

*Court upholds Ontario store-closing law*

## Sunday shopping ban brings relief, dismay



**CLOSING CALL:** Leigh Beaver, sales manager at Nabor's Paint and Wallpaper Centre on Queen St. E., will close her store Sunday after yesterday's decision.

By Peter Cheney  
and Paula Todd  
TORONTO STAR

A court decision upholding controls on Sunday shopping has been received with both anger and joy by Ontario residents.

"Hallelujah," Ontario Federation of Labor president Gord Wilson said on hearing the news.

"I think it's a shame," said Ron Surgeon, 42, an assistant hospital administrator in Listowel, interviewed in the Eaton Centre hours after the decision. "People should have the freedom of choice."

In a unanimous ruling yesterday, the Ontario Court of Appeal upheld the province's Retail Business Holidays Act, which requires most stores to close on Sundays and official holidays.

**'Pressing' need seen for Sunday law/A3**  
**The Star's view/A22**

Premier Bob Rae vowed to strictly enforce the revived Sunday closing law — and to introduce even tighter controls to limit Sunday shopping and protect workers.

Solicitor-General Mike Farnan will issue a directive to all police officers to begin laying charges this Sunday against stores that open illegally, he told reporters yesterday.

"The law has just been declared constitutional," Rae said outside the Legislature yesterday. "A law is better than no law. This is a law that we are going to be enforcing, (but) we want to improve it."

The legal challenge to the law was launched in late 1989 by the Committee for Fair Shopping, which represents the largest grocery chains in the province.

Committee spokesperson Tim

Please see SUNDAY/page A24

## Buffalo awaits shopper 'bonanza'

Buffalo retailers are already counting the dollars.

"There's going to be more Canadians shopping in Buffalo than ever," said Buffalo Chamber of Commerce spokesperson Ken Peterson.

Yesterday's court decision banning Sunday shopping in Ontario "certainly will be

perceived as an opportunity," Peterson said.

"It does represent a bonanza."

There's no way to determine just how many Canadians come to Buffalo to shop, but the number is clearly high, Peterson said.

"If I were in the shoes of an Ontario merchant, I would feel very concerned about the long-term prospects of doing business."

A24 Thursday, March 21, 1991 THE TORONTO STAR ★★

## Sunday shopping decision greeted with relief, dismay

Continued from page A1

Danson said it would be up to the committee to decide whether to appeal the ruling.

Frieda Heard, a retired Hamilton resident, said she's delighted with the decision because it forces people to have family time. "Sunday shopping isn't necessary," she said. "Mothers and fathers and children need that day off to be together."

Lily Borgiani of Etobicoke said the court decision is a bad one.

"I loved having the option of shopping on Sunday. Now people like me will just have to motor down to Buffalo more often. This decision means that Ontario merchants will lose out again and shoppers will be inconvenienced."

"I think it's tremendous," the labor federation's Wilson said.

Sunday shopping was simply a merchandising ploy launched by big retail chains eager to grab business from small operators, he said. Store employees, denied a common pause day, were left to suffer, he added.

In other reaction:

□ K-Mart spokesperson Jim Ingram said the retail chain was "not unhappy" with the decision and plans to obey the law. "No one has ever determined that seven-day-a-week shopping made the best sense economically. We don't have a problem with closing on Sunday. But if our competitors don't obey the law, we will have to respond."

□ "The decision to again restrict retail shopping on Sundays is unfortunate for Metro's tourism industry," said Bill Duron, president of the Metropolitan Toronto Convention and Visitors Association. "It is inadequate and inequitable that only shops in tourist-designated areas can open on Sundays while, for example, Canada's Number 1 tourist attraction — the Eaton Centre — is excluded."

□ An Anglican Church spokesperson said he was gratified by the ruling.

"The law may need to be improved but reinstating it is a positive thing," said Rev. Tim Foley of the Anglican Diocese of Toronto.

□ Bob Murphy of the United Food and Commercial Workers union said his membership will be delighted. The 44,000-member union will now seek to remove a provision in the law that gives municipalities the option to allow wide-open Sunday shopping, he said.

□ Frank Dimant, executive vice-president of B'nai Brith, said his organization supports the concept of a common day of rest, but is concerned that religious minorities are ignored by making Sunday the standard.

"Sunday is not necessarily the best day for everyone."

□ "We are very disappointed with the court's ruling," said Barry Agnew, vice-president of sales promotion for The Bay and Simp-

sons. "Sunday hours have given all retailers a badly needed boost in this tough economic climate."

Agnew said the decision will result in a significant reduction in work hours for 2,470 Bay, Simpsons and Zellers workers.

Farnan said the government has been buoyed by the ruling.

"We are delighted with the court decision. I think it gives us a very strong hand," he told reporters.

"We will enforce the law and we expect stores to obey it starting this Sunday and on the holidays, or suffer the consequences. We hope to bring forward amendments as soon as possible to make the law even better and to protect workers."

Under the act, stores face fines as high as \$50,000 if they open illegally.

Rae said cabinet has yet to approve specific changes to the Sunday shopping law.

The government is promising broad consultation on proposals such as ways to protect workers, including possibly the right to refuse Sunday work and ways to help border towns cope with American competition.

Rae said he favors Sunday as the provincial pause day, with exemptions for store owners who close on different days for religious reasons.

□ With files from Lisa Priest, Frank Calleja, Bob Mitchell and Rita Daly.