

# MOTION



North Bay, ON

May 4, 2021

**Subject:** Joint and Several Liability Insurance

**File No.**

**Res.** 2021-\_\_\_\_\_

**Moved by Councillor:** Tanya Vrebosch

**Seconded by Councillor:** Bill Vrebosch

Whereas for years municipalities have asked the Province of Ontario to address the issue of joint and several liability;

And Whereas in 2014 Randy Pettapiece, MPP for Perth-Wellington had introduced the following private member's resolution in the Ontario Legislature:

"That, in the opinion of this House, the government should protect taxpayers from higher property taxes by implementing a comprehensive long-term solution to reform joint and several liability insurance for municipalities by no later than June 2014, addressing the alarming rise in insurance premiums due to rising litigation and claims cost.";

And Whereas the Council of The Corporation of the City of North Bay resolved at that time to support the private member's resolution by passing Resolution 2014-81 and a copy of the resolution was forwarded to Premier Kathleen Wynne, Randy Pettapiece, MPP for Perth-Wellington; Victor Fedeli, MPP for Nipissing; Andrea Horvath leader of the Provincial New Democrat Party; Tim Hudak leader of the Provincial Conservative Party; and to FONOM;

And Whereas in 2019 Premier Doug Ford announced to the delegates of the Rural Ontario Municipal Association (ROMA) conference that his government was going to launch consultations into municipal concern about joint and several liability;

And Whereas in 2019 the Association of Municipalities of Ontario (AMO) made a submission to the Attorney General entitled "Toward a Reasonable Balance: Addressing growing municipal liability and insurance costs";

And Whereas The Corporation of the City of North Bay, like other Ontario municipalities, has not heard the results of such consultation;

And Whereas the Federation of Northern Ontario Municipalities (FONOM) has recently surveyed its members with respect to annual renewal of insurance the results of which indicated increases that ranged from 2% to 62%;

And Whereas despite an exemplary claims history, The Corporation of the City of North Bay has in the past, and again most recently, experienced a steep insurance premium increases;

And Whereas this continuing trend of increasing insurance premiums is attributed to a number of factors including a hardening of the insurance marketplace and joint and several liability;

And Whereas this growing trend in increasing insurance premiums is both concerning and challenging to all municipalities continues to place a heavy burden on taxpayers; and draws money away from other municipal services;

**NOW THEREFORE BE IT RESOLVED** that the Council of The Corporation of the City of North Bay calls on the Province of Ontario to:

- (i) Immediately resume, conclude or report, as the case maybe, to all municipalities on consultations around joint and several liability;

**MOTION**

- (ii) Adopt the options outlined by AMO in its submission to the Attorney General entitled "Toward a Reasonable Balance: Addressing growing municipal liability and insurance costs"; and
- (iii) Support a risk management approach from municipal governments in the pursuit of a more fair, reasonable and responsible system for liability.

And Further that a copy of this resolution be sent electronically to the Honourable Doug Ford, Premier of Ontario; the Honourable Peter Bethlenfalvy, Minister of Finance; the Honourable Doug Downey, Attorney General; the Honourable Steve Clark, Minister of Municipal Affairs and Housing; the Honourable Victor Fedeli, MPP for Nipissing; the Honourable Andrea Horvath leader of the Provincial New Democrat Party; the Honourable Steve Del Duca leader of the Provincial Liberal Party; the Association of Municipalities of Ontario (AMO); and the Federation of Northern Ontario Municipalities (FONOM); Rural Ontario Municipal Association (ROMA); Township of Bonfield; Municipality of Calvin; Township of Chisholm; Municipality of East Ferris; Town of Mattawa; Municipality of Mattawan; Township of Papineau-Cameron; Township of South Algonquin; Municipality of Temagami; Municipality of West Nipissing.

Carried                       Carried as amended                       Lost

Conflict \_\_\_\_\_ Endorsement of Chair \_\_\_\_\_

Yeas \_\_\_\_\_ Nays \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Record of Vote (*Upon Request of Councillor* \_\_\_\_\_)

Signature of Clerk \_\_\_\_\_