

SUNDAY SHOPPING

Final vote Tuesday will not end debate



BUSH

Passage of the vote is assured but the hot issue will now move to the arena of local politicians across Ontario.

By Gordon Sanderson
Toronto Bureau

TORONTO — The great Sunday shopping debate is almost over in the Ontario legislature, but for local politicians across the province it is just beginning.

Legislation making municipalities responsible for regulating stores hours on Sundays and holidays within their own communities will be called for third reading and final approval Tuesday.

It will be a landmark vote, ending three years of political wrangling. Its passage is virtually assured by the 94-member Liberal majority. Opposition parties are predicting some government back-benchers are unhappy with the new laws and will be conveniently absent.

OUTNUMBERED: Even so, the battle-weary band of 19 New Democrats and 17 Progressive Conservatives opposing the bills will be hopelessly outnumbered, and they have run out of procedural delaying tactics.

But while the fight may be ending in the legislature, a province-wide coalition of business, labor, churches and civic groups say some of the bill's provisions may be challenged in the courts.

Gerald Vandezande, spokesman for Citizens for Public Justice, said a reworded section of the Retail Business Holidays Act violates the Charter of Rights by re-

WHERE THEY STAND

	<p>PREMIER DAVID PETERSON: Proponent: Allowing municipalities to decide is much better than having the government dictate a province-wide rule. The law won't create a domino effect that will lead to wide-open Sunday shopping. "Nobody's telling London to open or St. Thomas or Woodstock or anywhere else."</p>
	<p>TORY LEADER ANDY BRANDT: Opposed: Leaving Sunday shopping to local option will lead to wide-open Sunday shopping because "economics does not recognize municipal boundaries." Previous Sunday shopping legislation was working "not too badly" and a legislature could have made it work.</p>
	<p>NDP LEADER BOB RAE: Opposed: Sunday shopping will force thousands of employees to work on Sunday. "The Sunday shopping debate has little to do with religion. It's not about the blue laws. It's a debate about our families, the availability of time for workers to see our families on the weekend."</p>
	<p>LONDON MAYOR TOM GOSNELL: Opposed: Giving municipalities the option to regulate Sunday store hours is a manoeuvre by the province to shirk its responsibility. "It is simply naive to think that the municipality that chooses to remain closed to Sunday shopping can effectively compete if neighboring municipalities are open."</p>

quiring store owners to state religious reasons for seeking exemption from the Sunday restrictions by closing on another day.

Meanwhile, despite the firestorm of protest that has dogged

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SHOPPING: Debate may be far from over

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the Liberal government since the widespread Sunday shopping abuses of pre-Christmas 1985 and the expense of public hearings by three different travelling task forces, most Liberal MPPs are expected to follow the lead of Premier David Peterson and vote for the new law.

Approval is also certain for a companion Bill 114 containing amendments to the Employment Standards Act the government says will give retail workers the right to refuse Sunday work and protect them from reprisals.

ONLY A FORMALITY: After that, only the formality of royal assent is needed to put the changes into effect. This is expected to take place Feb. 16 when Lieutenant-Governor Lincoln Alexander gives the nod to government bills in a time-honored session-ending ritual.

Ontarians who fear that the municipal option will lead to wide-open Sundays and destroy family life have swamped their MPPs with an avalanche of petitions protesting the move.

It has been one of the longest, most divisive issues faced by the Peterson government since it came to power in 1985, ranking in intensity but lasting longer than the doctors' fight over legislation banning extra billing.

Once the law comes into effect, the government is hoping the issue will die down as citizens discover nothing much has changed. It is, however, the long-term effects that worry prominent church leaders such as Cardinal G. Emmett Carter of Toronto.

Despite the months of emotional rhetoric, few people outside those involved in the legislative process, fully understand the fine print of the new legislation.

Solicitor-General Joan Smith, MPP for London South, whose ministry drafted the changes, says

local ratepayers for the first time will be able to voice their opinions before municipalities decide to make Sunday shopping decisions.

Under the existing law, more than 100 municipalities have used a loosely-worded "tourist exemption" to allow a great variety of stores to open without consulting local citizens.

From now on, councils will be required to hold public hearings, advertise the event and give everyone who shows up an opportunity to be heard.

"Local people know what they want, whether they are in London or Brantford where they seem to prefer a closed situation, or whether they are in Sault Ste. Marie where they prefer more open Sunday shopping," Smith said during debate. "This is the first time they have an option to speak to a council before it can act."

TOURIST EXEMPTION: Municipalities such as Sault Ste. Marie and Belle River, in Essex, that have allowed local stores to open Sundays under the existing tourist exemption, have until January, 1994, to pass new bylaws confirming or altering the practice.

In areas governed by a metropolitan, district or regional council, Sunday retailing decisions will be made by a majority vote of the participating municipal representatives.

There is a special reference in the new law to the County of Oxford where eight municipalities, including Woodstock and Ingersoll, will have to decide on a group basis what Sunday store hour rules they wish to apply on a county-wide basis.

The new provincial statute limits Sunday operation of drug stores to those with less than 696 square metres (7,500 square feet), but with no limit on the number of employees. Drug stores over that size limit that are now operating Sundays have one year to conform.

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What the Sunday shopping law means to you.

Where area communities stand.

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