found that "no substantive measures have been taken by the licensee (Nashville North) to respond to the residents' concerns...(has) been dismissive of the residents' concerns...(and) has attempted to place blame everywhere else."

Pauline Gladstone, a resident of Norval, who was a party to the hearing, told the board that once or twice on the weekends she is awakened by drunks staggering in the middle of the street past her home, hollering, screaming and being disruptive.

She said she has seen people having sex in her side yard and saw someone hit by a car on Hwy. 7.

She said the AGCO has a legal and moral responsibility to get the establishment and the situation under control.

Clayton Evans, of Norval, told the board about an incident two years ago in the middle of winter when he was awakened by someone thrashing in his mudroom at 3 a.m.

He said he found a 20-year-old man in a t-shirt with one shoe on, falling in a drunken state.

He said he called police who took away the man and three of his friends. The man told police he had been at Nashville North.

Anna Marie Carney said at the hearing she has seen inebriated young people calling cabs from the public phone booth in Norval and seen both males and females urinating against

Norval Convenience store.

The board also heard from AGCO inspectors and Halton Police officers who witnessed intoxicated patrons in the bar.

In response to concerns raised by residents about noise from the bar, Brian Mitchell, a security and operations consultant with Nashville North, told the hearing he purchased a decibel meter to monitor sound levels. He said readings he took in July showed decibel readings between 60 and 70— with 90 considered an acceptable level.

Mitchell also said, to his knowledge, no one had approached him or Nashville North about noise or any other concerns.

He said there is a problem with public transportation from bars in the area and the bar arranged a shuttle with a cab company, however, the company withdrew the service after one evening giving no reason why.

Mitchell said there was a problem with drinking in nearby McNab Park and stashing liquor on people's properties.

He also said there has been a past problem with teens in the area, and that the problem is ongoing. He added he believed that problem has something to do with people wandering on the street, the intoxication and property damage.

He also presented a petition in support of Nashville North, said there were no objections from residents to the original liquor licence, and that it's not likely beer or liquor bottles mentioned by the residents

come from Nashville North because door staff monitor patrons.

On Wednesday Mitchell declined to comment on the board decision but provided a typed statement from Nashville North.

It read that Nashville North "has responded to statements and allegations from the public and various authorities by retaining the services of Levitan Lawyers and Shiller Layton, Arbuck in Toronto."

"At no time has Nashville North been found guilty of any of the alleged charges past or present in a court of law. We have no comment on any statements or writings and place our trust and response in the hands of the legal process," read the statement.

It went on to say that Nashville North is in the process of filing with divisional court of Ontario and will seek a judicial review of all information to date.

After reading the AGCO decision Gladstone said Wednesday "it is premature to start celebrating."

"There are some final legal procedures to be followed prior to a conclusion to this whole matter," she said. "That decision could ultimately lead to an appeal in the courts."

Before a decision is made on the penalty to be imposed on Nashville North for the violations Gladstone and legal counsel for the AGCO have a chance to provide submissions followed by an opportunity for Nashville North to respond. After that Gladstone and AGCO counsel have a chance to reply.

—By Lisa Tallyn, staff writer



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