



## The Corporation of the Town of Tecumseh

### Financial Services

**To:** Mayor and Members of Council

**From:** Luc Gagnon, Director Financial Services & Treasurer

**Date to Council:** August 14, 2018

**Report Number:** FS-2018-11

**Subject:** Windsor/Essex Provincial Offences Act (POA) Annual Report 2017

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### Recommendations

It is recommended:

**That** the Windsor/Essex Provincial Offences Act (POA) Annual Report 2017 (FS-2018-11) **be received** for information.

### Background

The Windsor-Essex Provincial Offences Program was created as a special purpose vehicle to accept the transfer of the POA responsibilities from the Province. It generates a net surplus from operations that is shared among the participating municipalities.

The Inter-municipal Service Agreement (ISA) governs the operation of the POA program. The Windsor/Essex Court Service Area Liaison Committee is an advisory panel and is composed of one representative from each participating municipality. The Committee serves as the liaison between the City of Windsor and the serviced municipalities on matters relating to the operation of the POA Program.

The ISA provides, among other things:

- that the program is delivered by the City of Windsor;
- net revenues are shared based on proportionate weighted assessment;
- dispute resolution provisions; and
- governance provisions.

Section 2.5 of the ISA for the Windsor-Essex Provincial Offences Program provides that:

“The Committee (Windsor/Essex Court Service Area Liaison Committee) shall submit a report outlining the Committee’s activities to the parties’ Councils a minimum of once per year.”

The term of the ISA has been renewed since inception and is currently set to expire December 31, 2021.

The POA Program is responsible for the collection and enforcement of “ticketable” offences pursuant to Parts I and III of the *Provincial Offences Act*, such as violations in regard to the *Highway Traffic Act*, *Liquor License Act*, fines issued under various statutes, etc. The POA program excludes Part II offences (parking) which are administered by each municipality directly. Criminal matters continue to be processed and prosecuted through the provincial court system at this time.

## Comments

Attached for Council’s information is a copy of the 2017 Annual Report for the Windsor/Essex POA program as reviewed and recommended by the Committee on March 21, 2018.

The Annual Report (attached) contains sections on:

Message to our Municipal Partners

- A. Background & Operational Activities
- B. Liaison Committee
- C. Caseloads & Statistics
- D. Defaulted POA Fines Enforcement
- E. Financial Results
- F. Revenue Distribution Details

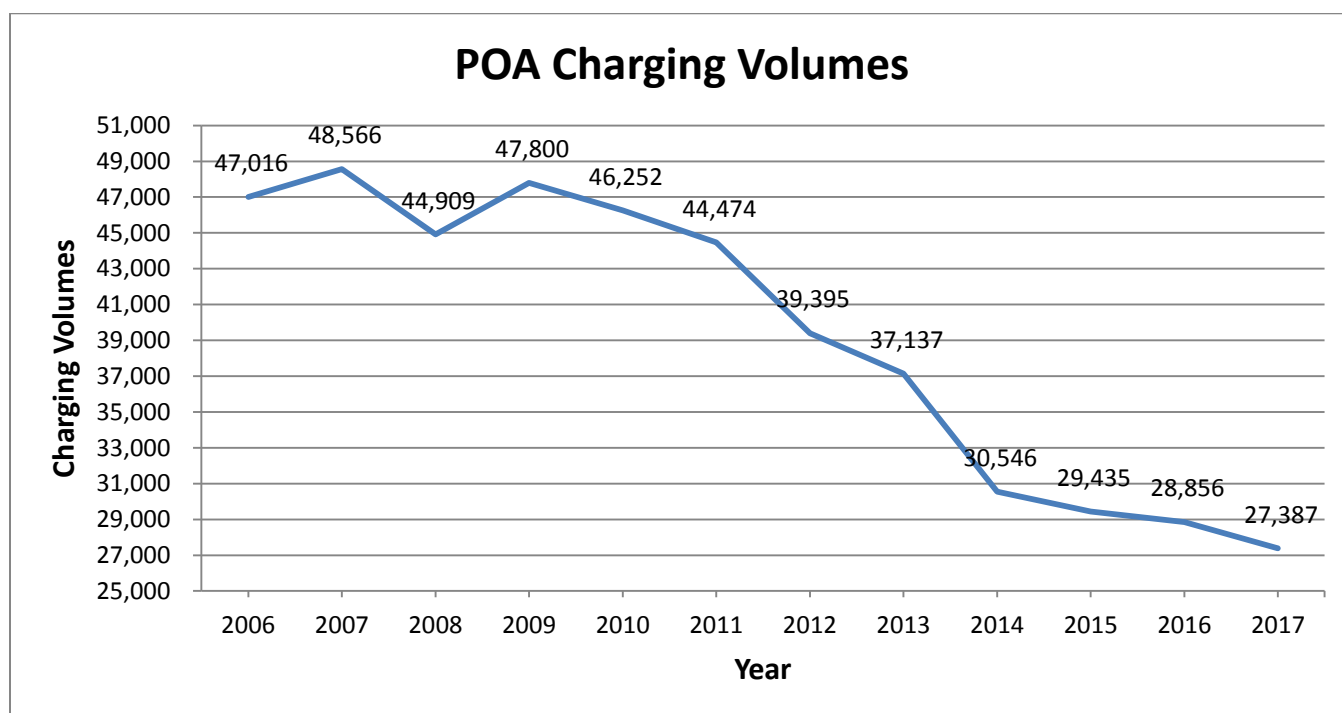
The following excerpt from the Message to our Municipal Partners provides Key Highlights for the 2017 year:

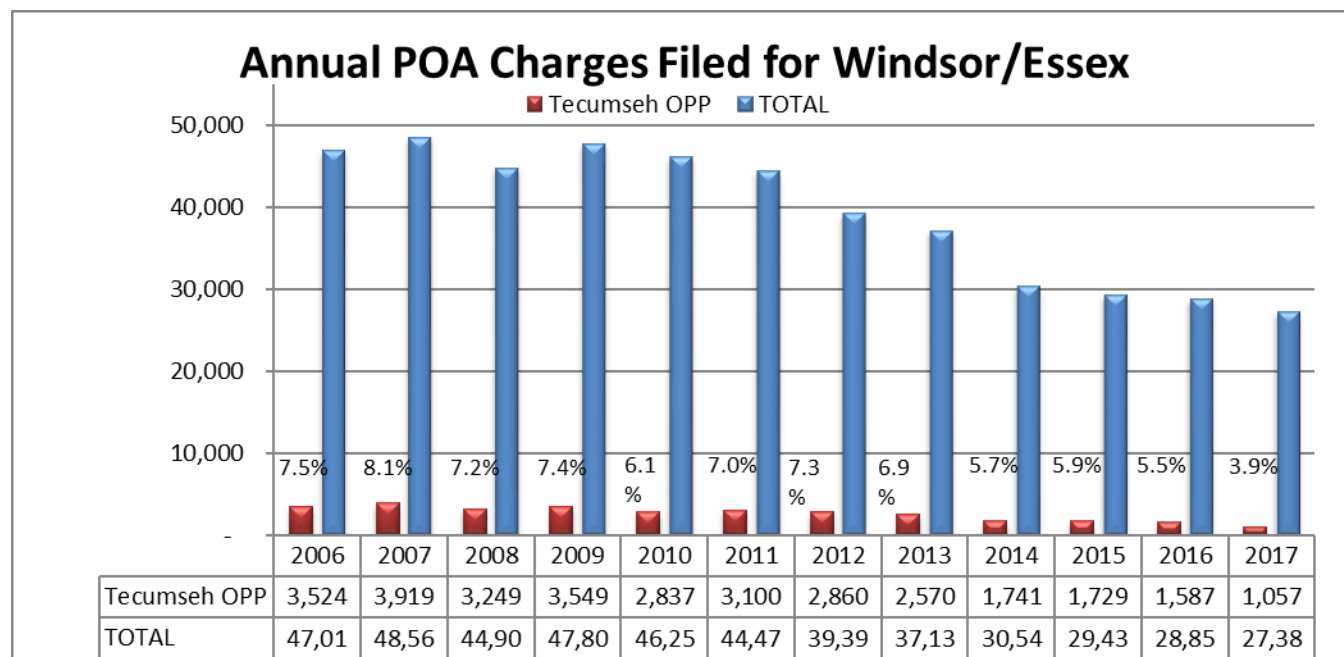
- Increased revenue collection through various methods such as garnishments and tax roll procedures.
- Over \$236,500 collected in defaulted fines at Service Ontario through the plate renewal procedures.
- The installation of a video conferencing system which will allow access to approved interpreters from across the province via remote connection.
- Secured grant funding from the Accessibility and Diversity committee to fund the installation of a hearing loop system in each of the courtrooms.

- Assumed responsibility for prosecutions under the provincial Fire Code in Essex County.
- Conducted approximately 14,500 prosecutions in 2017.
- Took advantage of government grants available to Municipal courts for French learning initiatives.

The main focus for the POA Committee continues to be an emphasis on collecting fines, current and defaulted, as well as continuing to improve efficiencies, streamline processes and strengthen business relationships. The total outstanding fines amount is \$43.2M (2016 - \$42.1M), of which \$5.7M (2016 - \$6.0M) is the pre-transfer of responsibility receivables. Further details can be found in Section D of the report.

The Caseloads & Statistics section continues to highlight how area charging activity has been declining over time with 2017 now being the lowest in history. In 2017, the POA Program took in a total of 27,387 (2016 – 28,856) charging documents, a decrease of 5.1% (2016 – 2.0%) from the prior year. The chart below illustrates the steady decline in charging volumes beginning in 2012.





## Consultations

None

## Financial Implications

The Town's share of the net surplus from POA revenues had been historically included in the annual budget at \$150,000, but was reduced to \$130,000 for 2016 to reflect the revenue decline of the past few years. The total revenue received since 1999 is:

Year	Total	Tecumseh	
	Net Profit	\$	%
2017	\$ 1,312,100	\$ 97,584	7.437%
2016	\$ 1,994,000	\$ 145,746	7.309%
2015	\$ 1,878,700	\$ 138,001	7.346%
2014	\$ 1,540,100	\$ 112,371	7.297%
2013	\$ 1,885,900	\$ 138,236	7.330%
2012	\$ 2,080,500	\$ 154,579	7.330%
2011	\$ 2,540,700	\$ 191,475	7.536%
2010	\$ 2,366,100	\$ 178,683	7.552%
2009	\$ 1,908,800	\$ 144,601	7.575%
2008	\$ 1,955,600	\$ 143,647	7.344%
2007	\$ 2,025,100	\$ 149,405	7.378%
2006	\$ 2,328,600	\$ 172,085	7.390%
2005	\$ 2,532,200	\$ 190,022	7.507%
2004	\$ 1,948,500	\$ 148,295	7.611%
2003	\$ 2,444,100	\$ 180,469	7.384%
2002	\$ 2,550,700	\$ 193,991	7.605%
2001	\$ 3,163,300	\$ 242,312	7.658%
2000	\$ 3,858,200	\$ 296,911	7.696%
1999	\$ 3,476,300	\$ 267,516	7.729%
	<b>\$ 43,789,500</b>	<b>\$ 3,285,929</b>	

The 2017 Net Profit is a decrease of 34% from the 2016 level. As noted in the attached POA Annual Report, "The primary factor contributing to this decline is the continuous decline in charging volumes. To mitigate the decline in revenue, various cost saving measures were implemented in 2017 to add efficiencies to court room utilization and scheduling of court room hours. Prudent financial planning is ongoing to ensure mitigating measures are implemented when possible."

## Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Luc Gagnon, CPA, CA, BMath  
Director Financial Services & Treasurer

Recommended by:

Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

**Attachment  
Number**

**Attachment  
Name**

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Windsor/Essex Provincial Offences (POA) Annual Report 2017