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Municipality of North Perth

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January 30, 2012

Mayor and Council
Municipality of North Perth

FOR IMMEDIATE RELEASE:

ONTARIO COURT OF APPEAL DISMISSES SCOTT APPEAL AND
AWARDS COST TO THE MUNICIPALITY OF NORTH PERTH

In June 2011, Justice D.R. McDermid in his Reasons for Judgment in *Scott v. North Perth*, dismissed the action brought forward by Mr. Ronald Scott against the Municipality of North Perth. Justice McDermid ruled the action by Mr. Scott to be “frivolous, vexatious, and an abuse of the process of the court”.

Mr. Scott was seeking to declare part of the Municipality’s Comprehensive Zoning By-law invalid, and also a declaration allowing him to operate an adult products store in the Municipality of North Perth in a properly zoned area. As a result of the original ruling and the appeal being dismissed, the Court has upheld the North Perth Zoning By-law.

Justice McDermid, on November 10, 2011, awarded the Municipality of North Perth \$15,000 plus \$500 and GST/PST/HST for disbursements on a full indemnity basis, payable immediately by Mr. Scott.

Mr. Scott appealed this decision to the Court of Appeal for Ontario. The Court of Appeal for Ontario dismissed the Appeal for Delay on January 6, 2012 and awarded the Municipality an additional \$750.00 plus interest for cost incurred.

To date, the award of cost to the Municipality totaling \$18,265 plus interest remains unpaid.

For more information please contact Chief Administrative Officer, Kriss Snell at (519) 292-2040 or ksnell@northperth.ca.