



Municipal Law Program (MLP) Unit 2: Municipal Torts Course Outline

Updated May 2023

Course Description

MLP Unit 2 examines tort law in the context of municipal liability. In particular, it addresses issues related to liability in enforcement activities, public works activities, and recreational activities. The unit also examines liability in matters dealing directly with municipal politicians for things like negligence, unlawful interference with economic interests, libel and slander, breach of trust, abuse of office, and the like. The discussion also includes various remedies under tort law, with an emphasis on the classification, measure, and awarding of damages. Other topics in the unit include limitation periods in law and insurance, including its acquisition and the process of making of claims.

MLP Unit 2 is a standalone certificate course that can be taken on its own. However, those who are pursuing AMCTO's Diploma in Municipal Administration (DMA) must complete all four units of the program. The other units in the program are:

- Unit 1: Introduction to Municipal Law
- Unit 3: Municipal Contracts
- Unit 4: Municipal Land-Related Law

Course Delivery Formats

AMCTO offers MLP in two formats: correspondence format and Zoom format.

- If you are taking the course in **correspondence format**, you will complete the assigned readings and submit assessments according to a given schedule. There are no classes to attend. Your work is graded by a marker.
- If you are taking the course in **Zoom format**, you will attend interactive online classes led by an instructor in addition to completing readings and assessments. Your work is graded by the instructor. Attendance and participation in discussions are important in the Zoom format.

All course materials and assessments are provided through AMCTO's online learning platform, AMCTO Connect.

A syllabus with assessment due dates is provided when the course opens each term.

Grading Scheme (Correspondence Format)

Assessment	Weight
Assignment 1	17.5%
Assignment 2	17.5%
Assignment 3	17.5%
Assignment 4	17.5%
Final Assignment	30%

Grading Scheme (Zoom Format)

Assessment	Weight
Assignment 1	17.5%
Assignment 2	17.5%
Assignment 3	17.5%
Participation	17.5%
Final Assignment	30%

To successfully complete the unit, students must earn a minimum grade of 51% on the final assignment and an overall average grade of 60% or higher for the entire unit.

Students who do not achieve 51% but score at least 35% on the final assignment will be given the opportunity for a re-write. This re-write must take place on the date(s) chosen by AMCTO.

Students who score less than 35% on the initial final assignment or under 51% on the re-write will be required to re-register to take the course in its entirety.

Assignment Expectations

All assignments are written assignments in essay format. They require you to analyze hypothetical cases, laws, or problems related to the course topics to demonstrate your understanding of the legal provisions, concepts, and principles discussed in the textbook.

Please note that MLP is an academic program that requires time commitment for reading, research, and writing. Essays are graded based on criteria such as depth of analysis, clarity, organization, and grammar and mechanics.

If you use a source (such as a website, article, report, video, legal source, or any other source) in your work, it must be properly cited.

Further guidelines and expectations will be provided with the course syllabus and assignment instructions.

Academic Integrity

Students in AMCTO's education programs are expected to abide by the association's policy on academic integrity (section 4 of the Education Programs Policy). Plagiarism is considered academic misconduct and will result in a zero on the entire assignment. Repeated offences will lead to more severe penalties such as expulsion.

It is the student's responsibility to be informed about the definitions and consequences of academic misconduct. The full policy will be provided with the course syllabus.

MLP Unit 2 Topic Outline

Lesson 1: What is a Tort?

- The meaning of the legal term *tort*
- The law of tort and its social functions
- Municipal liability for torts

Lesson 2: Municipal Liability and Enforcement Activities

- Various legislation that impose enforcement obligations and duties for municipalities
- How municipalities and municipal officials may become liable for their actions in the course of engaging in enforcement
- Legislative interpretation related to enforcement and enforcement obligations
- Mandatory versus discretionary (permissive) municipal actions
- Risks in enforcement actions and their nature, sources, and consequences

Lesson 3: Municipal Liability and Public Works Activities

- Legislation relevant to public works liabilities of municipalities
- What is mandatory and permissive respecting the creation and maintenance of public works
- Risks associated with obligations and the nature of those risks

Lesson 4: Municipal Liability and Recreational Activities

- Relevant legislation concerning recreational matters
- Mandatory and discretionary powers related to recreational matters
- Risks in respect to recreational projects, programs, and activities by municipal government

Lesson 5: Municipal Liability and Municipal Politicians

- Legislation relevant to the liability of municipal politicians
- Municipal responsibility when municipal politicians engage in untoward behaviour
- Mandatory versus discretionary municipal regulation respecting councillor behaviour
- Risks for municipalities where municipal politicians may be liable for their behaviour

Lesson 6: Remedies

- Types of remedies sought in tort proceedings
- Classes of damages
- Types of injunctions

Lesson 7: Limitation Periods

- Key legislation pertaining to limitations
- The importance of limitation periods

Lesson 8: Insurance

- Relevant legislation and basic principles of insurance
- Types of insurance
- Methods of purchasing insurance
- Insurance claims