

POLICY

POLICY TITLE: Administrative Monetary Penalty - Interference

POLICY NUMBER: PLCY-2022-0008

DATE: June 13, 2022

Policy Statement

The Town of Halton Hills has implemented an Administrative Monetary Penalty System (AMPS) for the administration of various parking by-laws in effect in the Town.

Under the structure of Administrative Penalties, when an enforcement officer issues a penalty notice to a person or a vehicle in violation of the municipality's parking by-law, the penalty becomes a balance due to the municipality.

A penalty notice must be given to the owner as soon as reasonably practical and must include basic information that will inform the owner of the contravention, the penalty, the owner's right to request a review of the penalty and of the consequences if the penalty is not reviewed.

The Town has authorized the appointment and use of Screening and Hearing Officers to hear and decide the outcome of disputes related to penalty notices issued for parking violations.

Purpose

The purpose of this document is to provide a guideline to prevent the improper influencing of the screening and hearing officers pursuant to the Town's Administrative Monetary Penalties By-law 2022-0002.

Scope

This policy applies to the Mayor, members of Council, all employees of the Town of Halton Hills, volunteers, contractors and consultants to the Town.

No person shall attempt, directly or indirectly, to communicate with or influence a Hearing Officer, or other employees or individuals performing the duties related to the

administration of AMPS regarding the determination of an issue respecting a delegated power of decision in a proceeding that is or will be pending before the hearing officer except a person who is entitled to be heard in the proceedings or the persons agent and only by that person or their agent during the hearing of the proceeding in which the issued arises.

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.

Implementation

All members of Council shall be provided with a copy of this policy;

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

This policy shall form part of the orientation for all current and new screening officers and hearing officers and AMPS administrative staff.

Accountability

Where any employees, 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 Town Clerk & Director of Legislative Services in order to maintain the integrity of AMPS; and

A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Town Clerk & Director of Legislative Services.

Cases involving members of Council will be referred to the Integrity Commissioner for their review and report.

This does not prevent a Screening Officer or Hearing Officer from seeking and receiving advice from an appropriate member of Town staff.

Proceedings before a Hearing Officer shall be subject to the *Statutory Powers Procedures Act*.