



May 4, 2022

TO: The Honourable Doug Ford
Premier of Ontario
Premier's Office, 1 Queen's Park
Legislative Building, Room 281
Toronto, Ontario M7A 1A1
Email: premier@ontario.ca

Re: Joint and Several Liability

At its Regular Council Meeting held on April 4, 2022, Council reviewed the correspondence from The Corporation of the City of Barrie dated March 17, 2022, attached hereto. Council calls upon the Province of Ontario to create a plan of action to address joint and several liability and to review the seven recommendations contained in the AMO submission. Council supports the Association of Municipalities of Ontario's **seven recommendations to addressing** growing municipal liability and insurance issues which are as follows:

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.
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.

As a result of that review Council passed the following resolution:

R22-04-142

Moved by: Councillor Bowman

Seconded by: Deputy Mayor Bjorkman

That the correspondence dated March 17, 2022 from The Corporation of the City of Barrie regarding Joint and Several Liability be received and supported; and

That a letter of support be sent to the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Taras Natyshak, MPP and all local municipalities.

Carried

I trust you will find this satisfactory. If you have any questions or comments please feel free to contact the undersigned.



Yours truly,

A handwritten signature in black ink, appearing to read "R. Auger".

Robert W. Auger, L.L.B.
Town Solicitor, Legal and Legislative Services/Clerk
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c.c The Honourable Peter Bethlenfalvy, Minister of Finance
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The Honourable Taras Natyshak, MPP
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The Honourable Doug Downey, Attorney General
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