

TOWNSHIP OF EDWARDSBURGH CARDINAL

September 27, 2021

Resolution Number: 2021- _____

Moved By: _____

Seconded By: _____

COPY

WHEREAS the current joint and several liability regime as set out in the Negligence Act financially impacts all municipalities in Ontario, whether or not a claim occurred within a municipality's borders; and

WHEREAS municipalities are often added to claims as they are seen as having significant resources with the backing of taxpayers; and

WHEREAS insurance companies ultimately recover their losses by way of increased annual premiums for their insureds; and

WHEREAS the Township of Edwardsburgh Cardinal's total annual cost of all insurance premiums has grown by \$38,517.36 over the last 5 years which equals 15.53% increase, with liability insurance premiums account for \$15,036.00 of this amount, an increase of approximately 11% when comparing premiums from 2017 to 2021; and

WHEREAS higher insurance costs divert property tax dollars from delivering public services to the Township residents.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Edwardsburgh Cardinal supports the recommendations proposed in the Association of Municipalities of Ontario (AMO) to address joint and several liability reform and rising insurance costs more generally, which recommendations include:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1 year limitation period may be beneficial.

Carried Defeated Unanimous

Mayor: _____

RECORDED VOTE REQUESTED BY: _____

NAME	YEA	NAY
Councillor H. Cameron		
Councillor S. Dillabough		
Councillor J. Hunter		
Deputy Mayor T. Deschamps		
Mayor P. Sayeau		
TOTAL		

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3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

AND FURTHER THAT a copy of this resolution be forwarded to Premier Ford, MPP Clark, and AMO.

Carried Defeated Unanimous

Mayor: _____

RECORDED VOTE REQUESTED BY: _____

NAME	YEA	NAY
Councillor H. Cameron		
Councillor S. Dillabough		
Councillor J. Hunter		
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TOTAL		