

To: Administration & Finance Executive Committee
FROM: Laurie Lindberg, Treasurer
DATE: January 30, 2018
Subject: POA Tickets/Fines Laid on Couchiching First Nations

BACKGROUND

At the January 8, 2018 Council Meeting, the letter dated December 18, 2017 received from Y. Adams, By-Law Officer was referred to the Administration & Finance Executive Committee for recommendation.

The By-Law Officer, Y. Adams, contacted the Fort Frances Provincial Offences (POA) office with regards to obtaining funds from tickets/fines given on the reserve of Couchiching First Nation.

On August 14, 2000, By-Law No. 45/00 was passed to authorize a Transfer Agreement by way of Memorandum of Understanding (MOU) and Local Side Agreement (LSA) with Her Majesty the Queen in Right of Ontario, as represented by the Attorney General for court services under the Provincial Offences Act and the Town of Fort Frances (referred to as the Municipal Partner) for service delivery to the public for local justice matters. The Attorney General authorized the Municipal Partner, the Town, to perform all courts administration and court support functions under the Act and prosecutions of matters under Parts I and II of the Act for the Court Service Area as set out in Schedule 5 of the Agreement, as attached.

The MOU provided for an Intermunicipal Service Agreement between the Town and municipalities which includes obligations and arrangements regarding court administration, court support, prosecutions, reporting, revenue-sharing and local dispute resolution. By-Law No. 44/00 was passed on August 28, 2000 being a by-law to authorize the intermunicipal service agreement with the municipal partners of the Town of Rainy River, Township of Albion, Town of Atikokan, Township of Chapple, Township of Dawson, Township of Emo, Township of La Vallee, Township of Lake of the Woods, and the Township of Morley.

The Town has no authority to entertain changes to the Agreements requiring Couchiching First Nations to pursue this matter with the Attorney General.