

EXTRACT OF DRAFT MINUTES 2
FINANCE AND ECONOMIC
DEVELOPMENT COMMITTEE
5 MARCH 2019

EXTRAIT DE L'ÉBAUCHE DU
PROCÈS-VERBAL 2
COMITÉ DES FINANCES ET DU
DÉVELOPPEMENT ÉCONOMIQUE
LE 5 MARS 2019

OFFICE OF THE CITY CLERK AND SOLICITOR

LEGAL SERVICES

COMPREHENSIVE LEGAL SERVICES REPORT FOR THE PERIOD JULY 1
TO DECEMBER 31, 2018

ACS2019-CCS-LEG-0001

CITY WIDE

REPORT RECOMMENDATION

**That the Finance and Economic Development Committee and Council
receive this report for information.**

The report recommendation was considered during the consent portion of the
meeting and Committee proceeded to consider the following motion moved by
Councillor A. Hubley :

FEDC MOTION No. 2/4

Moved by: Councillor A. Hubley

**WHEREAS the Association of Municipalities of Ontario (AMO), in an
August 2018 statement, said that, “The principle of joint and several
liability is costing municipalities and taxpayers dearly, in the form of rising
insurance premiums, service reductions and fewer choices”; and**

**WHEREAS these significant, negative consequences arising from the
principle of joint and several liability, also referred to as the “1% Rule” are
being felt by the City of Ottawa in the same manner as all other Ontario
municipalities; and**

WHEREAS Ottawa City Council, by way of a resolution passed on August

25th, 2010, has previously endorsed AMO's efforts to seek joint and several liability reform in Ontario through changes to the provincial *Negligence Act*; and

WHEREAS the Premier of Ontario recently announced that his government is launching consultations on reforming joint and several liability in the Province; and

WHEREAS both AMO and the Association of Municipal Managers, Clerks and Treasurers have stated that reforming the 1% Rule "could save the municipal sector \$27 million in insurance costs"; and

WHEREAS changes to the principle of joint and several liability are necessary to bring Ontario more in line with other provincial jurisdictions that have moved to protect municipal taxpayers from being targeted as "deep pocket" defendants;

THEREFORE BE IT RESOLVED THAT the Finance and Economic Development Committee recommend that City Council advise the Provincial Government of its support for reforms to the principle of joint and several liability in Ontario that would provide fair compensation to seriously injured persons while also protecting municipal taxpayers from having to bear a disproportionate share of the responsibility for providing that compensation; and,

BE IT FURTHER RESOLVED THAT the City Clerk and Solicitor be directed to provide the Finance and Economic Development Committee with a future update on the Ontario Government's consultation process, once more is known about it.

CARRIED