



THE CORPORATION  
OF  
THE TOWN OF HALTON HILLS

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Moved by: \_\_\_\_\_ Date: October 21, 2019

Seconded by: \_\_\_\_\_ Resolution No.: \_\_\_\_\_

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15.1

WHEREAS litigation against local governments has increased significantly and municipalities have had to divert public money to support these costs, even when the municipal share of liability is as low as 1%;

AND WHEREAS earlier this year, Attorney General Doug Downey invited municipalities to comment on the existing joint and several liability system;

AND WHEREAS AMO's Task Force examined the existing liability landscape and options for reform;

AND WHEREAS on September 27, 2019 the AMO Board approved a submission on joint and several liability entitled "A Reasonable Balance: Addressing growing municipal liability and insurance costs", which includes seven recommendations on actions which the government could take to reduce the negative impact of joint and several liability (Seven (7) Recommendations Attached);

AND WHEREAS AMO is encouraging Municipal Councils to endorse the report and its recommendations;

AND WHEREAS the Ministry of the Attorney General has agreed to accept municipal resolutions up until November 1, 2019.

THEREFORE BE IT RESOLVED THAT the Council for the Town of Halton Hills supports and endorses the AMO Board approved submission on joint and several liability entitled "A Reasonable Balance: Addressing growing municipal liability and insurance costs", which includes seven recommendations on actions which the government could take to reduce the negative impact of joint and several liability;

AND FURTHER THAT a copy of this motion be sent to The Honourable Doug Downey, Attorney General of Ontario, AMO, Halton Region, Town of Milton, Town of Oakville and City of Burlington.

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Mayor Rick Bonnette

## AMO's Task Force regarding Reforms to the Joint and Several Liability System in Ontario

### Seven (7) Recommendations

That the Provincial Government of Ontario:

1. 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.
3. Implement a cap for economic loss awards.
4. Increases 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.