

Mayor won't comment on charge

Owen Sound Sun Times

November 7, 2012

South Bruce Peninsula Mayor John Close declined to comment on a criminal charge of obstruction of justice that has been brought against him.

On Tuesday, during a break in the first council meeting since he was served notice of the charge on Oct. 19, Close walked away and left the council chambers when a Sun Times reporter asked him for comment on the charge. Previous phone calls to Close seeking comment about the matter were not returned.

The charge was brought against Close after Sauble Beach resident John Strachan alleged that the mayor obstructed justice by instructing the bylaw enforcement officer to not enforce the town's dynamic beach bylaw against Joe Szewczyk, who owns a property on the beach.

Strachan claims Szewczyk has been driving on the beach, which under the town's dynamic beach bylaw is prohibited. The bylaw also bans camping, consuming alcohol, cooking and setting fires on the beach.

Just last week the town announced it had received two legal opinions that the bylaw did not apply to private property unless permission is received from the property owner. In a news release the town announced it would not be enforcing the bylaw on private property.

Szewczyk owns a property along with Sauble Beach Development Corporation between 5th and 6th streets and roughly 316 feet west of Lakeshore Blvd.

The property has been the subject of protests over a locked gate that was built on the property. A group of neighbours from a nearby subdivision called Pine Grove Park claim an 80-plus-year-old covenant in their deeds grant them the authority to direct what may happen on the privately owned section of the beach, which is within the old subdivision boundary. A committee was formed and directives were established saying "it is not in the best interest of the lot owners in Pine Grove Park (Sauble Beach) and the beach welfare in general to allow any vehicular traffic on the beachfront" between 5th and 6th streets and bounded from Lakeshore Blvd. to the lake.

Close's first appearance in provincial court is scheduled for Nov. 15 at 9:30 a.m. The case was sent from the Crown attorney's office in Owen Sound to the Office of the Director of Crown Operations for West Region in London for assignment. When asked Tuesday if the case had been assigned, David Foulds, counsel for the London office, said "there is nothing to say."