

Resolution 5C

MUNICIPAL FINES (PASSED)

⇒ Region of Queens Municipality

WHEREAS Service Nova Scotia and Municipal Relations recently recognized the need to amend the *Municipal Government Act* in order to allow for more orderly and effective collection of outstanding municipal fines for municipalities in Nova Scotia; and

WHEREAS these amendments were completed and introduced in the House of Assembly without direct municipal government input prior to their development and introduction; and

WHEREAS the new system can be costly for municipalities with many outstanding fines because of the Province's fifteen percent (15%) surtax; and

WHEREAS despite the cost, fines that are uncollected by the Province will simply be returned to the appropriate municipality for action creating the same problem that presently exists for municipalities with no other recourse for collection; and

WHEREAS placing formal judgments in the Registry of Deeds or initiating wage garnishments are cumbersome and expensive avenues for the amount of most municipal fines;

THEREFORE BE IT RESOLVED that Union of Nova Scotia Municipalities begin discussions with the Minister of Service Nova Scotia and Municipal Relations requesting that two amendments to the *Municipal Government Act* be made as follows:

1. That all municipal fines levied by a court become a first lien on any real property owned by the accused person; and
2. That all fines levied by a court that are not satisfied prior to the time period specified for payment by the Court, be allowed to be entered by each municipal unit as a judgment without further legal process.

Forwarded to:

Minister of Service Nova Scotia & Municipal Relations

RESPONSE:

I am writing in response to your recent letter concerning Resolutions passed at the

October Annual Conference of the Union of Nova Scotia Municipalities.

The Legislature of the Province of Nova Scotia has recently passed amendments to the Municipal Government Act to provide means to assist municipalities with the collection of unpaid fines. This would allow municipalities to utilize the collection process that the Province has in place and provide a wider range of collection avenues to UNSM members. Our approach is to allow an opportunity for these tools to be used and evaluate their effectiveness before putting forth additional amendments to legislation.

*The Honourable Ramona Jennex
Minister*

December 22, 2010