



**GEORGINA**

**Subject:** Implementation of Administrative Monetary Penalty Policies and the Appointment of Hearing Officers

**To:** Mayor and Council

**From:** Mike Hutchinson, Manager, Municipal Law Enforcement

**Date:** November 22<sup>nd</sup>, 2023

**Briefing:**

This Briefing Note is presented to Council to share the policies that have been created and implemented by staff for the purposes of the Administrative Monetary Penalty (AMPs) By-law.

On June 8<sup>th</sup>, 2022, Council received Report No. LS-2022-0010 from the Municipal Law Enforcement Division, Legislative Services regarding the transition of enforcement of Town By-laws through the *Provincial Offences Act* to AMPs.

Also on June 8<sup>th</sup>, 2022, Council enacted the AMPs By-law to come into force and effect on February 1<sup>st</sup>, 2023. Due to unforeseen delays in the implementation process, the By-law was amended to come into force and effect on December 18<sup>th</sup>, 2023.

Ontario Reg. 333/07 of the *Municipal Act, 2001*, requires that a municipality shall develop standards relating to the administration of the system of AMPs, which shall include:

- (a) Policies and procedures to prevent political interference in the administration of the system;
- (b) Guidelines to define what constitutes a conflict of interest in relation to the administration of the system, to prevent such conflict of interest and to redress such conflicts should they occur;
- (c) Policies and procedures regarding financial management and reporting; and
- (d) Procedures for the filing and processing of complaints made by the public with respect to the administration of the system

In addition, the Regulation requires that policies must be established to permit persons to be excused from paying all or part of the administrative penalty, including any administrative fees, if requiring them to do so would cause undue hardship.

As per the Town of Georgina AMPs By-law No. 2022-0052 (REG-1), the Director of Legislative Services or designate has the authority to implement the following policies to comply with the requirements of O. Reg. 333/07:

- (a) Prevention of Political Interference in AMPs Policy;
- (b) Screening and Hearing Officer Policy for AMPs;
- (c) Conflict of Interest Policy for AMPs;
- (d) Financial Management and Reporting for AMPs Policy;
- (e) Public Complaints for AMPs Policy; and

(f) Undue Hardship Policy for AMPs.

The aforementioned policies are attached to this Briefing Note.

In addition to the implementation of the AMPs policies, staff plan on sharing a pool of Hearing Officers with the Town of Aurora as per the Screening and Hearing Officer By-law and Policy. This partnership will provide financial savings to both municipalities through shared resources. The recruitment process for a pool of Hearing Officers is ongoing. Prior to the commencement of any hearings under the AMPs By-law, staff will return to Council to have the Hearing Officers formally appointed by Council.