September 17, 2007

Chair and Members
Economic and Planning Committee
City of Hamilton
C/O Alexandra Rawlings

Re: Dog License Late Fee

I would like to request the opportunity to meet with the committee to explain my concerns. This may seem like a trivial matter but I do believe that the late fee charged for dog license renewals is discriminatory and possibly illegal. It should be reduced.

No one would argue against charging a late fee for failure to pay a bill on time but that fee should be reasonable.

The annual dog license fee in Hamilton is $26. Failure to pay it on time results in a penalty of $15. That is a 57.7% increase even if the fee is one day late. That comes to over 21,000% or more if annualized.

A comparison with other late fees reveals that this penalty is out of line with other departments in the City of Hamilton and other organizations. Below is a comparison:

| City of Hamilton property tax penalty | 1.25% per month |
| Horizon Utility                      | 19% per annum pro rated |
| Union Gas                           | 1.5% per month |
| Cogeco Cable                        | 2.0% per month |

Pet licenses are substantially higher. That, in my opinion, is discriminatory and unfair.

It might be argued that the higher penalty for dog licenses has been set because the initial amount of $26 is low. Charging 2% per month would not provide much revenue or act as a deterrent. After all, that penalty only amounts to $.52. However, my son was a little late paying his cable bill and was assessed a late fee of $1.00.

In addition, a large flat amount late fee actually declines in annualized percentage. Someone paying their fee one day late is charged a much higher rate than someone paying six months late. That too is unfair. Furthermore, the amount assessed is so large relative to the actual fee itself that it may result in even greater non-compliance. It may be self-defeating.

Finally, is the amount being charged legal? The Supreme Court of Canada found that Consumer’s Gas was in violation of the Criminal Code of Canada and that it was charging criminally usurious rates with a late penalty of 5% per month. The city legal advisor has read this decision but refuses to comment on its applicability in this case. See Garland v. Consumers’ Gas Co., [2004] 1 S.C.R. 629, 2004 SCC 25

Thank you for taking the time to consider my request

Yours truly

Marvin Ross
June 20, 2007

City of Hamilton
Planning Committee
City Hall, 71 Main Street West,
Hamilton, Ontario. L8P 4Y5

Re: Request for meeting

Dear Sir:

M&M Tables, located at 151 Upper Centennial Parkway and owned by Michael Tellerd, would like to request a meeting with the planning committee.

M&M Tables is located directly north of the new plaza at Upper Centennial Parkway and Highland Road and has many unresolved issues with the building department and the construction of the Highland plaza.

The previous council was incorrectly advised by councillor Phil Bruckler, that M&M Tables concerns were taken care of and that the issue was closed. This, in fact, was not the case as M&M Tables was never informed of Phil Bruckler's decision.

The property is now six feet lower than the level of the new plaza and that has caused many problems including but not limited to:

- Concerns for flooding of the property due to the elevation differences
- Concerns regarding the potability of the water from M&M Table's well
- Fencing destroyed during construction which has never been repaired or replaced
- Main drain ductwork installation on M&M Table's property without permission
- Reduced visibility of M&M Table's customers approaching from the North and signage has been rendered ineffective
- Safety issues resulting from plaza driveway
- Vandalism resulting from people partying behind plaza late at night
- Snow drifting and removal is a big issue
Accordingly, M&M Tables would like to appear at your planning meeting to express our concerns and hopefully have the issues resolved. Mr. Brad Clark has visited our business and is aware of our concerns.

If you have any questions or require further clarification, please do not hesitate to contact the undersigned.

Yours truly,
M&M TABLES

Mike Tellerd, President

cc: Councillor Brad Clark  
    Councillor David L. Mitchell 
    Councillor Maria Pearson
March 5, 2007

**Impact of Development on adjacent property on Upper Centennial Parkway**

**ISSUES:**

1. The fence between the mall and M&M Tables was damaged during construction of the mall and needs to be repaired or replaced.

2. M&M Tables has lost their highway exposure – traffic cannot see M&M Tables when driving north on Upper Centennial Parkway until they are almost past the property itself.

3. Snow is being plowed onto the property line and dumped over the fence, melting on M&M property.

4. The retaining wall has had major impact on the problem of snow drifting. During the last snowstorm, there was a 7 ft. drift at the side of M&M Tables, completely blocking the side door, all the driveway and completely covering a full-size pickup truck. Snow removal required the rental of a Bobcat.

5. Accumulation of garbage from the mall next door requires manpower and time for clean up.

6. Loud, destructive behaviour from patrons of licensed establishments including throwing bottles/cans and garbage. There is no security or policing in place.

7. Two berms constructed at the back end of mall have become dumping grounds for unknown substances that leach onto M&M property (plan shows only one berm – why are there two?) Rain runoff from these berms is very problematic.

8. The “green space” between M&M Tables and the mall property at the entrance on Upper Centennial Parkway is eroding onto M&M Tables parking lot.

9. Difficulty with identification of driveways, due to their close proximity to each other.
10. The exit immediately to M&M Tables property was to be for right-turns only. A curb island was to be installed ensuring only right-hand turns. After construction, this curb island was altered allowing both right and left turns. Additionally, there was to be a "Right turn only" sign installed but to date, this has not been done.

SOLUTIONS:

1. Removal of M&M Tables existing retaining wall and relocate blocks to rear of M&M Table property, as per our instructions and repair or replace the damaged fence

2. New roadside sign for M&M Tables (10' x 10')

3. Reface M&M Tables existing sign (16' W x 12' H x 6' off ground)

4. Advertising budget subsidy for next 3 years to offset loss of highway exposure

5. Snow removal or reimbursement of snow removal costs

6. Provide city water hookups (well has been compromised with runoff from mall)

7. Mall needs to provide late-night security

8. Berms require proper drainage system in place. As well, the "green space" implemented at the entrance to the mall on Upper Centennial requires better drainage

9. Improvement of culvert on Upper Centennial Parkway

10. Widen M&M Tables driveway for ease of traffic

11. Repair and widen shoulder as there is a problem with customers missing M&M Tables driveway and then walking from mall parking lot back to M&M Tables along the shoulder. This is an extreme safety issue which needs to be addressed

12. Install proper curb island to prevent left-hand turns onto Upper Centennial Parkway from the mall parking lot. Install a "No Right Turns" sign also