



## Information Memo

To: Council Meeting  
Date: April 28, 2026  
Division: Office of the Chief Administrative Officer  
Department: Administration  
Ward: All Wards  
Subject: Addressing Frivolous and Vexatious Actions That Impose Unnecessary Burden on Taxpayers

### Recommendation(s):

That the Information Memo regarding addressing frivolous and vexatious actions that impose unnecessary burden on taxpayers be received as information.

That Council provide further directions to staff, if/as deemed appropriate.

### Background

Following discussion and concerns expressed by Council in 2025 and early 2026, Council directed the Chief Administrative Officer to send a letter of alarm to the Minister of Municipal Affairs and Housing to request the province review existing legislation with the goal of minimizing, eliminating or reducing the financial and administrative burden associated with frivolous and vexatious actions against municipalities.

In conjunction with the recently received annual report from our Integrity Commissioner (on same agenda meeting), and as a follow up to Council's previous direction, staff are including the letter to the Minister, dated February 01, 2026 (Attachment #1), the response from the Minister, dated March 16, 2026 (Attachment #2), and a general update on recent concerns, deemed to be a result of frivolous or vexatious actions against Norfolk County, Norfolk Council, or Norfolk staff, borne by the taxpayer.

### Discussion:

Following Council direction to staff, on behalf of Norfolk County Council and our residents, staff wrote to request that the Province of Ontario undertake a review of existing legislation with the goal of reducing the financial and administrative burden associated with frivolous and vexatious actions initiated by individuals against all municipalities.

Municipalities across Ontario, including Norfolk County, continue to face growing challenges related to repetitive, baseless, or bad faith complaints, appeals, negativity,

lawsuits, threats of lawsuits and judicial reviews, Integrity Commissioner complaints, threats of Ombudsman complaints, threats of criminal and police investigations, e-mailed threats to staff promising change after upcoming elections, and information requests. While accountability and transparency are essential to good governance, the current legislative framework provides limited tools for municipalities to effectively manage situations where processes are abused in ways that have no reasonable prospect of success, have no validity to the allegations being made, or are intended to obstruct municipal operations, disparage the reputations of elected officials and/or staff, or form the basis for future political campaigns.

These actions place a disproportionate burden on property taxpayers, who ultimately fund the staff time, legal expenses, investigation costs, and administrative resources required to research and respond. In Norfolk County, as in many municipalities, these pressures divert limited resources away from essential public services and community priorities.

In Norfolk's request to the Province, Norfolk requested the following consideration:

- Enhancing legislative definitions and thresholds for what constitutes frivolous, vexatious, or bad faith actions;
- Providing clearer authority for municipalities and tribunals to screen or dismiss such actions at an early stage;
- Strengthening remedies or cost recovery mechanisms when actions are found to be frivolous or intended to misuse public resources;
- Reviewing provincial complaint, appeal, and freedom of information frameworks to ensure they discourage abuse while maintaining fair access and accountability.

In part, Norfolk's request for Provincial consideration stems from the following:

- Under current legislation, Norfolk is forced to spend public funds defending baseless claims, diverting money from core services.
- Legal actions, and threats of legal action, no matter how trivial or mis-guided, can trigger significant legal and administrative costs. Legal costs are often only partially reimbursed while significant administrative costs are absorbed by property taxpayers.
- Strengthened protections can better ensure that limited and stretched property taxpayer dollars are used for Council and community-approved priorities.
- Frivolous and vexatious actions create unpredictable, unbudgeted expenses, that depending on costs, can have a material impact on municipal finances, putting additional upward pressure on property taxes.
- Spending limited dollars to address these actions reduces available funds for infrastructure, housing, and social services, amongst other local priorities.
- Legislative safeguards would stabilize financial planning and reduce risk exposure when the focus in Norfolk needs to be on solidifying our financial foundation for both the short-term and long-term.

- Administrative resources remain constantly challenged and diverting staff from their core responsibilities to prepare documentation, research, attend hearings, meet with investigators and lawyers, respond to email, and action repetitive and abusive complainants put further stress on an already challenged workforce.
- Time spent on meritless actions cause delays in established service delivery timelines and contribute to staff burnout.
- A clearer statutory authority to dismiss or limit such actions would improve efficiency, streamline operations and provide more financial certainty.
- Frequent and abusive claims can increase municipal insurance premiums or trigger negative impacts due to deductible levels.
- Municipal Council members and staff are increasingly targeted by individuals using legal processes or threats of legal proceedings to intimidate, obstruct or retaliate.
- Constant and repetitive frivolous actions result in reputational harm to Norfolk, Norfolk's brand, and the reputations of Norfolk elected officials and staff, and
- Repetitive actions also discourage public service, undermine democratic decision-making, and make residents less likely to participate in the decision-making process
- The integrity of municipal governance is imperative, and legislative frameworks must assist in achieving that balance between legitimate concerns, oversight, accountability, and responsible fiscal management
- Reducing frivolous and vexatious claims allows more time for genuine concerns to be investigated and corrective action to proceed
- Legislation needs to balance individual rights with broader public interest, ensuring one resident cannot drain resources otherwise supplied to deliver services for all
- Allowing unchecked frivolous and vexatious actions contradicts the principle that public resources must be used responsibly and for the greater good of all residents

Norfolk believes that a balanced, modernized approach would help protect public resources while preserving residents' legitimate rights to information, recourse, and due process. In a recent case that Norfolk continues to incur costs with, Ontario courts dismissed a resident's court application as frivolous and subsequently ordered the resident to pay costs equal to a fraction of actual costs incurred. The same individual subsequently attempted to appeal those decisions unsuccessfully multiple times, once again placing additional financial burden on Norfolk.

In other cases, a few residents have threatened lawsuits and made threats of judicial review of Council decisions that followed all applicable legislative requirements. In some cases, actual court actions have commenced. These are situations that are becoming far too common and the remaining Norfolk residents cannot afford this to continue.

Following each successful defense of allegations, Norfolk will pursue collections of money owing to our taxpayers in an attempt to cover costs. Unfortunately, additional

costs will be borne by Norfolk to collect amounts ordered by the Courts owing to the municipality. Norfolk will leverage all tools available to it to collect monies owing – Norfolk owes this to our stretched taxpayers.

While staff continue to track and quantify actual costs and staff resources spent related to these actions, to help put things into perspective, it is likely that any one of the following 2026 approved capital projects could have been funded by redirecting expenses to fund these projects:

- New ice resurfacers in the Langton Arena
- Required roof work at the Waterford Library
- Door replacements at Talbot Gardens
- Door replacements at the Port Dover Arena
- Accessible washrooms in our Delhi Museum
- LED streetlighting retrofits County-wide
- Various repairs/upgrades at the Port Dover Marina (dock gates, washroom, roof)

In conclusion, it is hoped that the Province can assist municipalities in controlling this unfortunate burden and help protect property taxpayers from these unwarranted, unnecessary and unfortunate costs.

#### **Finance Comments:**

Norfolk County is currently finalizing the 2025 year-end financial processes and audit. Additional details on 2025 costs will be made available following the presentation of Norfolk's financial statements.

It is important to note that the unbudgeted expenses arising from the type of actions outlined within this report will require a reallocation of municipal resources beyond what was approved by Council. Actions of this nature are extremely variable and nearly impossible to plan for during the County's budget process. Additionally, as noted, the County currently has limited capabilities from a legislative perspective to avoid costs associated with responding to frivolous and vexatious actions. These expenditures create financial pressure on the operating budget and divert funds away from planned priorities, which in turn, underscores the importance of putting parameters in place to safeguard public funds and minimize unnecessary costs to tax payers.

Finance staff will continue to monitor the associated impacts and will report back to Council on financial implications as they relate to the Adopted 2026 Levy Supported Operating Budget.

#### **Attachment(s):**

- Attachment A: Letter to Minister Flack dated February 1, 2026
- Attachment B: Letter to Mayor Martin from Minister Flack dated March 16, 2026

**Conclusion:**

Norfolk County has made it clear to the province that it would welcome the opportunity to participate in any consultations or discussions the province may undertake on this matter. In the meantime, staff will do their best to contain costs, work within a transparent framework, and follow applicable legislation.

**Approval:**

Prepared by:  
Al Meneses, CAO