

AMO Policy Update – Codes of Conduct, Changes to Visible Fees, and Fees Charged to Beverage Producers

AMO Calls for Legislation to Strengthen Municipal Codes of Conduct and Enforcement

At its meeting on March 24th, 2023, the AMO Board reaffirmed its recommendations to the Minister of Municipal Affairs and Housing to strengthen municipal Codes of Conduct and compliance. AMO has written to the [Minister](#) and to the [Premier](#) to request new legislation to enact the recommendations.

In 2021, AMO was asked to provide [recommendations](#) to the Minister to strengthen the application of municipal Codes of Conduct for elected officials. AMO supplied a number of strong recommendations to the Minister including:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime that could be adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner

On March 24th, 2023, the Board also approved a further recommendation to prohibit a member removed through application to a judge from running for election in the term in which removed and the subsequent term of office.

AMO's Board believes that ethical behaviour and respectful civil discourse are fundamental to continued public faith in democracy. The Board further believes that the current tools available to municipal councils to ensure such ethical behaviour and respectful discourse are inadequate and do not meet public expectations. The Board has called on the government to release the results of its 2021 consultations and to work in partnership with AMO and municipal governments to legislate the recommended changes.

AMO has provided [sample resolution text](#) for councils that wish to lend their support to this call.

Requirement related to visible fees removed from all Resource Recovery and Circular Economy Act, 2016 Regulations

The Ontario government has amended the regulations for tires, batteries, electronics and hazardous and special products under the Resource Recovery and Circular Economy Act, 2016 (RRCEA) to remove promotion and education requirements related to visible resource recovery fees ([RPRA's announcement](#)). These changes were not consulted on, but we do understand that a number of business associations like the Retail Council of Canada have advocated for their removal.

The use of visible resource recovery or ecofees have been a concern for municipal governments since [issues related to their use in 2010](#) lead the government to dismantle a substantial proportion of the household hazardous waste stewardship program. As a result, the provincial government downloaded costs back to municipal governments.

Requirements on the use of visible fees have been in place since 2018 for tires and were added for batteries, electronics, and household hazardous waste products at the beginning of the year. The latest changes remove all consumer protection provisions and come just after concerns were raised by the Toronto Star about proposed new visible [fees on beverage containers](#).

The Canadian Beverage Container Recycling Association's (CBCRA) fee structure to be implemented June 1, 2023

CBCRA has released its [plans to start charging fees](#) to beverage producers on June 1, 2023 (see table below). These fees will apply to all sealed and ready to drink beverage containers made from glass, paper or rigid plastic (e.g., pop, water, dairy, juice). CBCRA's communication materials are clear that whether or how the costs might be passed through are at the discretion of producers.

Material Type	CRF (\$/unit)
Aluminum	\$0.01
PET Plastic 0-500ml	\$0.02
PET Plastic > 500ml	\$0.03
All other plastic containers	\$0.03
Bi-Metal	\$0.03
Glass	\$0.03
Polycoat (gable tops, drink boxes)	\$0.03

Figure 1: Chart comparing material types to Container Recycling Fees (CRF) in dollars per unit under the new fee structure to be implemented on June 1, 2023.

CBCRA expects to raise \$63 million in funding through these fees in 2023 and \$84 million in subsequent years. They project roughly half the costs will be spent on promotion and education and purchasing new public space recycling bins.

Municipal governments will want to be prepared to answer questions from residents if these costs are passed through directly to consumers, especially given the costs may be well before all municipal governments transition their blue box programs and well before any improvements to the system are seen.

Municipal Councils will need to consider how they may answer questions about any savings realized from no longer being required to fund blue box programs once transition is completed in your community.

The Beverage Association has noted they are working with the Retail Council of Canada on a promotion and education campaign for consumers. AMO will work to obtain greater information on this plan.

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