



Norfolk County

Office of the Mayor

MINISTRY OF THE ATTORNEY GENERAL – Discussion Points

Current Situation:

- POA fines in default remain a significant challenge for municipalities, including Norfolk County.
- Legislative changes (Municipal Act, s. 441.1) could improve recovery of uncollectible fines → freeing funds for priorities like affordable housing and infrastructure reinvestment.
- Ongoing downloading of POA operations → Norfolk now responsible for full process of Part III prosecutions.
- Without provincial funding, increased prosecution/service/staffing costs will raise residential property taxes.

2024 Budget Impact:

- POA operational costs exceeded revenues by \$572,800 (levy support required).
- Outstanding POA fines: \$8.4M (as of June 2024, excluding Part II matters).

Requests to Province:

- Expedite legislative changes under Municipal Act, s. 441.1 to improve recovery of defaulted POA fines.
- Provide transitional funding + ongoing financial support for POA responsibilities, especially Part III prosecutions.
- Collaborate with municipalities to develop a sustainable funding/service model for POA courts reflecting true operational costs.

Footnote:

¹ **Section 441.1** of the *Municipal Act* establishes parameters and restrictions for the addition of defaulted fines under the *Provincial Offences Act* to property tax roll of a defendant by a municipality.

² **Part III** prosecution deals with more serious provincial offences and requires a court appearance. A “Charge is laid by information” a formal written complaint, sworn before a Justice of the Peace. Examples of offenses include, but are not limited to serious driving offenses, environmental violation, workplace safety offences and violations under the *Liquor License and Control Act* or the *Building Code Act*.