

MEMORANDUM

TO: Community Services and Housing Committee Members

FROM: Joann Simmons, Commissioner
Joy Hulton, Regional Solicitor

DATE: November 9, 2004

RE: **Accessibility for Ontarians with Disabilities Act (AODA)**

The provincial government recently introduced new legislation for people with disabilities. The new legislation called the, Accessibility for Ontarians with Disabilities Act, 2004 (AODA) would replace the current the Ontarians with Disabilities Act (ODA). The introduction of this legislation fulfills the Premier's commitment to introduce stronger, more effective legislation for people with disabilities within one year of forming a government.

The proposed legislation which aims to create a barrier-free Ontario by 2025 is enforcement-focused legislation which is considerably more complex than the existing ODA. The scope of the proposed Act expands on the current ODA by including requirements for the private sector in addition to public sector organizations such as municipalities.

Some of the key additions to the proposed legislation not included in the current ODA include mandatory standards, timelines for implementation and enforcement provisions including fines for individuals, corporations and Directors of corporations. The proposed Act also includes the possibility of incentives to encourage enhanced compliance.

Given the complexities of the Act, its possible ramifications for both Regional and local municipalities and their working relationships with the private sector, the Regional Solicitor will give a presentation on the proposed legislation at the Council meeting on November 18, 2004. Following this, a full report will be forthcoming to Community Services and Housing Committee early in 2005 and subsequently forwarded to Council. The report will include a detailed analysis of the proposed Act and the potential implications for municipalities as well as recommendations and next steps.

The provincial government is committed to moving forward quickly on the proposed AODA and second reading of the proposed legislation will take place on November 18, 2004.

Building on the progress made in implementing the existing ODA, regional staff will continue to work with partners such as the York Region AAC and local municipalities to provide more information to both this Committee and Council and prepare for the implementation of new legislation.