

Lincoln residents protest 'backyard invasion' bylaw

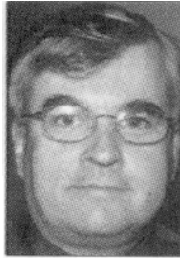
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LINCOLN

One man's backyard trash and treasures could soon run afoul of a clean-yard bylaw in Lincoln, and that's got a lot of residents upset. Calling the proposal a "backyard invasion by-law," residents handed the town's corporate priorities committee a petition signed by more than 1,300 people denouncing the measure Monday.

About 75 people attended Monday night's public meeting, most supporting petitioners who say the bylaw would violate privacy and property rights.

Under the proposal, the town would inspect properties and regulate "matters of public nuisance," including cleaning and clearing of waste and debris, the use of land for storing used motor vehicles and drainage and flood control issues. Based on complaints, a bylaw enforcement officer would contact a property owner to fix a problem. If an offender didn't comply, a formal order could be issued. Individuals would have the right to challenge a charge in court.

Many residents said the enforcement procedure is too



FOSTER is subjective because it's difficult to judge what constitutes an acceptable amount of leaves, compost or other piled materials, or whether an old car is junk or a work in progress. Several letters said the law could pit neighbour against neighbour.

"It suddenly went from being a non-issue to being a huge issue," said Councillor Rob Foster. Suggesting the committee "go back to the drawing board," Don Eastman of Beamsville warned: "Bylaws enforced by whim or vendetta are inherently wrong."

After the town's solicitor, Josephine Matera, said the town has the jurisdiction and authority to pass and enforce the bylaw, Councillor Wayne MacMillan proposed a citizens group, along with committee members, oversee revisions.

Residents hoped to get clarification of certain terms, such as what constitutes "waste," and more specific details concerning the context in relation to rural versus urban esthetics.

Town staff will review the public's concerns and report to the next committee meeting March 22.