



A People Place, A Change of Pace
SHELBURNE
ONTARIO, CANADA

Meeting Date:	Monday, March 10, 2025
To:	Members of Council
From:	Jennifer Willoughby, Director of Legislative Services/Clerk
Report:	LS2025-01
Subject:	Administrative Monetary Penalty System (AMPS)

Recommendation

BE IT RESOLVED THAT Council receives report LS2025-01 for information;

AND THAT leave be given for the reading and enacting of By-law #09-2025 being a by-law to establish a comprehensive system of administrative monetary penalties for the Town of Shelburne.

Background

On October 7, 2024, Council received report [LS2024-06](#) which detailed next steps regarding implementation of AMPS and authorized the purchase of software to accommodate the AMPS system.

This report provides an update of the process thus far.

Analysis

AMPS Update

As required by [legislation](#) a comprehensive administrative monetary penalty bylaw has been drafted and is attached as Appendix 1. The draft bylaw addresses the various elements of the adjudication process, from the issuance of the ticket to its' resolution and incorporates parking and non-parking bylaws and related offenses. The penalty amounts attached to the

draft bylaw are the current and prescribed set fines that have been previously approved through the Ministry of Attorney General. These set fines are pre-existing. The bylaw brings these set fines into the form of an administrative penalty by designating them as such.

[Legislation](#) also requires the Town to have the following policies that are attached as Appendix 2:

- AMPS-001 Prevention of Political Interference Policy.
- AMPS-002 Public Complaints Respecting the Administration of AMPS Policy.
- AMPS-003 Financial Management and Reporting for AMPS Policy.
- AMPS-004 Conflict of Interest in Relation to the Administration of AMPS Policy.
- AMPS-005 Financial Hardship in the AMPS Policy.
- AMPS-006 Extension of Time to Request a Screening or Hearing Review in AMPS Policy.

The job descriptions for the Hearing Officer and Bylaw Administrative Assistant are currently being drafted. The Hearing Officer is a third-party contract position that will provide services approximately 1 to 2 days per month on an as-needed basis and is dependant on the number of hearings requested. The Administrative Assistant is a budgeted part-time position. Once revenue is realized from AMPS, the Hearing Officer position will be funded utilizing AMPS revenue. Council will see those job opportunities being posted in the near future.

Next Steps

Staff have spent a considerable and significant amount of time engaged in this project in hopes of having it implemented by the end of Q1 (March 2025).

As we continue to move through the implementation process, the attached AMPS bylaw is required to be enacted in addition to:

- Recruitment and Retaining of a Hearing Officer
- Appointing current Bylaw Officers as Screening officers
- Training (of staff, screening, and hearing officers -scheduled for March 21 through Ontario Traffic Council)
- Preparation of a Communications plan (updating website, notice to residents etc.)

Financial Impact

N/A

Policies & Implications (if any) Affecting Proposal

N/A

Consultation and Communications

The draft bylaw and policies have received legal review and approval to move forward with implementation.

Town of the Blue Mountains and City of Markham

Council Priorities

Council's Priorities has three Pillars - Sustainable, Engaged and Livable. There are a total of 14 Priorities with the three Pillars.

This report aligns with the Sustainable and Engaged Pillars within the Priorities of:

SP2 Invest in critical infrastructure and services for the future

EP1 Promote effective partnerships

EP2 Improve technology

Supporting Documentation

Appendix 1 – Comprehensive Administrative Monetary Penalty System
By-law #09-2025

Appendix 2:

- AMPS-001 Prevention of Political Interference Policy.
 - AMPS-002 Public Complaints Respecting the Administration of AMPS Policy.
 - AMPS-003 Financial Management and Reporting for AMPS Policy.
 - AMPS-004 Conflict of Interest in Relation to the Administration of AMPS Policy.
 - AMPS-005 Financial Hardship in the AMPS Policy.
 - AMPS-006 Extension of Time to Request a Screening or Hearing Review in AMPS Policy.
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Respectfully Submitted and prepared by:

Jennifer Willoughby, Director of Legislative Services/Clerk

Reviewed by:

Denyse Morrissey, CAO

THE CORPORATION OF THE TOWN OF SHELBURNE

BY-LAW #09-2025

BEING A BY-LAW TO ESTABLISH A COMPREHENSIVE SYSTEM OF ADMINISTRATIVE MONETARY PENALTIES FOR THE TOWN OF SHELBURNE

WHEREAS section 8(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate, and enhance its ability to respond to municipal issues;

AND WHEREAS section 391(1) of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides for a municipality to impose fees and charges on persons for services or activities it provides and for the use of its property;

AND WHEREAS section 23.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended authorizes a municipality to delegate its powers and duties;

AND WHEREAS section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that a municipality may require a person to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the *Municipal Act, 2001, S.O. 2001, c. 25*;

AND WHEREAS section 434.2 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended provides that an Administrative Monetary Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality;

AND WHEREAS the Province of Ontario adopted the “Administrative Penalties” regulation, O. Reg 333/07 pursuant to the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;

AND WHEREAS the Council of the Corporation of the Town of Shelburne considers it desirable to have an Administrative Monetary Penalty By-law that sets out a process for all regulatory by-laws to which administrative monetary penalties may apply;

NOW THEREFORE the Council of the Corporation of the Town of Shelburne enacts as follows:

1. SHORT TITLE

1.1 This by-law shall be known and may be cited as the “Administrative Monetary Penalties (AMPS) By-law”.

2. APPLICABILITY AND SCOPE

2.1 This By-law applies to, and only to, a **Designated By-law**.

2.2 This By-law shall apply to any contravention of a **Designated By-law** listed in Schedule “A” of this By-law. The short form wording to be used for a contravention of a **Designated By-law** and the **Administrative Monetary Penalty** imposed are as set out in Schedule “A” of this By-law.

2.3 The *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, will continue to apply to contraventions of a **Designated By-law**, except that no **Person** that is issued a Penalty Notice under this By-law in respect of a contravention of a **Designated By-law** shall be charged with an offence in respect of the same contravention under the *Provincial Offences Act, R.S.O. 1990, c. P. 33*, as amended.

3. DEFINITIONS

3.1 In this By-law:

“Administrative Monetary Penalty” means a monetary penalty imposed and as set out in Schedule “A” of this By-law for a contravention of a **Designated By-law** and when imposed includes an administrative fee as set out in Schedule “B”;

“Council” means the Council of the **Town of Shelburne**;

“Clerk” means the Clerk for the **Town**, or any **Person** designated by the Clerk;

“Designated By-law” means a by-law or provision of a by-law that is designated under this or any other by-law, as a by-law or provision of a by-law to which this by-law applies;

“Hearing No Show Fee” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to appear at the time and place scheduled for a review before a **Hearing Officer**;

“Hearing Officer” means a **Person** appointed by **Council** to perform the duties of a Hearing Officer for the purposes of this By-law;

“Hearing Officer’s Decision” means a notice that contains the decision of a **Hearing Officer**;

“Holiday” means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any day the offices for the **Town** are officially closed for business;

“Late Payment Fee” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to pay an **Administrative Monetary Penalty** within the time prescribed in this By-law;

“Officer” means a police officer, a Municipal Law Enforcement Officer or other person appointed by or under the authority of a **Town** by-law to enforce a **Designated By-law**;

“Owner” includes,

- (a) the **Person** for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the **Person’s** own account or as agent or trustee of any other **Person**, or who would receive the rent if the land and premises were let;
- (b) a lessee or occupant of the property;
- (c) a **Person** having care and control of the property;

“Parent” means a **Person** who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that **Person** is the natural parent of the child;

“Person” includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

“Penalty Notice” means a notice issued by an **Officer** for a contravention of a **Designated By-law**;

“Penalty Notice Date” means the date of the contravention specified on the **Penalty Notice**;

“Penalty Notice Number” means the number specified on the **Penalty Notice**;

“Power of Decision” means a power or right, conferred by or under this By-law, to make a decision deciding or prescribing, the legal rights, powers, privileges, immunities, duties or liabilities of a **Person**;

- (a) in the case of a **Screening Officer**, in respect of a request to review an **Administrative Monetary Penalty**;
- (b) in the case of a **Hearing Officer**, in respect of a request to review a **Screening Decision**;

“Relative” includes any of the following **persons**:

- (a) **spouse**;
- (b) **parent**, including step-child and grandchild;
- (c) siblings and children of siblings;
- (d) aunt, uncle, niece and nephew;
- (e) in-laws, including mother, father, sister, brother, daughter, and son; or
- (f) a **person** who lives with the **person** on a permanent basis;

“Regulation” means the Administrative Penalties, Ontario Regulation 333/07 under the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;

“Request for Review by Hearing Officer” means a form provided by the **Town** to request a review of a **Screening Decision**;

“Screening Decision” means a notice which contains the decision of a **Screening Officer**;

“Screening Officer” means a **Person** appointed by **Council** to perform the duties of a Screening Officer for the purposes of this By-law;

“Screening No Show Fee” means an administrative fee as set out in Schedule “B” of this By-law in respect of a **Person’s** failure to appear at the time and place scheduled for a review by a **Screening Officer**;

“Spouse” means a **Person** to whom the **Person** is married or with whom the **Person** is living in a conjugal relationship outside marriage;

“Tax Roll Address” means the mailing address and contact information for the owner of property that appears in the **Town’s** municipal tax assessment records;

“Town” means the Corporation of the Town of Shelburne or the land within the geographic limits of the Corporation of the Town of Shelburne as the context requires.

4. GENERAL PROVISIONS

- 4.1. Where an **Administrative Monetary Penalty** is cancelled by a **Screening Officer** or a **Hearing Officer** any administrative fee is also cancelled.
- 4.2. Any time limit that would otherwise expire on a **Holiday** is extended to the next day that is not a **Holiday**.
- 4.3. Any Schedule attached to this By-law forms part of this By-law.
- 4.4. Sections 431 and 440 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, apply to this By-law, providing respectively, for a court of competent jurisdiction to prohibit the contravention or repetition of an offence, and, upon application of the **Town**, for a court to make orders to restrain a contravention, which remedies may be sought in addition to any remedy or penalty imposed under this By-law.
- 4.5. Nothing in this By-law limits the **Town’s** right to enforce a **Designated By-law** by any other and all legal means.

5. PENALTY NOTICE

5.1 A **Penalty Notice** shall include the following information:

- (a) the name of the **Person(s)**;
- (b) the **Penalty Notice Date**;
- (c) a **Penalty Notice Number**;
- (d) the short form wording outlined in Schedule “A” of the By-law, which describes the particulars of the contravention;
- (e) the amount of the **Administrative Monetary Penalty** outlined in Schedule “A” of this By-law;
- (f) the name and identification number of the **Officer**;
- (g) such information as the **Officer or Clerk** or designate determines is appropriate respecting the process by which the **Person** may exercise the **Person’s** right to request a review of the **Administrative Monetary Penalty**;
- (h) a statement advising that an **Administrative Monetary Penalty**, including any administrative fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the **Person** to the **Town**.

5.2 An **Officer** who has reason to believe that a **Person** has contravened a provision of a **Designated By-law** may issue a **Penalty Notice** to that **Person**.

5.3 Every **Person** who contravenes a provision of a **Designated By-law** shall, when given a **Penalty Notice**, be liable to pay to the **Town** the **Administrative Monetary Penalty** set out in the **Penalty Notice** within 15 days of the **Penalty Notice Date**.

5.4 No **Officer** shall accept payment in respect of an **Administrative Monetary Penalty**.

5.5 Where a **Penalty Notice** is issued in respect of a contravention of a **Designated By-law** for which **Owners** of a property are responsible, the **Penalty Notice** shall include the name of all **Persons** who are the registered owners of such property, and such **Persons** shall be jointly and severally liable for the **Penalty Notice**.

6. SERVICE OF A PENALTY NOTICE

6.1 Service of any document or notice, including a **Penalty Notice**, respecting this By-law may be given in writing in any of the following ways and is effective:

- (a) when a copy is delivered to the **Person** to whom it is addressed;
- (b) on the 5th day after a copy is sent by registered mail or by regular letter mail to the **Person’s** last known address;
- (c) upon the conclusion of the transmission of a copy by facsimile transmission to the **Person’s** last known facsimile transmission number;
- (d) upon sending a copy by e-mail transmission to the **Person’s** last known e-mail address; or
- (e) where a **Penalty Notice** is issued pursuant to By-law 8-1983, service under this section shall be deemed effective upon the affixing of the **Penalty Notice** to a motor vehicle in a conspicuous manner.

6.2 For the purposes of sections 6.1 (b), (c) and (d), a **Person’s** last known address, facsimile number and e-mail address may include an address, facsimile number and e-mail address provided by the **Person** to the **Town**, including the **Tax Roll Address**, information provided in an application for a license made by a **Person** under a **Town** Licensing By-law or as provided in writing or in a form supplied by the **Town** for the purposes of administration of this By-law.

- 6.3 In addition to the service methods in section 6.1, an **Officer** may serve the **Penalty Notice** on a **Person** who is the **Owner** of a property that is in contravention of a **Designated By-Law**, by delivering it personally to the **Person** having care and control of the property and then sending a copy by regular mail to the **Tax Roll Address**;
- 6.4 Service of a **Penalty Notice** under section 6.3 is effective on the 5th day after a copy is sent by regular letter mail to the **Tax Roll Address**.

7. SCREENING OFFICER REVIEW

- 7.1 A **Person** who is given a **Penalty Notice** may request that the **Administrative Monetary Penalty** be reviewed by a **Screening Officer** within 15 days after the **Penalty Notice Date**.
- 7.2 If a **Person** does not request a review within the time limit set out in section 7.1, a **Person** may request that the **Screening Officer** extend the time to request a review within 30 days after the **Penalty Notice Date**.
- 7.3 A **Person's** right to request a review or to request an extension of time to request a review are exercised by:
- (a) calling the telephone number listed on the **Penalty Notice**, providing the information required as set out in the **Penalty Notice** and scheduling the time and place for the review; or
 - (b) attending in person or by a representative at the place specified in the **Penalty Notice** to provide the information required in the **Penalty Notice** and scheduling the time and place for the review.
- 7.4 A **Person's** right to request an extension of time in section 7.2 expires if it has not been exercised within 30 days after the **Penalty Notice Date** at which time:
- (a) the **Person** shall be deemed to have waived the right to request a review;
 - (b) the **Administrative Monetary Penalty**, including any administrative fees, shall be deemed to be affirmed on the 16th day after the **Penalty Notice Date**; and
 - (c) the **Administrative Monetary Penalty**, including any administrative fees, is not subject to any further review, including review by any court.
- 7.5 A review or a request for an extension of time to request a review shall only be scheduled by the **Town** if the **Person** has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 7.1 or 7.2.
- 7.6 Where a **Person** fails to attend at the time and place scheduled for a review by the **Screening Officer**:
- (a) the **Person** shall be deemed to have abandoned the request for a review of the **Administrative Monetary Penalty**;
 - (b) the **Person** shall pay to the **Town** a **Screening No Show Fee**;
 - (c) the **Administrative Monetary Penalty**, including any administrative fees, shall be deemed to be affirmed on the date that was scheduled for the review; and
 - (d) the **Administrative Monetary Penalty**, including any administrative fees, is not subject to any further review, including review by any court.
- 7.7 For the purposes of section 7.2, the **Screening Officer** may only extend the time to request a review of an **Administrative Monetary Penalty** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the **Person** from exercising the right to request a review in the timeframe set out in section 7.1.
- 7.8 Where an extension of time is not granted by the **Screening Officer** the **Administrative Monetary Penalty**, including any administrative fees, is deemed to be affirmed on the 16th day after the **Penalty Notice Date**.

- 7.9 After a review of the **Administrative Monetary Penalty** has been held, the **Screening Officer** shall deliver a **Screening Decision** to the **Person**.
- 8.0 HEARING OFFICER REVIEW**
- 8.1 A **Person** may request a review of a **Screening Decision** by a **Hearing Officer** within 15 days after the **Screening Decision** has been delivered to the **Person**.
- 8.2 If a **Person** has not requested a review within the time limit set out in section 8.1, a **Person** may request that the **Hearing Officer** extend the time to request a review within 30 days after the **Screening Decision** has been delivered to the **Person**.
- 8.3 A **Person's** right to request an extension of time in section 8.2 expires if it has not been exercised within 30 days after the **Screening Decision** has been delivered at which time:
- (a) the **Person** shall be deemed to have waived the right to request a hearing;
 - (b) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, shall be deemed to be affirmed; and
 - (c) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is not subject to any further review, including review by any court.
- 8.4 A **Person's** right to request a review of a **Screening Decision** or to request an extension of time to request the review are exercised by:
- (a) attending in person or by representative at the place specified in the **Request for Review by Hearing Officer**; and
 - (b) filing a completed **Request for Review by Hearing Officer** form.
- 8.5 A review or a request for an extension of time to request a review shall only be scheduled by the **Town** if the **Person** has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 8.1 and 8.2.
- 8.6 Where a **Person** fails to attend at the time and place scheduled for a review by a **Hearing Officer**:
- (a) the **Person** shall be deemed to have abandoned the request for a review of the **Screening Decision**;
 - (b) the **Person** shall pay to the **Town** a **Hearing No Show Fee**;
 - (c) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, shall be deemed to be affirmed on the date that was scheduled for the Hearing; and
 - (d) the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is not subject to any further review, including review by any court.
- 8.7 For the purposes of section 8.2, a **Hearing Officer** may only extend the time to request a review of a **Screening Decision** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the **Person** from exercising the right to request a review in the timeframe set out in section 8.1.
- 8.8 Where an extension of time is not granted by a **Hearing Officer** the **Screening Decision**, which includes the **Administrative Monetary Penalty** and any administrative fees, is deemed to be affirmed and shall not be subject to any further review, including review by any court.
- 8.9 A **Hearing Officer** shall not make any decision respecting a review of a **Screening Decision** unless the **Hearing Officer** has given the **Person** and the **Town** an opportunity to be heard at the time and place scheduled for the hearing of the review.

8.10 All hearings conducted by a **Hearing Officer** shall be in accordance with the *Statutory Powers and Procedures Act, R.S.O. 1990, c. S. 22*, as amended.

8.11 After a hearing is complete the **Hearing Officer** shall issue to the **Person** a **Hearing Officer's Decision**.

9. ESTABLISHMENT AND APPOINTMENT OF SCREENING AND HEARING OFFICERS

9.1 The position of **Screening Officer** is established for the purpose of exercising the **Power of Decision** in the review of an **Administrative Monetary Penalty** in accordance with this By-law and the **Regulation**.

9.2 The following are not eligible for appointment as a **Screening Officer**:

- (a) a member of **Council**;
- (b) a **relative** of a **person** referenced in section 9.2(a).

9.3 The position of **Hearing Officer** is established for the purpose of exercising the **Power of Decision** in the review of a **Screening Decision** in accordance with this By-law and the **Regulation**.

9.4 The following are not eligible for appointment as a **Hearing Officer**:

- (a) a member of **Council**;
- (b) an employee of the **Town**;
- (c) an **Officer**;
- (d) a **relative** or a **person** referenced in section 9.4(a), 9.4(b) and 9.4(c);
- (e) a **person** indebted to the **Town** other than:
 - (i) in respect of current real property taxes; or
 - (ii) pursuant to an agreement with the **Town**, the terms with which the **person** is in compliance.

9.5 A **Screening Officer** shall be appointed by the **Clerk**.

9.6 A **Hearing Officer** shall be appointed by **Council** on the recommendation of the **Clerk** which recommendation shall give preference to an eligible candidate:

- (a) with knowledge of and experience in administrative law; and
- (b) of good character.

9.7 A **Screening Officer** shall hold office for the term of appointment until a successor is appointed.

9.8 **Hearing Officer** shall hold office for the term or remainder of the term of **Council** that appointed the **Hearing Officer** and thereafter until a successor is appointed.

9.9 A **Screening Officer** and a **Hearing Officer** shall be remunerated at the rate from time to time established by the **Clerk**.

9.10 No **person** shall attempt, directly or indirectly, to communicate with or influence a **Screening Officer** or a **Hearing Officer** respecting the determination of an issue respecting a **Power of Decision** in a proceeding that is or will be pending before the **Screening Officer** or **Hearing Officer** except a **Person** who is entitled to be heard in the proceeding or the **Person's** lawyer, licensed representative or authorized agent and only by that **Person** or the **Person's** lawyer, licensed representative or authorized agent during the screening or hearing of the proceeding in which the issue arises.

9.11 Section 9.10 does not prevent a **Screening Officer** or **Hearing Officer** from seeking and receiving legal advice.

10. JURISDICTION OF SCREENING AND HEARING OFFICER

- 10.1 Neither a **Screening Officer** nor a **Hearing Officer** has jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.
- 10.2 On a review of the **Administrative Monetary Penalty**, the **Screening Officer** may affirm the **Administrative Monetary Penalty**, including any administrative fee, or the **Screening Officer** may cancel, reduce, or extend the time for payment of the **Administrative Monetary Penalty**, including any administrative fee, on the following grounds:
- (a) where the **Person** establishes on a balance of probabilities, that he or she did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) where the **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Monetary Penalty**, including any administrative fees, is necessary to relieve any undue hardship;
 - (c) where the **Person** took all reasonable steps to prevent or avoid the contravention; and
 - (d) where the **Screening Officer** deems it in the interest of justice to do so.
- 10.3 On a review of a **Screening Decision**, a **Hearing Officer** may affirm the **Screening Decision**, or the **Hearing Officer** may cancel, reduce or extend the time for payment of the **Administrative Monetary Penalty**, including any administrative fee, on the following grounds:
- (a) where the **Person** establishes on a balance of probabilities, that he or she did not contravene the **Designated By-law** as described in the **Penalty Notice**;
 - (b) where the **Person** provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for payment of the **Administrative Monetary Penalty**, including any administrative fee, is necessary to relieve any undue hardship;
 - (c) where the **Person** took all reasonable steps to prevent or avoid the contravention; and
 - (d) where the **Hearing Officer** deems it in the interest of justice to do so.
- 10.4 Any decision by a **Hearing Officer** is final and is not subject to any further review, including review by any court.

11. ADMINISTRATION OF THE BY-LAW

- 11.1 The **Clerk** or designate shall administer the By-law and establish any practices, policies and procedures necessary to implement the By-law.
- 11.2 The **Clerk** or designate shall prescribe all forms and notices, including the **Penalty Notice**, necessary to implement the By-law and may amend such forms and notices from time to time as the **Clerk** or designate deems necessary.
- 11.3 The **Clerk** or designate may cancel an **Administrative Monetary Penalty**, including any administrative fee, where the **Penalty Notice** was issued to a **Person** due to an error made by the **Town**.
- 11.4 The **Clerk** or designate may cancel any administrative fee, without cancelling the **Administrative Monetary Penalty**, where the fee was imposed as the result of an error made by the **Town**.

12. FINANCIAL ADMINISTRATION

- 12.1 The **Administrative Monetary Penalty** is due and payable on the **Penalty Notice Date** and within 15 days of the **Penalty Notice Date**.
- 12.2 A **Person** who is given a **Penalty Notice** and who does not pay the amount of the **Administrative Monetary Penalty** within 15 days of the **Penalty Notice Date** shall pay to the **Town** the **Late Payment Fee** and any other administrative fees in Schedule “B” of this By-Law which may be applicable.
- 12.3 An **Administrative Monetary Penalty**, including any administrative fees, that is deemed affirmed is automatically affirmed under this By-law and does not require a **Power of Decision** provided to the **Screening Officer** or the **Hearing Officer**.
- 12.4 Where a **Person** has paid an **Administrative Monetary Penalty** that is then cancelled or reduced pursuant to this By-law, the **Town** shall refund the amount cancelled or reduced including any administrative fees imposed.

13. CONSEQUENCES OF NON-PAYMENT

- 13.1 An **Administrative Monetary Penalty**, including any administrative fees, that is affirmed or reduced or in respect of which the time for payment has been extended is due and payable and constitutes a debt to the **Town** owed by the **Person** to whom the **Penalty Notice** was given.
- 13.2 An **Administrative Monetary Penalty**, including any administrative fees, that is not paid within 15 days after it becomes due and payable shall be deemed to be unpaid taxes and may be collected in the same manner as taxes in accordance with section 434.2 *Municipal Act, 2001, S.O. 2001, c. 25*, as amended.
- 13.3 In the event of extenuating circumstances, a **Person** subject to a **Hearing No Show Fee** may request in writing to the **Clerk** or designate that the matter be reviewed, and upon providing any and all evidence satisfactory to the **Clerk** or designate, the said administrative fee may be cancelled, and an opportunity for another hearing granted, with the decision by the **Clerk** or designate being final.

14. SEVERABILITY

- 14.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of **Council** of the **Town** that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

BY-LAW READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 24th DAY OF FEBRUARY, 2025.

MAYOR

Clerk

SCHEDULE A TO BY-LAW 09-2025

DESIGNATED BY-LAW PROVISIONS

TRAFFIC BY-LAW #8-1983, as amended

For the purpose of section 2.1 of this By-law:

- (a) Traffic By-law #8-1983, as amended, is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Traffic By-law #8-1983, as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 7(2)	Parked longer than specified by sign	\$40.00
2	Section 7(1)	Parked on street prohibited by signs	\$40.00
3	Section 3(6)(a)	Parked on (or over) sidewalk	\$40.00
4	Section 3(6)(a)	Parked on (or over) boulevard	\$40.00
5	Section 3(1)(e)	Parked on roadway alongside other vehicle	\$40.00
6	Section 3(1)(a)	Parked facing wrong direction	\$40.00
7	Section 3(6)(b)	Parked on crosswalk	\$40.00
8	Section 5(3)	Parked within 15m of an intersection controlled by traffic lights	\$40.00
9	Section 5(4)	Parked within 15m of an intersection controlled by signs	\$40.00
10	Section 3(6)(h)	Parked on street – Midnight to 8am, Nov 15 to April 15	\$40.00
11	Section 4(1)(i)	Parked on roadway less than 6m in width	\$40.00
12	Section 19.1(1)	Prohibited heavy truck parking	\$110.00
13	Section 20.1	Unauthorized parking in handicapped area	\$300.00
14	Section 20.1	Extended parking in handicapped area	\$100.00
15	Section 5(1)(1)	Parking - School Bus	\$100.00
16	Section 3(7)(2)	Parked in Municipal Lot – No Valid Permit	\$40.00
17	Section 4(1)(c)	Parked in front of, or within 2m of a driveway/laneway	\$40.00
18	Section 4(1)(d)	Parked within 3m adjacent to fire hydrant	\$40.00
19	Section 4(1)(e)	Parked within 10m of an intersecting roadway	\$40.00
20	Section 4(1)(f)	Parked on roadway for the purpose of washing/greasing/repairing vehicle	\$40.00
21	Section 4(1)(g)	Parked on roadway displaying vehicle for sale	\$40.00
22	Section 5(5)	Parked within turning basin of cul-de-sac	\$40.00
23	Section 5(7)	Parked within school bus loading zone	\$40.00

24	Section 4(1)(a)	Parked so as to interfere with movement of traffic/clearing snow	\$40.00
25	Section 7.1(1)(a)	Play/take part in game/sport on highway/roadway/boulevard	\$100.00
26	Section 7.1(1)(b)	Place/install sporting/game device on roadway	\$100.00
27	Section 19.1	Prohibited heavy traffic operation	\$100.00

ANIMAL CARE AND CONTROL BY-LAW #15-2018, as amended

For the purpose of section 2.1 of this By-law:

- (a) Animal Care and Control By-law #15-2018, as amended, is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Animal Care and Control By-law #15-2018, as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 3.1	Owner fail to license dog for current year	\$250.00
2	Section 3.3	Owner failure to fix tag on dog	\$75.00
3	Section 5.1	Tether dog less than 3 metres in length	\$150.00
4	Section 6.1	Keep or permit more than four (4) dogs	\$150.00
5	Section 6.2	Keep or permit more than six (6) cats	\$150.00
6	Section 7.1	Fail to remove excrement left by dog	\$200.00
7	Section 7.2	Fail to remove excrement left by cat	\$200.00
8	Section 8.1	Allow dog to persistently bark, howl or whine	\$200.00
9	Section 9.1(a)	Permit dog to run at large	\$200.00
10	Section 9.1(b)	Fail to secure dog lead to hand	\$200.00
11	Section 9.2	Permit cat to run at large	\$200.00
12	Section 11.1	Keep prohibited animal	\$300.00
13	Section 11.2	Keep reptile, insect or amphibian outside a building or structure other than an animal enclosure	\$300.00
14	Section 12.1	Fail to meet size requirements for animal enclosure	\$300.00
15	Section 12.2	Fail to meet size requirements for reptile/fish/amphibian enclosure	\$300.00
16	Section 12.3	Keep animal in conditions harmful to its health	\$300.00
17	Section 12.5	Fail to keep animal clean and in sanitary condition	\$300.00
18	Section 12.6	Fail to keep animal enclosure free of offensive odour	\$300.00
19	Section 12.7	Fail to keep animal enclosure escape proof	\$300.00
20	Section 12.8(b)	Locate animal enclosure in restricted area	\$300.00
21	Section 12.9(a)	Use animal shelter constructed from unsound materials	\$300.00
22	Section 12.9(b)	Use animal enclosure pervious of water	\$300.00
23	Section 12.9(c)	Use animal enclosure not readily sanitized	\$300.00
24	Section 12.9(d)	Fail to maintain animal enclosure in good state of repair	\$300.00
25	Section 12.9(e)	Fail to maintain animal enclosure to minimize transfer of pathogenic agents	\$300.00

26	Section 12.9(f)	Fail to provide adequate ventilation in animal enclosure	\$300.00
27	Section 13.2	Leave animal unattended in a motor vehicle – weather conditions are not suitable	\$300.00
28	Section 14.1	Fail to provide basic needs of dog	\$300.00
29	Section 14.2	Fail to provide enclosure that will adequately protect dog from the elements	\$300.00
30	Section 15.2	Permit a dog to attack person/animal	\$300.00
31	Section 16.1	Fail to comply with notice to muzzle order	\$300.00
32	Section 20.1	Hinder/obstruct an Officer	\$300.00

CLEAN YARDS BY-LAW #72-2021, as amended

For the purpose of section 2.1 of this By-law:

- (a) Clean Yards By-law #72-2021, as amended, is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Clean Yards By-law#72-2021, as amended, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 27	Use property for the parking/storage of inoperative motor vehicle/vehicle/machinery	\$150.00
2	Section 27	Use property for the parking/storage of parts of a vehicle or machinery/inoperative motor vehicle/vehicle/machinery	\$150.00
3	Section 31	Fail to prevent light from outdoor light fixture to trespass	\$150.00
4	Section 31	Fail to shield light from outdoor light fixture	\$150.00
5	Section 33	Cause the storage/keeping/placement of a freezer/refrigerator/appliance/container in unsafe condition	\$200.00
6	Section 33	Permit the storage/keeping/placement of freezer/refrigerator/appliance/container in unsafe condition	\$200.00
7	Section 34	Place a freezer/refrigerator/appliance/container out for collection without removing doors/lids/other attachments	\$200.00
8	Section 34	Permit freezer/refrigerator/appliance/container out for collection without removing doors/lids/other attachments	\$200.00
9	Section 35	Cause/permit unfenced/unprotected pit/excavation	\$150.00
10	Section 37	Fail to comply with Order to remedy standing water	\$150.00
11	Section 38	Dump/throw/place/deposit/bury/disposal of waste material on highway	\$150.00
12	Section 38	Permit the dumping/throwing/placing/depositing/burying/disposal of waste material on highway	\$150.00
13	Section 41(a)	Keep/store/place firewood in yard other than rear or	\$150.00

		interior side yard	
14	Section 41(b)	Keep/store/place firewood not used for burning on property	\$150.00
15	Section 41(c)	Keep/store/place firewood in excess of 15% of yard area	\$150.00
16	Section 41(d)	Keep/store/place firewood less than 1.2 metres away from lot line	\$150.00
17	Section 41(e)	Keep/store/place firewood in excess of 2.43 metres in height in rear yard	\$150.00
18	Section 41(e)	Keep/store/place firewood in excess of 1.82 metres in interior side yard	\$150.00
19	Section 54	Hinder/interfere/obstruct an Officer	\$200.00
20	Section 55	Contravene Order/Direction	\$200.00
21	Section 53	Decline/neglect/produce/deliver on request information/document/or thing	\$200.00

NOISE BY-LAW #52-2022

For the purpose of section 2.1 of this By-law:

- (a) Noise By-law #52-2022, as amended, is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Noise By-law #52-2022, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 2.1	Emit/Cause/Permit noise likely to disturb the inhabitants	\$300.00
2	Section 3.1 Schedule A-A	Emit/Cause/Permit noise namely electronic device	\$300.00
3	Section 3.1 Schedule A-B	Emit/Cause/Permit noise namely playing a musical instrument	\$300.00
4	Section 3.1 Schedule A-B	Emit/Cause/Permit noise namely playing a musical instrument on a Sunday or Holiday	\$300.00
5	Section 3.1 Schedule A-C	Emit/Cause/Permit noise namely yelling, shouting, whistling or singing	\$300.00
6	Section 3.1 Schedule A-D	Emit/Cause/Permit noise namely operating waste collection machinery	\$300.00
7	Section 3.1 Schedule A-D	Emit/Cause/Permit noise namely operating refuse compacting equipment	\$300.00
8	Section 3.1 Schedule A-D	Emit/Cause/Permit noise namely operating waste collection machinery on as Sunday or Holiday	\$300.00
9	Section 3.1 Schedule A-D	Emit/Cause/Permit noise namely refuse compacting equipment on a Sunday or Holiday	\$300.00
10	Section 3.1 Schedule A-E	Emit/Cause/Permit noise namely selling or advertising by shouting or amplified sound	\$300.00
11	Section 3.1 Schedule A-F	Emit/Cause/Permit noise namely discharge of firearms in permitted area	\$300.00
12	Section 3.1 Schedule A-G	Emit/Cause/Permit noise namely loading/unloading/packing/unpackaging/delivery of container/product/material	\$300.00

13	Section 3.1 Schedule A-H	Emit/Cause/Permit noise namely operation of construction equipment	\$300.00
14	Section 3.1 Schedule A-I	Emit/Cause/Permit noise namely operation of heavy equipment	\$300.00
15	Section 3.1 Schedule A-J	Emit/Cause/Permit noise namely operation of property maintenance equipment	\$300.00
16	Section 3.1 Schedule A-O	Emit/Cause/Permit noise namely operation of auditory signaling device	\$300.00
17	Section 3.1 Schedule A-P	Emit/Cause/Permit noise namely discharge of fireworks	\$300.00
18	Section 3.1 Schedule A-Q	Emit/Cause/Permit noise namely persistent barking, calling or whining of domestic pet	\$300.00
19	Section 3.1 Schedule A-R	Emit/Cause/Permit noise namely operation of snow making equipment	\$300.00
20	Section 3.1 Schedule A-S	Emit/Cause/Permit noise namely operation of sound emitting pest control device	\$300.00
21	Section 3.1 Schedule A-T	Emit/Cause/Permit noise namely detonation of explosives	\$300.00
22	Section 4.1	Ring any bell/sound/horn/shout in a manner likely to disturb the inhabitants	\$300.00
23	Section 5.1	Operate/Use/Cause sound reproduction device in residential area that disturbs the peace	\$300.00
24	Section 5.3	Operate/Use/Cause sound reproduction equipment clearly audible in another dwelling within the residence	\$300.00
25	Section 5.4	Operate/Use/Cause sound reproduction device on highway or public place	\$300.00
26	Section 5.6	Operate/Cause to be operated vehicle radio/stereo/amplifier clearly audible 8 metres from vehicle	\$300.00
27	Section 6.1	Operate/Cause to operated power equipment	\$300.00
28	Section 7.1	Operate/Cause to be operated street sweeping equipment	\$300.00
29	Section 7.2	Operate/Cause to be operated heavy equipment on a Saturday, Sunday or Holiday	\$300.00
30	Section 8.1	Cause/Permit the operation refuse compacting equipment	\$300.00
31	Section 8.2	Cause/Permit loading or unloading containerized waste	\$300.00
32	Section 9.1	Cause/Permit loading or unloading any vehicle	\$300.00
33	Section 9.2	Cause/Permit loading or unloading of vehicle on Sunday or Holiday	\$300.00
34	Section 10.1	Operate/Cause to be operated a construction vehicle or equipment	\$300.00
35	Section 10.2	Operate/Cause to be operated a construction vehicle or equipment on a Sunday or Holiday	\$300.00
36	Section 11.1	Emit/Cause/Permit emission of noise from unnecessary operation of motor vehicle on private property	\$300.00
37	Section 11.2	Emit/Cause/Permit emission of noise from trailer on private property	\$300.00
38	Section 12.1	Operate/Permit the operation of any motor vehicle idling in excess of 3 minutes	\$300.00
39	Section 14.1	Cause/Permit persistent noise from animal, excess 20 minutes in 60-minute period	\$300.00

PARKS USE BY-LAW #31-2022

For the purpose of section 2.1 of this By-law:

- (a) Parks Use By-law #31-2022 is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Parks Use By-law #31-2022, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 3.1(a)	Entered/remained in park between 11pm and 6am	\$125.00
2	Section 3.1(b)	Enter/remain when park building closed	\$125.00
3	Section 3.1 (c)	Vehicle left in park between 11pm and 6am	\$125.00
4	Section 4.1(a)	Played/organized/encouraged in game/activity danger to others	\$125.00
5	Section 4.1(b)	Fly/operate airplane/drone/rocket in park	\$125.00
6	Section 4.1(c)	Skate/walk/activities on/in ice covered pond/water retention pond/body of water	\$150.00
7	Section 4.1 (d)	Use/ride/train/race a horse in park	\$125.00
8	Section 4.1(e)	Set/maintain open air burning	\$150.00
9	Section 4.1(f)	Carried weapon in a park	\$225.00
10	Section 4.1(g)	Swim/bathe/wade in fountain, pond/water retention pond	\$125.00
11	Section 4.1(h)	Pollute body of water/swimming pool/wading pool/splash pad in park	\$225.00
12	Section 4.1(i)	Dress/undress not in change facility	\$125.00
13	Section 4.1(j)	Nude in park or park building	\$125.00
14	Section 4.1(k)	Possess/consume/serve/sell alcohol without permit	\$125.00
15	Section 4.1(l)	Litter in park	\$125.00
16	Section 4.1(m)	Encroach/make exclusive use of park without rental permit	\$225.00
17	Section 4.1(n)	Obnoxious/boisterous/objectionable conduct in park	\$125.00
18	Section 4.1(n)	Use profane/indecent/abusive language in park	\$125.00
19	Section 4.1(o)	Political campaigning/broadcasting in park	\$125.00
20	Section 4.1(p)	Damage/destroy nest/den of birds/animal in park	\$125.00
21	Section 4.1(q)	Clean/polish/repair motor vehicle in park	\$125.00
22	Section 4.1(r)	Ride/drive motor vehicle not on roadway in park	\$125.00
23	Section 4.1(t)	Ride/drive motorized recreational vehicle/snow vehicle in park	\$125.00
24	Section 4.1(u)	Beg/solicit in park	\$125.00
25	Section 4.1(v)	Affix advertisement/notice/bill/paper to vegetation/structure/building	\$125.00
26	Section 4.1(x)	Hunt/maim/injure/trap/disturb animal/bird/waterfowl/worms/wildlife	\$125.00
27	Section 4.1(y)	Throw/place/deposit residential/hazardous waste in park/park receptacle	\$125.00
28	Section 4.1(z)	Smoke/vape tobacco/cannabis on property	\$125.00

		owned/leased by municipality	
29	Section 5.1	Enter change facility designated for opposite sex	\$125.00
30	Section 5.2	Fail to turn off photographic device in change facility	\$275.00
31	Section 6.1(a)	Plant/prune/remove/damage any plant/shrub/flower/flower bed/tree/sod without permission	\$125.00
32	Section 6.1(b)	Climb/remove/damage/deface property owned/controlled by the Town	\$150.00
33	Section 6.1(c)	Climb Park building/structure/equipment not intended for that purpose	\$125.00
34	Section 6.1(e)	Damage/disturb grounds prepared for planting	\$125.00
35	Section 6.1(f)	Remove soil/gravel/stone/rocks/wood	\$125.00
36	Section 7.1	Cross/conduct works under/over/along/across park without permit	\$225.00
37	Section 8.1(a)	Offer goods for sale/lease/rent/barter without permits	\$125.00
38	Section 8.1(b)	Use apparatus/mechanism/device amplify voice/music/other sound	\$125.00
39	Section 8.1(d)	Erect/leave tent/shelter/structure without permit	\$125.00
40	Section 8.1(e)	Operate amusement ride/hot air ballon/inflatable amusement structure without permit	\$225.00
41	Section 8.1(f)	Act of busking without permit	\$125.00
42	Section 8.1(g)	Organize/arrange/participate in formal gathering/meeting more than fifteen persons without permit	\$225.00
43	Section 8.1(h)	Operate a business without permit	\$175.00
44	Section 8.1(i)	Use Park/sports field for exclusive use/play/practice by organized team/group/club/private business without permit	\$175.00
45	Section 8.1(j)	Distribute/display advertisement without permit	\$125.00
46	Section 8.1(k)	Obstruct roadway/path/parking area without permit	\$125.00
47	Section 8.1(l)	Set off fireworks without permit	\$225.00
48	Section 8.1(m)	Film/commercial shoot without permit	\$175.00
49	Section 8.2	Use cooking device without rental/special event permit	\$225.00
50	Section 8.3	Use fuel other than propane	\$125.00

PUBLIC NUISANCE BY-LAW #03-2020

For the purpose of section 2.1 of this By-law:

- (a) Public Nuisance By-law #03-2020 is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Public Nuisance By-law #03-2020, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 2(a)	Solicit or sell in a public place without authorization	\$200.00
2	Section 2(b)	Block, interfere or impede a town pedestrian way	\$200.00

		without authorization	
3	Section 2(c)	Mark or apply graffiti on a public place	\$200.00
4	Section 2(c)	Mark or apply graffiti on private property	\$200.00
5	Section 2(d)	Deface, damage or destroy public property	\$200.00
6	Section 2(e)	Litter in a public place	\$150.00
7	Section 2(e)	Litter on private property without authorization	\$150.00
8	Section 2(f)	Feeding of wildlife	\$200.00
9	Section 2(g)	Publicly display a carcass	\$200.00
10	Section 2(h)	Publicly butcher or slaughter an animal	\$200.00
11	Section 2(i)	Participate or be a spectator in a fight in any public place	\$200.00
12	Section 2(j)	Defecate, urinate or vomit in a public place	\$200.00
13	Section 2(k)	Commit disorderly conduct in a public place	\$200.00
14	Section 2(l)	Loiter in a public place	\$150.00
15	Section 3(c)	Hinder or obstruct an officer	\$300.00

FIREWORKS BY-LAW #23-2021

For the purpose of section 2.1 of this By-law:

- (a) Fireworks By-law #23-2021 is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Fireworks By-law #23-2021, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 3.1	Use Fireworks on prohibited day/time	\$200.00
2	Section 4.1	Use Fireworks in manner to create danger/nuisance	\$300.00
3	Section 4.2	Cause/permit storage/use/sale of prohibited fireworks	\$300.00
4	Section 4.3	Possess prohibited fireworks	\$300.00
5	Section 4.4	Sell fireworks/sparklers to person under the age of 18	\$200.00
6	Section 4.5	Sell consumer fireworks on prohibited day	\$200.00
7	Section 4.6	Cause/permit the storage/use/discharge/sale of firecrackers/explosives	\$500.00
8	Section 4.7	Cause/permit use of fireworks during fire ban	\$500.00
9	Section 4.8	Cause/permit sale of display fireworks	\$300.00
10	Section 5.1	Use of fireworks by person under the age of 18	\$200.00
11	Section 5.2(a)	Use of fireworks on Town property without permission	\$300.00
12	Section 5.2(b)	Use fireworks in Town Park/parkette/trail/storm water management land without permission	\$300.00
13	Section 5.2(c)	Use fireworks on road/street/sidewalk/boulevard/shoulder/road allowance/highway	\$300.00
14	Section 5.2(e)	Use fireworks within 50 metres of a hospital/nursing home/long-term care home/retirement home/group home	\$300.00

15	Section 5.2(f)	Use fireworks within 50 metres of a school/educational facility/daycare/childcare facility/religious institution without permission	\$300.00
16	Section 5.2(g)	Use fireworks within 50 metres of place where explosives/gasoline/flammable substance are commercially manufactured/stored/sold	\$300.00
17	Section 5.3	Cause/permit use of fireworks on private land without permission	\$200.00
18	Section 5.4	Use display fireworks in Town	\$500.00

ELECTION SIGN BY-LAW #15-2022

For the purpose of section 2.1 of this By-law:

- (a) Election Sign By-law #15-2022 is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Election Sign By-law #15-2022, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 3.1	Cause/permit election sign place/installed/erected not in accordance with bylaw	\$150.00
2	Section 3.2	Cause/permit third party advertising without registering with Clerk	\$150.00
3	Section 3.3	Cause/permit election sign to be pulled down/moved/removed/defaced/damaged	\$300.00
4	Section 3.4(a)	Cause/permit election sign illuminated/flashing lights/rotating parts	\$100.00
5	Section 3.4(b)	Cause/permit election sign impede/obstruct Town maintenance operations	\$100.00
6	Section 3.4(c)	Cause/permit election sign placed on roadway/highway	\$100.00
7	Section 3.4(d)	Cause/permit election sign placed within sight triangle	\$100.00
8	Section 3.4(e)	Cause/permit election sign placed less than 3 metres from school crossing	\$100.00
9	Section 3.4(f)	Cause/permit election sign simulates traffic sign/signal/official sign/directs traffic	\$100.00
10	Section 3.4(g)	Cause/permit election sign affixed to public property/mailbox/utility	\$200.00
11	Section 3.4(h)	Cause/permit election sign placed/painted/attached/supported by tree/stone/natural object	\$100.00
12	Section 3.5	Cause/permit election sign on/in voting location	\$200.00
13	Section 3.7	Cause/permit election sign placement/attachment/installation/erection on public property	\$200.00

ROAD OCCUPANCY/ROAD CLOSURE BY-LAW #53-2022

For the purpose of section 2.1 of this By-law:

- (a) Road Occupancy/Road Closure By-law #53-2022 is a Designated By-law;
- (b) Column 1 in the following table lists the provisions in the Road Occupancy/Road Closure By-law #53-2022, that are hereby designated for the purposes of section 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended;
- (c) Column 2 in the following table sets out the short form wording to be used in a **Penalty Notice** for the contravention of the designated provisions listed in Column 1;
- (d) Column 3 in the following table sets out the **Administrative Monetary Penalty** amounts that are payable for contraventions of the designated provisions listed in Column 1.

Item	Column 1 Designated Provision	Column 2 Short Form Wording	Column 3 Administrative Monetary Penalty
1	Section 4.1(c)	Close/occupy/obstruct a highway by storage of materials without permit	\$200.00
2	Section 4.1 (c)	Encumber/injure/fowl a highway by storage of materials without permit	\$200.00
3	Section 4.1 (d)	Close/occupy/obstruct a highway by hosting parade/community walk without permit	\$200.00
4	Section 4.1 (d)	Encumber/injure/fowl a highway by hosting parade/community walk without permit	\$200.00
5	Section 4.1 (d)	Close/occupy/obstruct a highway by hosting concert/street party without permit	\$200.00
6	Section 4.1 (d)	Encumber/injure/fowl a highway by hosting concert/street party without permit	\$200.00
7	Section 4.1(d)	Close/occupy/obstruct a highway by hosting event/other activities without permit	\$200.00
8	Section 4.1 (d)	Encumber/injure/fowl a highway by hosting event/other activities without permit	\$200.00
9	Section 4.1 (e)	Close/occupy/obstruct a highway by placing tent/lean to/structure/fence boarding without permit	\$200.00
10	Section 4.1 (e)	Encumber/injure/fowl a highway by placing tent/lean to/structure/fence boarding without permit	\$200.00
11	Section 4.1 (f)	Close/occupy/obstruct a highway by cutting any curb abutting private property without permit	\$200.00
12	Section 8.1 (a)	Allow/permit boulevard alterations create health and safety risk to pedestrians	\$200.00
13	Section 8.1 (b)	Allow/permit boulevard alterations impair ability to see pedestrian/vehicle	\$200.00
14	Section 8.1 (c)	Allow/permit boulevard alterations interfere with municipal assets/utilities	\$200.00
15	Section 8.1 (d)	Allow/permit boulevard alterations within 3 metres of a side/rear property line	\$200.00
16	Section 8.1 (i)	Allow/permit boulevard alterations within 3 metres of fire hydrant	\$200.00
17	Section 8.1 (j)	Allow/permit boulevard alterations include river rock/loose gravel/pea gravel/loose stone/sand	\$200.00
18	Section 8.3	Widen apron abutting property not in compliance with conditions	\$200.00
19	Section 8.3 (a) (i)	Apron of driveway exceeds maximum width as defined	\$200.00

20	Section 10.1	Alter/encroach boulevard beyond permissions granted without permit	\$200.00
21	Section 10.6	Park outside of permitted apron limits listed Section 8.3 (a)(i)	\$40.00
22	Section 10.7	Damage/destroy pipe/wire/cable/property locate	\$200.00

SCHEDULE B TO BY-LAW NO. 09-2025

ADMINISTRATIVE FEES

Item No.	COLUMN 1 Administrative Fee	COLUMN 2 Amount
1	Late Payment Fee	\$30.00
2	Screening No Show Fee	\$125.00
3	Hearing No Show Fee	\$350.00
4	Land Title Search Fee	\$30.00
5	Title Deed Fee	\$20.00
6	MTO Search Fee	\$12.00
7	Mailing Fee	Actual Cost
8	Plate Denial Enforcement Fee	\$25.00
9	NSF	\$40.00
	Note: Fees listed in Schedule “B” to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.	

“Late Payment Fee” means a fee established by Council from time to time in respect of a Contravenor’s failure to pay an Administrative Monetary Penalty Amount within the time prescribed in this By-law.

“MTO Search Fee” means a fee established by Council from time to time in respect of any search of the records of, or any inquiry to, the Ontario Ministry of Transportation, or related authority, and listed in the User Fees and Charges By-law.

“Plate Denial Enforcement Fee” means a fee established by Council from time to time in respect of the notification of the Ontario Ministry of Transportation Registrar of Motor Vehicles for the purpose of denying renewal of a vehicle permit.

“Screening Non-appearance Fee” means a fee established by Council from time to time in respect of a Contravenor’s, or their authorized agent’s, failure to appear at the time and place scheduled for a Screening Review.

“Hearing Non-appearance Fee” means a fee established by Council from time to time in respect of a Contravenor’s, or their authorized agent’s, failure to appear at the time and place scheduled for a Hearing.

“NSF Fee” means a fee established by Council from time to time in respect of payment by negotiable instrument received by the Town from a Contravenor for payment of any Administrative Monetary Penalty Amount or Administrative Fee(s), for which there are insufficient funds available in the account on which the instrument was Drawn and is charged as per the User Fees and Charges By-law.



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CORPORATE POLICY – AMPS-001

DEPARTMENT:	Legislative Services
POLICY:	Prevention of Political Interference in The Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

This policy is to prevent political interference in the administration of the Administrative Monetary Penalty System (AMPS).

In accordance with [Ontario Regulation 333/07](#), the Town is required to establish a policy for the prevention of political interference in AMPS.

2. POLICY PRINCIPLES

This policy defines what constitutes political interference in relation to AMPS, to ensure the responsibilities of the Screening Officers and Hearing Officers are conducted in accordance with fundamental principles of justice, which include decision making and procedural independence, fairness, impartiality and integrity, without any political interference.

This policy applies to all elected Members of Council, as well as other Town of Shelburne officials and staff in relation to their interaction with AMPS and Members of Council.

In regard to Members of Council, this policy should be read and interpreted within the context of prevailing provincial legislation (i.e., [Municipal Conflict of Interest Act](#)) and the [Council Code of Conduct](#), including its related policies, procedures and guidelines.

3. DEFINITIONS

AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;



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Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the Town of Shelburne;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Hearing Review means the process set out in section 8 of By-law 09-2025;

Person includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion, as provided by the Ontario Ministry of Transportation, is the person for the purposes of this policy;

Screening Review means the process set out in section 7 of By-law 09-2025;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with section 9 of By-law 09-2025.

4. POLICY

4.1 Principles of Preventing Political Interference

- (a) No person shall attempt, directly or indirectly, to communicate with employees or other persons performing duties related to the administration of AMPS for the purpose of influencing or interfering, financially, politically or otherwise, with the administration of the AMPS program;
- (b) No person shall attempt, directly or indirectly, to communicate with employees or other individuals performing duties related to the administration of AMPS for the purpose of influencing or interfering in, financially, politically or otherwise the administration of AMPS or any particular Penalty Notice;



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- (c) All individuals involved with the enforcement and administrative functions of the AMPS program shall carry out such duties in a manner which upholds the integrity of the administration of justice.

4.2 Implementation

- (a) All Members of Council shall be provided with a copy of this policy;
- (b) This policy shall form part of the orientation for all Members of Council at the start of a new term of Council, as well as all current and new municipal officials and staff, with the potential for interaction with the AMPS program; and
- (c) This policy shall form part of the orientation for all current and new Screening Officers, Hearing Officers and AMPS administration staff.

4.3 Accountability

- (a) Any interference with AMPS by an individual may result in charges under the Criminal Code of Canada, Provincial Statute or other disciplinary action;
- (b) Any interference with AMPS by a Member of Council may be considered a Council Code of Conduct violation;
- (c) A Screening Officer or Hearing Officer, Town employee or another individual performing duties related to AMPS under this policy shall report any attempt at political influence or interference, pecuniary, political or otherwise, to the Clerk. No action shall be taken against the employee or other person(s) for making any such report in good faith;
- (d) Where any employee, Screening Officer, Hearing Officer or other person performing duties related to AMPS, is contacted by a Member of Council or Town official with respect to the administration of AMPS, he or she shall immediately disclose such contact to the Clerk in order to maintain the integrity of AMPS; and
- (e) A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Clerk.



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5. ADMINISTRATION AND CONTACT

This policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.

Cross References

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

[Council Code of Conduct Bylaw #03-2016](#)

Contact

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Policy Approved By: Jennifer Willoughby, Director of Legislative Services/Clerk

Approval Date: March 10, 2025

Policy Effective Date: March 10, 2025



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CORPORATE POLICY – AMPS-002

DEPARTMENT:	Legislative Services
POLICY:	Public Complaints Respecting the Administration of the Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

This policy is to address any public complaints regarding the administration of the Administrative Monetary Penalty System (AMPS) and to ensure AMPS remains a transparent, accessible, responsive, accountable, efficient and effective system for By-law Enforcement in the Town of Shelburne, and that any public complaints are addressed in a timely and responsible manner.

In accordance with [Ontario Regulation 333/07](#), the Town is required to develop a policy to address public complaints regarding the administration of AMPS.

2. POLICY PRINCIPLES

This policy applies to all public complaints, informal or formal, regarding all aspects of AMPS, and applies to all administrative actions and functions of all Town employees and other individuals responsible for the administration of AMPS.

Any public complaint filed under this Policy in regards to the administrative actions of a Town employee, Screening Officer or Hearing Officer under AMPS shall be referred to the Clerk.

Screening Officers and Hearing Officers do not have jurisdiction to consider questions relating to the validity of a Statute, Regulation or By-law or the constitutional applicability or operability of any Statute, Regulation or By-law. Any such complaints will not be processed through this policy.

This policy is not intended to replace other specific Town programs, policies/procedures and legal processes available to the public to address public concerns with AMPS.



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3. DEFINITIONS

AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;

Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the Town of Shelburne;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with section 9 of By-law 09-2025.

4. POLICY

4.1 A public complaint shall be processed using the following framework:

- (a) Any public complaint must be in writing, identifying the name and full contact information of the complainant, and sent to the Clerk, or designate, within 30 days of the date of the event for which the complaint is being made.
- (b) All complaints shall be treated as confidential by the Clerk's Office, respecting personal information privacy and confidentiality, in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
- (c) Any complaint regarding a Member of Council in respect of the administration of AMPS shall be processed in accordance with the Council Code of Conduct.
- (d) The Clerk, or designate, will not address or process any public complaint that is deemed by the Clerk, or designate, as frivolous, vexatious, trivial or made in bad faith.
- (e) Where possible, attempts will be made to address public complaints through an informal resolution process before proceeding to a formal resolution process.



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- (f) Any deemed resolution of a formal complaint will be addressed by a written response from the Clerk, or designate, to the person filing the complaint. A public complaint sustained through a review cannot be used as the basis to change or void a decision of a Screening Officer or Hearing Officer, including any penalties and administrative fees due or paid.

4.2 Anonymous complaints

Complaints that are anonymous will not be accepted.

4.3 Withdrawing a complaint

A complainant may withdraw their complaint at anytime.

4.4 Accountability

All individuals responsible for administering the AMPS program shall be responsible for adherence to this policy. The Clerk, or designate, unless otherwise noted, shall be responsible for addressing public complaints regarding the administration of AMPS.

5. ADMINISTRATION AND CONTACT

This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.

Cross References

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

[Council Code of Conduct Bylaw #03-2016](#)

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Policy Approved By: Jennifer Willoughby, Director of Legislative Services/Clerk

Approval Date: March 10, 2025

Policy Effective Date: March 10, 2025



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CORPORATE POLICY – AMPS-003

DEPARTMENT:	Legislative Services
POLICY:	Financial Management and Reporting for the Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

The purpose of this document is to provide a policy regarding financial management and the reporting and tracking of administrative penalties and fees. This policy affirms that the Town of Shelburne's Administrative Monetary Penalty System (AMPS) shall follow the existing corporate policies and procedures related to financial management and reporting.

In accordance with [Ontario Regulation 333/07](#), the Town is required to develop a policy to address financial management and reporting of AMPS.

2. POLICY PRINCIPLES

This policy applies to all financial management and reporting responsibilities and accountabilities regarding AMPS. All Town employees and other individuals responsible for the administration of AMPS shall comply with this policy.

The Town has established a number of financial management policies and procedures which, along with proactive financial planning processes, provide a framework for the Town's overall fiscal planning and management. The Town continues to display financial accountability through regular, thorough and transparent financial performance reporting and analysis. This will be reflected in routine reporting on AMPS financial results, as well as efficiency and effectiveness measures of the AMPS program and services.

3. DEFINITIONS

Administrative Fee means any fee specified in By-law 09-2025;



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AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;

Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the Town of Shelburne;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Penalty Notice means a notice given to a person pursuant to Section 5 of By-law 09-2025;

Person includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion, as provided by the Ontario Ministry of Transportation, is the person for the purposes of this policy;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with section 9 of By-law 09-2025.

4. POLICY

4.1 General Financial Management and Reporting

Preparation of the Town's budget revolves around priority setting that reflects Council's Priorities, service delivery objectives and standards and historical financial performance; all balanced with the need for prudent financial management. Priority setting and budgeting with respect to AMPS shall be the responsibility of the Legislative Service Department.

Through the process of current and capital financial management and reporting for AMPS, the Legislative Service Department shall:



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- (a) Review and monitor current year actual, budgeted and projected financial performance and operating results;
- (b) Proactively compare program financial activity with past performance to identify trends, issues and opportunities;
- (c) Determine priorities for maintaining and improving AMPS program service levels, which will assist with determining key Legislative Services Departmental initiatives and transform them into specific action plans and funding requirements;
- (d) Review and develop long-term plans for AMPS including a multi-year operating and capital budget analysis and projections;
- (e) Identify and mitigate factors impacting the AMPS budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of Town decision-makers;
- (f) Comply with all Corporate reporting standards and requirements as part of the Town's financial management and reporting processes;
- (g) Ensure all necessary financial signing authorities are in place and followed by all staff involved in AMPS administration; and
- (h) Comply with all Town procurement policies and procedures in regard to AMPS.

4.2 Payment of a Penalty Notice

A Screening Officer issuing a Penalty Notice for an infraction of a designated by-law is not permitted to accept payment for an administrative penalty. Screening Officers and Hearing Officers are prohibited from directly accepting any payment from any person in respect of a Penalty Notice.

Town employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

4.2.1 Methods of Payment

Following the issuance of a Penalty Notice, the person is permitted to make a voluntary payment by using one of the following methods:



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- (a) Online using a credit card at:
www.shelburne.ca
(subject to a nominal processing fee)
- (b) By calling the toll-free number 1-855-973-1933 using VISA, MasterCard
(subject to a nominal processing fee)
- (c) In person at Shelburne Town Hall
Cash, Cheque or Debit will only be accepted
203 Main Street East, Shelburne ON L9V 3K7
Monday to Friday 8:30am to 12:00pm and 1:00pm to 4:30pm
- (d) By mail using cheque or money order only
The Penalty Notice number must be written on the front of the cheque or money order and shall be made payable to The Town of Shelburne and mailed to: Town of Shelburne, 203 Main Street East, Shelburne, ON L9V 3K7

Payment is not considered made until received by the Town. Persons must allow sufficient mailing time for payments and should not send cash by mail. Post-dated cheques or payment by installations are not accepted. A fee will be applied for any Non-Sufficient Funds, cancelled or reversed payment.

4.2.2 Processing Payments

Payments will be processed as follows:

- a. Online – www.shelburne.ca
The person enters their Penalty Notice and related information into the system and makes a payment with their credit card information. The person may print a receipt of payment as proof of payment for their records.
- b. By Phone – 1-855-973-1933
The person enters their Penalty Notice and related information into the system and makes a payment with their credit card information. The person is provided with a confirmation number as proof of payment for their records.



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c. In Person

Apply the appropriate method of payment, cash, cheque or debit, to the Penalty Notice. The person is provided with a receipt of payment for their records.

By Mail

Apply the cheque or money order payment to the Penalty Notice.

Upon receipt of a Penalty Notice payment, a Town employee will apply the payment to a specific Penalty Notice in the Auto Process system connected to the Town's Point-of-Sale terminals. The Penalty Notice will reflect "paid" status. A person's credit card information is not kept by the Town's system, in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

4.2.3 Refund of Payment

If a person has paid any administrative fees in respect of a Penalty Notice which is subsequently cancelled by a Screening Officer or Hearing Officer, the Town shall refund in full such administrative fees to the person.

4.3 Administrative Fees

Various administrative fees may be payable by a person with a Penalty Notice as set out in By-law 09-2025.

4.4 Accountability

All persons responsible for administering the AMPS program shall be responsible for adherence to this policy. Any individual shall bring any contravention of this policy to the attention of the Clerk.

5. ADMINISTRATION AND CONTACT

This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.



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Cross References

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

Contact

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Policy Approved By: Jennifer Willoughby, Director of Legislative Services/Clerk

Approval Date: March 10, 2025

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CORPORATE POLICY – AMPS-004

DEPARTMENT:	Legislative Services
POLICY:	Conflict of Interest in Relation to the Administration of the Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

This policy addresses conflict of interest provisions in relation to the administration of the Administrative Monetary Penalty System (AMPS). This policy establishes conflict of interest guidelines to ensure that AMPS responsibilities are conducted in accordance with fundamental principles of justice, which include judicial and prosecutorial independence, fairness, impartiality, competence and integrity.

In accordance with [Ontario Regulation 333/07](#), the Town is required to define what constitutes a conflict of interest in relation to AMPS, to prevent such conflicts of interest and to redress such conflicts should they occur.

2. POLICY PRINCIPLES

This policy applies to all Screening Officers, Hearing Officers, all Town officials and staff involved in the administration of AMPS.

For Town staff engaged in the administration of AMPS, the Employee Code of Conduct, and any successor policy, shall also apply in regard to the activities of an employee in the administration of AMPS.

In regard to Members of Council, this policy should be read and interpreted within the context of prevailing provincial legislation (i.e., [Municipal Conflict of Interest Act](#)) and the [Council Code of Conduct](#), including its related policies, procedures and guidelines.



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This policy is not intended to replace other specific Town programs, policies/procedures and legal processes available to the public to address public concerns with AMPS.

3. DEFINITIONS

AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;

Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the Town of Shelburne;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Parent means a person who has demonstrated a settled intention to treat a child as a member of their family, whether or not that person is the natural parent of the child;

Penalty Notice means a notice given to a person pursuant to Section 5 of Bylaw 09-2025;

Person includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion, as provided by the Ontario Ministry of Transportation, is the person for the purposes of this policy;

Relative includes any of the following persons:

- i. spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
- ii. Parent or legal guardian;
- iii. child, including a step-child and grandchild;
- iv. siblings and children of siblings;
- v. aunt, uncle, niece and nephew



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- vi. in-laws, including mother, father, sister, brother, daughter and son; or
- vii. any person included but not limited to a dependent, who lives with the person on a permanent basis.

Screening Review means the process set out in Section 7 of By-law 09-2025;

Hearing Review means the process set out in Section 8 of By-law 09-2025;

Screening Decision means a notice which contains the decision of a Screening Officer delivered in accordance with Section 7.9 of By-law 09-2025;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with Section 9 of By-law 09-2025

4. POLICY

4.1 Appointment of Screening Officers and Hearing Officers

By-law 09-2025, sets out the rules regarding the appointment of Screening Officers and Hearing Officers.

Screening Officers are individuals appointed by the Clerk to conduct screening reviews in the public interest.

Hearing Officers are individuals appointed by Council to conduct hearing reviews in the public interest.

4.11 The following individuals are not eligible for appointment as a Screening Officer or Hearing Officer:

- (a) a Member of Council or a relative of a Member of Council;
- (b) an individual indebted to the Town other than:
 - i. in respect of current real property taxes; or
 - ii. pursuant to an agreement with the Town, where the individual is in compliance with the terms thereof; and
- (c) in the case of a Hearing Officer, an employee of the Town of Shelburne.



4.2 Conflict of Interest

A conflict of interest arises where a Screening Officer, Hearing Officer or Town staff involved in the administration of AMPS has a personal or business interest that conflicts, might conflict, or may be perceived to conflict with the interests of the proper administration of AMPS. A conflict of interest includes a pecuniary or non-pecuniary, actual, perceived or potential conflict and could arise in relation to personal or business matters including:

- (a) directorships or employment;
- (b) interests in business enterprises or professional practices;
- (c) share ownership or beneficial interests in trusts;
- (d) professional or personal associations with a person;
- (e) professional associations or relationships with other organizations; and
- (f) personal associations with other groups or organizations, or family relationships including relatives.

Screening Officers must be and appear to be impartial at all times. It is inappropriate for a Screening Officer to review a Penalty Notice for a personal or business acquaintance or relative.

Hearing Officers are obligated to conduct Hearing Reviews in an impartial manner. Hearing Officers, in conducting a Hearing Review, are bound by the [Statutory Powers and Procedures Act](#), as well as bound by general administrative common law principles (i.e. procedural fairness, natural justice, impartial and unbiased decision making, etc.). Hearing Officers must be and appear to be impartial at all times. It is inappropriate for a Hearing Officer to review a Screening Decision for a personal or business acquaintance or relative.

Every Screening Officer, Hearing Officer and Town employee involved in the administration of AMPS, must disclose to the Clerk any obligation, commitment, relationship or interest that could conflict with or may be perceived to conflict with their duties to or interests in the administration of AMPS.

Additionally, a Screening Officer or Hearing Officer shall not represent any person at a Screening Review or Hearing Review.



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4.3 Conduct of Screening Officers and Hearing Officers

All Screening Officers and Hearing Officers shall:

- (a) both be and appear to be independent, impartial, and unbiased;
- (b) avoid all conflicts of interest, whether real or perceived, and are responsible for promptly taking appropriate steps to disclose, resolve, or obtain advice with respect to such conflicts when they arise;
- (c) not be influenced by partisan interests, public opinion, or by fear of criticism;
- (d) not use their title and position to promote their own interests or the interests of others;
- (e) discharge their duties in accordance with the law, Town by-laws and AMPS policies, procedures and guidelines;
- (f) maintain and upgrade their knowledge and competence through their work, by participating in training and education courses and by seeking guidance from their colleagues and the Town, as required;
- (g) remain up to date on changes in the law, Town by-laws, policies and procedures relevant to their function;
- (h) act with integrity, as they are subject to ongoing public scrutiny; respect and comply with the law and conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of AMPS;
- (i) approach their duties in a calm and courteous manner when dealing with the public and others and present and conduct themselves in a manner consistent with the integrity of AMPS and their appointment;
- (j) convey their decisions in plain language;
- (k) safeguard the confidentiality of information that comes to them by virtue of their work and not disclose that information except as required by law;



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- (l) in discharging their duties, treat those with whom they deal with in a respectful and tolerant manner regardless of gender, sexual orientation, race, religion, culture, language, mental abilities, or physical abilities of those persons;
- (m) refrain from openly and publicly criticizing the administration of AMPS or the conduct of others, including the Mayor, Members of Council, Town employees. Screening Officers and Hearing Officers shall acknowledge that only the Clerk may speak publicly on behalf of the Town's AMPS program. Any criticisms, suggestions or concerns related to AMPS shall be communicated through appropriate channels;
- (n) deal with the matters that come before them in a timely manner and make themselves accessible to those requiring their services; and
- (o) not knowingly exercise a power or function for which they have not been trained or designated.

4.4 Preventing Conflict of Interest

The keys to preventing conflicts of interest are identification, disclosure and withdrawal from the power of decision with respect to a Screening Review or Hearing Review. The need for identification, disclosure and withdrawal from a power of decision applies to any real, potential or perceived conflict of interest.

4.4.1 Disclosure

If a Screening Officer or Hearing Officer becomes aware of any real, perceived or potential conflict of interest in regard to a review of a Penalty Notice or Screening Decision, as the case may be, the Screening Officer or Hearing Officer shall notify the Clerk, or designate, of the conflict of interest and:

- (a) in the case of a scheduled review of a Penalty Notice or Screening Decision that has not yet commenced, request another Screening Officer or Hearing Officer to conduct the review to avoid actual, perceived or potential conflict of interest; or
- (b) in the case of a review of a Penalty Notice or Screening Decision that has commenced, adjourn the review and withdraw from the power of decision, and advise the Clerk or designate. The Town will reschedule the Screening Review or Hearing Review with another Screening Officer or Hearing Officer, as the case may be.



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If all appointed Screening Officers and/or Hearing Officers have a conflict of interest with a matter, the Clerk shall retain another Screening Officer or Hearing Officer to handle the matter that is subject of the conflict of interest.

Screening Officers and Hearing Officers are not permitted to dispute their own Penalty Notices and are expected to pay the Penalty Notice in a timely manner.

4.5 Addressing Conflicts if they Occur

The Town's Employee Code of Conduct will address any breaches of the policy by employees.

If an individual suspects that a Screening Officer or Hearing Officer conducted a Screening Review or Hearing Review where there was a conflict of interest, they may make a:

(a) complaint to the Clerk;

and/or

(b) formal complaint, in accordance with the Town's Public Complaints Respecting Administration of the AMPS Policy.

Any finding of a conflict of interest may result in disciplinary action, up to and including termination of employment or revocation of appointment. Issues involving potential criminal matters will be forwarded to the Police.

4.6 Influence

No person shall attempt, directly or indirectly, to communicate with employees or other individual performing duties related to the administration of AMPS for the purpose of influencing or interfering in, financially, politically or otherwise the administration of AMPS or any particular Penalty Notice, except a person who is entitled to be heard in a Screening Review or Hearing Review. These exceptions include:

(a) a person who is entitled to be heard in the proceeding;

(b) the person's lawyer, authorized agent or authorized representative.

By-law 09-2025 sets out a prohibition for influencing a Screening Officer or Hearing Officer and creates an offence under the Provincial Offences Act and the



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Municipal Act, 2001 for any contravention of the provisions of the By-law.

If an individual attempts to influence a Screening Officer or Hearing Officer, contrary to the above, the Screening Officer or Hearing Officer shall report the incident to the Clerk as soon as possible. No action will be taken against the Screening Officer or Hearing Officer for making any such report in good faith.

4.7 Charges under the Criminal Code of Canada or Other Statutes or Regulations

Where a Screening Officer or Hearing Officer is charged with any offence under the Criminal Code of Canada, other Federal or Provincial statutes or Regulations, the charge shall be disclosed to the Clerk within 5 business days of the charge being laid.

A determination will be made by the Clerk as to whether or not an actual, potential or perceived conflict of interest exists or if public confidence in the administration of AMPS has been compromised and, if so, the Screening Officer or Hearing Officer may be removed from his or her duties until the final disposition of the charge.

4.8 Implementation

This policy shall form part of the orientation for all current and new Screening Officers, Hearing Officers and AMPS administration staff.

4.9 Accountability

All Screening Officers, Hearing Officers and Town staff involved in the administration of AMPS are responsible for adherence to this policy. Accountability for interpretation of this policy in relation to a real, potential or perceived conflict of interest shall be determined by the Clerk. In making this determination, the Clerk may consult with the Town's solicitor or senior management.

5. ADMINISTRATION AND CONTACT

This policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.



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Cross References

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

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Policy Approved By: Jennifer Willoughby, Director of Legislative Services/Clerk

Approval Date: March 10, 2025

Policy Effective Date: March 10, 2025



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CORPORATE POLICY – AMPS-005

DEPARTMENT:	Legislative Services
POLICY:	Financial Hardship in the Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

To provide a policy to respond to requests by persons with a Penalty Notice for relief from paying all, or part of a Penalty Notice, including any Administrative Fees, if the Person can demonstrate they would suffer financial hardship if required to pay the penalty.

In accordance with [Ontario Regulation 333/07](#), the Town is required to develop a policy to address financial hardship experienced by individuals required to pay a Penalty Notice and any applicable administrative fees.

2. POLICY PRINCIPLES

This policy applies to a Screening Review and Hearing Review conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the Town of Shelburne By-law 09-2025.

3. DEFINITIONS

Administrative Fee means any fee specified in By-law 09-2025;

AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;

Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;



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Hearing Decision means a notice that contains a decision made by a Hearing Officer;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Hearing Review means the process set out in Section 8 of By-law 09-2025;

Penalty Notice means a notice given to a person pursuant to Section 5 of By-law 09-2025;

Person includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion, as provided by the Ontario Ministry of Transportation, is the person for the purposes of this policy;

Screening Decision means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 7.9 of By-law 09-2025;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with section 9 of By-law 09-2025.

Screening Review means the process set out in Section 7 of By-law 09-2025;

4. POLICY

4.1 General Provisions

- (a) Any Person who receives a Penalty Notice is given the right to dispute the Penalty Notice;
- (b) The Screening Officer has the authority to cancel, reduce or extend the time for payment of the Penalty Notice, including any Administrative Fees, if the Screening Officer finds that payment of the Penalty Notice (including any Administrative Fees) would cause financial hardship. Similarly, the Hearing Officer has the authority to take into consideration financial hardship when determining to cancel, reduce or extend the time for payment of the Penalty Notice (including any Administrative Fees); and



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- (c) A Person who receives a Screening Decision from the Screening Officer shall, if in disagreement with the Screening Decision, be given the right to dispute the Screening Officer's Decision with a Hearing Officer.

4.2 Documentation to support financial hardship

A Person who is experiencing financial hardship should bring documentation to support their claim at the Screening Review or Hearing Review. The Person, when required, shall provide documented proof of financial hardship such as:

- (a) Old Age Security;
- (b) Canada Pension;
- (c) Guaranteed Income Supplement;
- (d) Disability Pension;
- (e) Ontario Student Assistance Program; or
- (f) any other form of social assistance.

The Screening Officer or Hearing Officer will satisfy themselves at the Screening Review or Hearing Review as to the authenticity/credibility of the documents provided and will refer to those documents in their decision.

4.3 Records Retention

All information and documentation shall be treated in a confidential manner, in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Photocopies of the documentation may be required and attached to the Screening Decision and/or Hearing Decision record.

5. ADMINISTRATION AND CONTACT

This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.



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Cross References

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

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CORPORATE POLICY – AMPS-006

DEPARTMENT:	Legislative Services
POLICY:	Extension of Time to Request a Screening or Hearing Review in the Administrative Monetary Penalty System (AMPS)
APPROVAL:	Director of Legislative Services/Clerk
EFFECTIVE DATE:	March 10, 2025

1. PURPOSE

To provide a policy to respond to a person's request for an extension of time to request a review of a Penalty Notice by a Screening Officer or a Screening Decision by a Hearing Officer.

In accordance with [Ontario Regulation 333/07](#), the Town must provide a process for a person to request an extension of time to request a Screening Review or a Hearing Review.

2. POLICY PRINCIPLES

This policy applies to Screening Reviews and Hearing Reviews conducted by a Screening Officer or Hearing Officer, in accordance with By-law 09-2025.

3. DEFINITIONS

Administrative Fee means any fee specified in By-law 09-2025;

AMPS means the Administrative Monetary Penalty System;

Town means The Corporation of the Town of Shelburne;

Clerk means the Director of Legislative Services/Clerk, or their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;



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Extenuating Circumstances means situations that do not provide an excuse or justify the infraction, but which in fairness and mercy may be considered as reducing the degree of responsibility. These are very special circumstances, and if proven that the existence of such special circumstances warrants a reduction of the Penalty Notice, the Screening Officer may take this into consideration when adjudicating the matter. These are also circumstances that render a contravention less serious and may lessen the degree of responsibility. The person claiming extenuating circumstances shall provide proof of their claim with oral evidence and documented proof (i.e. medical records, birth announcement), if available.

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 9 of By-law 09-2025;

Hearing Review means the process set out in Section 8 of By-law 09-2025;

Penalty Notice means a notice given to a person pursuant to Section 5 of By-law 09-2025;

Person includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and license plate portion, and different persons are named on each portion, the person whose name appears on the license plate portion, as provided by the Ontario Ministry of Transportation, is the person for the purposes of this policy;

Screening Decision means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 7.9 of By-law 09-2025;

Screening Officer means a person who performs the functions of a Screening Officer in accordance with section 9 of By-law 09-2025.

Screening Review means the process set out in Section 7 of By-law 09-2025;

4. POLICY

4.1 Screening Review

(a) Within 15 days of receipt of the Penalty Notice the Person will have the option to:

- i. make a voluntary payment; or



- ii. request a review of the Penalty Notice by a Screening Officer.
- (b) A person has 15 days to schedule a Screening Review with a Screening Officer to dispute their Penalty Notice. If the person has not requested a Screening Review of their Penalty Notice on or before the 15th day after the Penalty Notice was issued, they may request an extension of time to request a Screening Review. The person shall make this request no later than 45 days after the date of the Penalty Notice.

4.1.1 Granting a Request for an Extension of Time to Request a Screening Review

- (a) The request may be granted if the person requesting the extension demonstrates the existence of extenuating circumstances that prevented them from requesting a Screening Review within the original 15-day timeframe set out in the Penalty Notice.
- (b) A person may provide supporting written documentation and other information to the Screening Officer to justify the extenuating circumstances.
- (c) The decision to grant the request for a Screening Review will be at the sole discretion of the Screening Officer and will be made in accordance with By-law 09-2025.

4.2 Hearing Review

- (a) Following the receipt of a Screening Decision the person will have the option to:
 - i. pay the total amount due listed on the Screening Decision; or
 - ii. request a review of the Screening Decision by a Hearing Officer
- (b) If a person would like to request a Hearing Review of the Screening Decision they must do so on or before the payment due date listed on their Screening Decision. If the person has not requested a Hearing Review of their Screening Decision on or before the payment due date, they may request an extension of time to request a Hearing Review. The person may request an extension of time to request a Hearing Review no later than 45 days after the date the Screening Decision letter was issued.



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4.2.1 Granting a Request for an Extension of Time to Request a Hearing Review

- (a) The request may be granted if the person requesting the extension demonstrates the existence of extenuating circumstances that prevented them from requesting a Hearing Review on or before the payment due date on the Screening Decision.
- (b) A person may provide supporting written documentation and other information to the Clerk to justify the extenuating circumstances.
- (c) The decision to grant the request for a Hearing Review will be at the sole discretion of the Hearing Officer and will be made in accordance with By-law 09-2025.

5. ADMINISTRATION AND CONTACT

This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the Clerk to address specific implementation of this Policy.

Cross References

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Municipal Act, 2001](#)

[Ontario Regulation 333/07](#) (Administrative Penalties)

Town of Shelburne AMPS Bylaw #09-2025

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