

VICTOR J.P. VERI

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March 22, 2012

To: ALL MEMBERS OF HAMILTON COUNCIL

**Re: Subject Report Number:
Licensing of Metals (PED 10075(b)) (City Wide)**

I am submitting my thoughts in writing regarding the indexed matter because, as I was recorded to speak at the meeting, I was unable to attend because of another commitment being held at the same time. I did run between the two sessions but the timing would not allow me to speak to the committee on this matter when it was discussed.

I will try to be brief and to the point. At this time, I feel the need to not give you in depth, complex details. If this by-law becomes approved, I shall proceed to bring an application under Section 273 of the Municipal Act to seek to have the by-law quashed.

I believe this by-law provides **conflicts** (Municipal Act Section 159).

This proposed by-law is **discriminatory** in nature because it allows some hotels and motels to be exempt from obtaining a licence and thus avoid all expenses forced upon others who are not exempt. This is not a level playing field. There is a "**double standard**" being applied here.

Council would be wrong in allowing to authorize the "Issuer of Licenses" to prescribe the content of any forms or other documents required under Schedule 3. There is an obligation whether morally and/or legally for Council to have more control in these matters. Council cannot just abrogate its authority to non-elected persons when dealing with such matters. Conditions imposed could have severe and adverse affects upon the targeted businesses. These targeted business could face harmful expenses in order to try and meet any such conditions ultimately causing those entrepreneurs to close their doors or sell out at a reduced real estate value because of these conditions imposed.

Is this what council really wants to institute?

This city has been promoting that "it is **open for business**" and wishes to welcome all to come and establish their enterprises. By passage of this by-law, it will send a different message to all. It will

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promote a message to stay away from Hamilton because once you're here, the City will attempt to regulate so much that you wish you never came here in the first place. Businesses need assurances and comfort. What they don't need is more government controls. As an entrepreneur, I can tell you that this by-law will do the City **more harm than good** in the short and long term.

Council as a whole needs to step back a moment or two and analyse the true situation. Is this by-law something the City really "**needs**"? Or is it something some members of Council "**want**". There are many existing provisions and processes presently afforded to Council to properly address all the concerns so mentioned in the report.

I truly believe that this by-law was advanced because of the "grand standing" by Councillor Sam Merulla to maintain his media exposure in his Ward especially , and thus ensure better chances to win in the next municipal election. Let us call a "spade a spade". This is the only reason for this by-law to be before Council. It is before Council for the wrong reasons.

This by-law, as written, will be open for much legal debate in the future. It will be challenged and the City has the most to lose, I am sure of it.

I, Victor J. Veri, am 100% opposed to the passing of this by-law. There is absolutely no need. Again I say, use what you now have in place to rectify any raised concerns in the report, or in the Hamilton Spectator. This City will be watched very closely by many in how it decides to deal with this matter. Please be careful. May I wish all the members of Council good health.

Yours sincerely,

Victor J. Veri