

CP.1.1.14

Section: Administration

Subsection: General

Subject: Financial Managements and Reporting for the Administration of the Administrative Monetary Penalty (“AMPs”) System

Approval Authority: 2022.06.08-CR-02

Effective Date: June 08, 2022

1. Policy Statement

This policy is to establish financial management and reporting responsibilities related to the Administrative Monetary Penalty System (“AMPs”).

2. Purpose

Ontario Regulation 333/07 made under the *Municipal Act, 2001* requires a municipality establishing an **AMPs** system to have a policy to address financial management and reporting of **AMPs**. The purpose of this Policy is to provide guidance and establish financial management and the reporting and tracking of **Administrative Penalties** and fees. This policy affirms that the **Town** shall follow the existing corporate policies and procedures related to financial management and reporting.

3. Definitions

“**Administrative Fee**” means any fee specified for **AMPs** in the **Town’s Fees and Charges By-Law**;

“**Administrative Penalty**” means an administrative penalty established by the **Administrative Penalty By-Law** for a contravention of a Designated By-Law, as defined therein;

“**Administrative Penalty By-Law**” means the by-law passed by the **Town** to establish administrative penalties (“**AMPs**”) for parking, as amended from time to time, or any successor thereof;

“**AMPs**” means the Administrative Monetary Penalty system, established pursuant to the **Town’s Administrative Penalty By-Law**;

“**CDSB**” means the **Town’s** Community Development Services Branch – Municipal Law, or any successor thereof;

“**CDSB Leader**” means the Community Standards Leader, or anyone designated by the Community Standards Leader to perform his or her duties relating to **AMPs**;

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

“**Designated By-Law**” has the same meaning as in the **Administrative Penalty By-Law**;

“**Hearing Officer**” means any person appointed from time to time pursuant to the **Screening and Hearing Officer By-Law**, to perform the functions of a hearing officer in accordance with the **Screening and Hearing Officer By-Law** and the **Administrative Penalty By-Law**;

“**Municipal Freedom of Information and Protection of Privacy Act**” means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56, as amended from time to time, or any successor thereof;

“**Penalty Notice**” means a penalty notice as described in section 2.2 of the **Administrative Penalty By-Law**;

“**Person**” includes an individual or a corporation;

“**Screening and Hearing Officer By-Law**” means the by-law passed by the **Town** to establish the positions of **Screening and Hearing Officers** and to provide for the appointment of **Screening and Hearing Officers**, in relation to administrative penalties, as amended from time to time, or any successor thereof;

“**Screening Officer**” means any person appointed from time to time pursuant to the **Screening and Hearing Officer By-Law**, to perform the functions of a screening officer in accordance with the **Screening and Hearing Officer By-Law** and the **Administrative Penalty By-Law**; and

“**Town**” means The Corporation of the Town of Innisfil.

4. Responsibility

The Community Development Services Branch – Municipal Law (“**CDSB**”) shall be responsible for the development, approval, implementation, training, monitoring, and compliance of and with the policy.

5. Application

This Policy applies to all financial management and reporting responsibilities and accountabilities regarding **AMPs**. All persons responsible for administering the **AMPs** program, as well as **Screening Officers** and **Hearing Officers**, 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.

6. Administration

6.1 Communication

6.1.1 This Policy will be posted on the **Town**’s website.

6.1.2 Staff will be advised of the new Policy via distribution to the Senior Leadership Team.

- 6.1.3 All members of **Council** shall be provided with a copy of this Policy.
- 6.1.4 This Policy shall form part of the orientation for all **Screening Officers, Hearing Officers** and **AMPs** enforcement and administration staff.
- 6.1.5 Without limiting 6.1.4, all current and new **Town** officials and Staff with the potential for interaction with the **AMPs** program shall receive training in relation to this Policy.

6.2 General Financial Management and Reporting

Preparation of the Town's budget revolves around priority setting that reflects the **Town's** Strategic Plan, **Council** 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 **CDSB**.

Through the process of current and capital financial management and reporting for **AMPs**, **CDSB** shall:

- 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 services levels;
- 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's** 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**.

6.3 Payment of a Penalty Notice

Any person issuing a **Penalty Notice** for an infraction of a **Designated By-Law** is not permitted to accept payment for an **Administrative Penalty**.

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.

6.4 Methods of Payment

Following the issuance of a **Penalty Notice** or a Notice of Decision, the **Person** shall make a payment by using one of the following methods:

- a) Online (subject to a nominal processing fee)
- b) In person at the Town Hall, 2101 Innisfil Beach Road, Innisfil, Ontario, during regular business hours (Monday – Friday from 8:30am-4:30pm or outside of regular business hours in the designated drop box at Town Hall.
- c) By mailing a cheque to the Town at:

The Corporation of the Town of Innisfil
Revenue Division
2101 Innisfil Beach Road
Innisfil, ON
L9S 1A1

Attention: AMPs Program

The **Penalty Notice** number must be written on the front of the cheque or money order and shall be made payable to “The Corporation of the Town of Innisfil”

Payment is not considered made until received and processed by the **Town**. Persons must allow sufficient mailing time for payments and should not send cash by mail. Post-dated cheques or payment by installments (unless otherwise agreed by the **CDSB Leader**) are not accepted. A fee will be applied for any Non-Sufficient Funds, cancelled, or reversed payment, in accordance with the Town’s Fees and Charges By-law.

6.5 Processing Payments

Payments will be processed as follows:

- a) Online

The **Person** enters their **Penalty Notice** and related information into the system and makes a payment with their credit card information. Once the transaction is processed and approved, the **Person** may print a receipt of payment as proof of payment for their records.

- b) In Person

Apply the appropriate method of payment to the **Penalty Notice**. The **Person** is provided with a receipt of payment for their records.

- c) By Mail

Apply the cheque or money order payment to the **Penalty Notice**. A receipt is not provided when using this method of payment.

Upon receipt of a **Penalty Notice** payment, a **Town** employee will apply the payment to a specific **Penalty Notice** in the Town’s **AMPs** management system connected to the Town’s

Point-of-Sale terminals. Unless otherwise agreed by the **CDSB Leader**, partial payments will not be accepted. 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*.

6.6 Refund of Payment

If a Person has paid any Administrative Fee in respect of a Penalty Notice, and the Administrative Fee or part thereof is later cancelled or reduced by a Screening Officer or Hearing Officer, the Town shall refund the Administrative Fee or part thereof cancelled or reduced, to the Person.

6.7 Administrative Fees

Various **Administrative Fees** may be payable by a **Person** with a **Penalty Notice** as set out in the **Town’s Fees and Charges By-Law** and the **Administrative Penalty By-Law**. Where applicable, such fees shall be paid in addition to the **Administrative Penalty**.

6.8 Compliance

In cases of policy violation, the **Town** may investigate and determine appropriate corrective action.

7. Exceptions

None.

8. References

By-Law No. 053-22, being the Town’s Administrative Monetary Penalty By-Law;
 By-Law No. 054-22, being the Town’s Screening and Hearing Officer By-Law;
 By-Law No. 088-20, being the Town’s Fees and Charges By-Law; and
Municipal Act, 2001

9. Revision History

Revision No.	Date	Summary of Changes	Approval Authority
V1	2022.06.08	Adoption	2022.06.08-CR-02