

2025 Provincial Offences Write Off

Presented To:	City Council
Meeting Date:	June 10, 2025
Type:	Routine Management Reports
Prepared by:	Brigitte Sobush Clerk's Services
Recommended by:	General Manager of Corporate Services

Report Summary

This report provides a recommendation regarding the annual write off of Provincial Offences Fines that have been deemed to be uncollectible.

Resolution

THAT the City of Greater Sudbury directs staff to present a bylaw for the write off of \$519,949.09 of Provincial Offences Fines that have been deemed to be uncollectible as outlined in the report entitled, "2025 Provincial Offences Write Off", from the General Manager of Corporate Services, presented at the City Council meeting on June 10, 2025.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report refers to operational matters.

Financial Implications

If approved, the write off of these uncollectible accounts will not have an impact on the 2025 year-end position as Provincial Offences fines are recorded on a cash basis for accounting purposes.

Background

A number of years ago the Ministry of the Attorney General issued a Write Off Directive and Operating Guideline to all municipal partners subject to a POA Transfer Agreement and the related Memorandum of Understanding with the Attorney General. The directive included provisions for municipalities to develop formal write off policies and provided municipal partners with guidance regarding the minimum requirements

they are expected to meet to write off defaulted fines. The City of Greater Sudbury developed and implemented a write off policy in 2010. According to the provisions of the policy and Ministry guidelines, Provincial Offences accounts are regularly reviewed to identify potential write offs and accounts deemed uncollectible.

Fines proposed for write off are categorized into two different groups: (1) parking, and (2) POA offences. Parking fines are penalties imposed for infractions such as failing to pay for a meter or parking in a no-parking zone. POA offences are far more varied and include offences under municipal bylaws such as zoning and a multitude of provincial statutes such as driving offences, trespassing, liquor licence violations and hunting and fishing infractions.

If the recommendation is approved, parking fines for the period 2019-2021 will be written off in the amount of \$2,804.25 and POA offence fines in the amount of \$517,144.84, a total of \$519,949.09. It is important to note that writing off a fine does not extinguish the legal obligation of the convicted offender or debtor regarding the amounts owed under the *Act*. Fines are written off for accounting and administrative purposes; however, the write off does not absolve the offender or debtor from the requirement to pay the fine that has been written off. All penalties imposed under the *Act* are debts owed to the Crown and are not subject to the *Limitations Act*; therefore, collection activities for written-off accounts can be resumed when conditions change. Unpaid debts can be reinstated and enforced at any time in the future if an opportunity arises.

Resources Cited

Provincial Offences Act <https://www.ontario.ca/laws/statute/90p33>

Write Off Policy for Provincial Offences Act (POA) Fines, Report presented April 21, 2010 <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=55AE7179-06F3-493A-914F-F5A77596DC59&Agenda=Agenda&lang=English>