

# Restrictive pinball bylaw

## Managers ask, why us?

by Murray Moore  
Three managers of  
Midland businesses with

pinball games on the  
premises wonder what  
council was thinking of

when it passed a  
restrictive pinball  
bylaw Sept. 30.

None of the three  
businesses affected by  
the new bylaw, that  
requires a licence fee of  
\$100 a machine, to be  
paid to the town, has  
been contacted as of late  
this week by the town  
about the bylaw.

The common reaction  
to second-hand in-  
formation about the  
bylaw from the  
managers is, why me?

Affected by the bylaw  
are at least three  
businesses: Olympia  
Sports on Bay Street,  
and Pizza Delight and  
Bayshore Lanes on King  
Street.

Pinball and coin-  
operated games, both  
included in the bylaw,  
are installed in at least  
one other Midland  
business, but no other  
locations were men-  
tioned in the report of  
the bylaw enforcement  
officer when he made  
recommendations to  
council during the Oct.  
30 special council  
meeting.

Olympia Sports  
manager Danny Wood  
said yesterday he didn't  
know why council  
passed the restrictive  
bylaw, calling the  
licencing of individual  
machines an "utter  
disgrace." In his  
opinion machines were  
controlled before, in  
that authorities knew  
where they were and  
could check them at  
will.

He has the idea  
council was worried  
that premises with  
pinball machines would  
become "hangouts."  
Speaking for himself,  
Wood said in 15 years of  
business no complaint  
has ever been

registered with police  
from Olympia Sports.

Wood believes council  
got a bug in its ear after  
he went to the town with  
an idea in mind to open  
a large store on King  
Street. Part of the store  
would have been an  
arcade, he said.

None of the three  
businesses are sup-  
pliers, so none would  
have to pay the \$300  
annual fee specified for  
suppliers in the bylaw.

He questioned  
whether the council was  
trying to control the  
spread of the machines,  
or take in revenue.

"You'd think a place  
with nine machines  
would take in more than  
a place with four,  
wouldn't you? But it's  
far from being true,"  
Wood said.

Winter is the best time  
of the year in his case  
and his understanding  
of the bylaw is that he  
will have to close  
Sundays. He suggested  
he might have to layoff  
employees in those  
circumstances.

Bayshore Lanes  
manager Jim Paradiso  
was more puzzled than  
angry. Faced with  
paying \$100 each for 11  
machines, he admitted  
the possibility exists

that he might have to  
take them all out. "I  
just provide the space,"  
he said, "the supplier of  
the machines takes the  
money."

### Weekends

His machines are  
used mostly on  
weekends and after  
school, he said. They  
are "just something to  
do while bowlers are  
waiting for their turn."

His bowling alley is  
"clean, not a hangout at  
all." It takes a long time  
to make \$1,100 from the  
machines, he said.

Pizza Delight  
manager Maureen  
Leader thinks the \$100  
per machine fee is a  
"little heavy." She  
doesn't have any ob-  
jections to licencing per  
se, but, referring to  
Penetanguishene,  
where the licence fee is  
\$5 a machine, added  
that \$5, \$10 or even \$20  
seemed to be reasonable  
to her.

She made the  
distinction that her five

machines were video  
games. They are built  
to be sat around on  
chairs and played. Her  
young customers can  
eat and drink, sitting,  
while playing a game at  
the same time, she  
explained.

The machines are in  
most use at night. It  
would be hard to shut  
them off at a certain  
time, she said, adding  
the restrictive hours  
provision would be like  
telling some other  
businessman he could  
not sell a suit of clothes  
after 3 o'clock.

The bylaw includes a  
section saying pinball  
and coin-operated  
games may not be used  
on Sundays, and only  
between 11 a.m. and  
midnight the other days  
of the week.

Use of pinball and  
coin-operated games on  
Christmas Day, New  
Year's Day and Good  
Friday is also  
prohibited under the  
bylaw.

## Judge feels bylaw unfair

Penetanguishene's  
present pinball bylaw  
makes clear it does not  
apply to businesses that  
operate with a licence  
from the Liquor Licence  
Board of Ontario.

The bylaw previously  
did not contain such a  
section. It was added to  
the bylaw when the town  
became aware that a  
clear possibility existed  
that the bylaw could be  
successfully challenged  
in court.

But when a  
Penetanguishene bu-  
siness was taken to  
court under the present  
bylaw, the judge, says  
town clerk Yvon Gagne,

would not register a  
conviction because the  
bylaw is in its present  
form, in the judge's  
opinion, discriminatory.  
At the moment the  
case is under appeal to a  
higher court.

Council's motive in  
requiring pinball and  
coin-operated games to  
be licenced was  
grounded in a concern  
about the local youth,  
who might be attracted  
to hanging out where the  
machines are available,  
said the clerk.

Gagne estimates  
there are between five  
and 10 of the machines  
in the town.

A survey revealed  
fees of \$5 per machine  
are charged in Tot-  
tenham, Aurora,  
Barrie, and either \$5 or  
\$10 in Beeton, he said.

Penetanguishene's  
pinball bylaw requires a  
licence fee of \$5 per  
machine. They are not  
to be turned on Sundays,  
only between 9 a.m. and  
11 p.m. on Saturdays  
and only between 1 p.m.  
and 11 p.m. on week-  
days. Holiday hours are  
9 a.m. to 11 p.m.

The machines are not  
to operate on Good  
Friday, Christmas or  
New Year's Day, in  
addition to never on  
Sunday.

## Booster club won't use lounge

by Ken Regan

Regular meeting of  
Penetanguishene Arena  
Parks and Recreation  
Board was held Wed-  
nesday night and most  
items on the agenda  
were handled without  
much discussion  
needed.

A request by Murray  
McConnell, President of  
Penetang Junior Kings,  
to use the arena lounge  
following Friday night  
hockey games as a  
meeting place for a  
proposed Kings booster  
club, was voted down by  
the board.

At the same meeting  
the contract between  
the Penetanguishene  
Junior "C" Kings for ice  
rental was accepted by  
the board and renewal  
granted.

One item which did  
create some lively  
discussion, dealt with a  
letter from  
Penetanguishene Clerk  
Yvon Gagne in which  
Gagne mentioned a  
strip of lakefront road,  
along the waterfront  
was being looked at by  
Planning Board to  
determine whether the  
road which is presently  
strictly a "park road",  
might serve better as a  
"full-fledged legal  
road."

In the letter, Gagne  
states, "When the  
Waterfront park was  
opened, it was the intent  
that the "lakefront  
road"... would be  
strictly a park road that  
could be opened and  
closed at the whim of  
the Parks Board."

### Road

Gagne said the town  
felt the road might solve  
some access problems  
which have developed  
since the initial ruling  
on its status, if it were  
converted to a complete  
legal road.

Board member, Ray  
Baker saying he was  
speaking from a public  
works viewpoint said,  
"This is a road in  
everything but name...if  
converted, Public works

would grade it...and  
we'd like to see it as a  
road."

### Cenotaph

In other board mat-  
ters, it was decided to  
postpone a decision on a  
letter from Town Clerk,  
Yvon Gagne suggesting  
a facelifting of the  
Penetanguishene  
Cenotaph. In his letter,  
Gagne said the town had  
been working in con-  
junction with Penetang  
Legion, Branch 68, to  
come up with some way  
to make more room for

memorial gatherings  
and receiving official  
visitors to the town.

He said in the course  
of discussion, it was felt  
a landscaping of the  
Cenotaph area to allow  
for a new one, might be  
in order.

Following several  
minutes of discussion,  
the board decided to  
reserve comment until  
further meetings be-  
tween the Board, the  
Legion and the town  
could be held to look at  
all possible alter-  
natives.

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