



## REFERRAL OF MEMBER MOTION BY CITY COUNCIL

### Waive Litigation Cost Request on Community and Resident Public Interest Groups at Public Tribunals

<b>Date:</b>	January 29, 2009
<b>To:</b>	Executive Committee
<b>From:</b>	City Council
<b>Wards:</b>	All

#### City Council Decision

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City Council on January 27 and 28, 2009, referred Motion MM30.9 to the Executive Committee.

#### Recommendations

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Councillor Del Grande, seconded by Councillor Palacio, recommends:

1. That the City Solicitor be requested to report to Council, through the Executive Committee, with respect to the City's policy on seeking litigation costs against community and resident public interest groups, after the City has successfully won the decision in public third-party tribunals.
2. That the City not request such litigation costs from these groups.

#### Summary

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The purpose of this motion is to ask the City not to request litigation awards of cost against community and resident public interest groups, when the two parties enter into disputes which are resolved in public tribunals.

Community groups and resident organizations provide significant contributions to the City's policy development. They represent their community in public interest. Occasionally, the City enters into disputes and disagreements with these groups and/or individuals, which require decisions by third party tribunals. In order to promote civic involvement in our political process, the City should not request the other party to pay the City's litigation costs, after the City has successfully defended its positions.

On November 28, 2008, Ottawa City Councillor Rick Chiarelli introduced a similar motion to protect community groups and resident organizations.

(Submitted to City Council on January 27 and 28, 2009 as MM30.9)  
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