

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF MCMURRICH/MONTEITH**

BY-LAW #30-2025

**A By-law to Implement an Administrative Monetary Penalty System
in the Township of McMurrich/Monteith**

Whereas the Township of McMurrich/Monteith is authorized under section 434.1 (1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, to establish a system of Administrative penalties for contraventions of Municipal By-laws;

And Whereas section 102.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, provides that a Municipality may require a Person(s) to pay an Administrative Monetary Penalty if the Municipality is satisfied that the Person(s) has failed to comply with any By-laws respecting the parking, standing or stopping of vehicles;

And Whereas section 391 of the *Municipal Act*, 2001 enables the Municipality to pass By-laws imposing fees or charges on any class of Person(s) for services or activities provided or done by or on behalf of it;

And Whereas section 434.2 of the *Municipal Act*, 2001, S.O. 2001, c. 25, provides that an Administrative Monetary Penalty imposed by the Municipality on a Person(s) constitutes a debt of the Person(s) to the Municipality;

And Whereas sections 23.2, 23.3 and 23.5 of the *Municipal Act*, 2001 authorizes the Municipality to delegate its Administrative and Hearing Powers;

And Whereas Ontario Building Code section 15.4.1 (1) A Municipality may require a Person(s), subject to such conditions as the Municipality considers appropriate, to pay an Administrative Penalty if the Municipality is satisfied that the Person(s) has failed to comply with,

- a) a By-law of the Municipality passed under section 15.1; or
- b) an order of an Officer under subsection 15.2 (2) as deemed confirmed or as confirmed or modified by the committee or a judge under section 15.3. 2017, c. 34, Sched. 2, s. 10.

And Whereas the Council for the Municipal Corporation of the Township of McMurrich/Monteith considers it desirable and necessary to provide for a system of Administrative Penalties and Administrative Fees for the designated Municipal By-laws, or portions of the designated Municipal By-laws;

Now Therefore the Council for the Municipal Corporation of the Township of McMurrich/Monteith enacts as follows:

1. That the following schedules attached hereto form part of this By-law:
Schedule A – Designated By-laws
Schedule B – Administrative Monetary Penalty Amounts & Administrative Fees
Schedule C – Administrative Monetary Penalty System (AMPS) Request Form
2. That the Conflict of Interest in Relation to the AMPS Policy #ADM-009 for the Township of McMurrich/Monteith, attached hereto as Schedule 'D' and forming part of this By-law be adopted.
3. That the Prevention of Political Interference to the AMPS Policy #ADM-010 for the Township of McMurrich/Monteith, attached hereto as Schedule 'E' and forming part of this By-law be adopted.
4. That the Public Complaints Respecting Administration of the AMPS Policy #ADM-011 for the Township of McMurrich/Monteith, attached hereto as Schedule 'F' and forming part of this By-law be adopted.

5. That the Financial Management and Reporting in relation to the AMPS Policy #ADM-012 for the Township of McMurrich/Monteith, attached hereto as Schedule 'G' and forming part of this By-law be adopted.
6. That the Financial Hardship in relation to the AMPS Policy #ADM-013 for the Township of McMurrich/Monteith, attached hereto as Schedule 'H' and forming part of this By-law be adopted.
7. That this By-law may be cited as the "AMPS By-law".
8. That this By-law shall come into full force and effect upon its final passing.

Definitions

1.0 In this By-law:

"Administrative Fee" means any fee specified in this By-law or set out in Schedule 'B';

"Administrative Penalty" means an administrative penalty established by this By-law or set out in the attached Schedule(s) for a contravention of a designated By-law;

"AMPS" means Administrative Monetary Penalty System;

"Clerk" means the Municipal Clerk, their delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

"Council" means the Council for the Municipal Corporation of the Township of McMurrich/Monteith;

"Day" means any calendar day;

"Designated By-law" means a By-law, or a part or provision of a By-law, that is designated under this or any other By-law, and is listed in the attached Schedule 'A' to which the AMPS applies;

"Hearing Non-Appearance Fee" means an administrative fee established by the Municipality from time to time in respect of a person's failure to appear at the time and place scheduled for a review before a Hearing Officer and listed in Schedule 'B';

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

"Hearing Officer" shall mean a person who performs the duties of Hearing Officer as set out in section 5 of this By-law and meeting the requirements that a Hearing Officer cannot be a member of Council or a Municipal employee. The Hearing Officer shall have knowledge of and experience in administrative law; such as a lawyer, retired lawyer, paralegal, retired paralegal, retired Police Officer, retired Municipal Clerk or retired Municipal Deputy-Clerk;

"Holiday" means a Saturday, Sunday, any statutory Holiday in the Province of Ontario or any day the offices of the Municipality are officially closed for business;

"Late Payment Fee" means an administrative fee established by the Municipality from time to time in respect of a person's failure to pay an administrative penalty within the time prescribed in this By-law and listed in Schedule 'B';

"Municipality" means the Municipal Corporation of the Township of McMurrich/Monteith;

"NSF Fee" means an administrative fee established by the Municipality from time to time in respect of payment by negotiable instrument received by the Municipality from a person for payment of any administrative penalty or administrative fee, for which there are insufficient funds available in the account on which the instrument was drawn, as listed in Schedule 'B';

“Officer” means a Municipal By-law Enforcement Officer, Police Officer, Fire Chief or designate appointed by the Municipality to administer and enforce this By-law;

“Penalty Notice” means a notice given to a person pursuant to section 3.0 of this By-law;

“Penalty Notice Date” means the date of the contravention specified on the penalty notice, in accordance with section 3.2 of this By-law;

“Penalty Notice Number” means the reference number specified on the penalty notice that is unique to that penalty notice, in accordance with section 3.2 of this By-law;

“Person” includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof;

“Request for Review by Hearing Officer” means the request which may be made in accordance with section 5 of this By-law for the review of a screening decision;

“Request for Review by Screening Officer” means the request made in accordance with section 4 of this By-law for the review of a penalty notice;

“Review by Hearing Officer” and **“Hearing”** means the process set out in section 5 of this By-law;

“Review by Screening Officer” and **“Screening Review”** means the process set out in section 4 of this By-law;

“Screening Decision” means a notice which contains the decision of a screening officer, delivered in accordance with Section 4.11 of this By-law;

“Screening Non-Appearance Fee” means an administrative fee established by the Municipality from time to time in respect of a person’s failure to appear at the time and place scheduled for a review before a screening officer and listed in Schedule “B”;

“Screening Officer” means a person from time to time appointed pursuant to this By-law who performs the duties of screening officer as set out in section 4 of this By-law and meeting the requirements that a screening officer cannot be a member of Council; a screening officer may be a staff member provided that they have no jurisdiction in their job duties that relate in any type of enforcement capacity.

“Vehicle” includes a motor vehicle, automobile, bicycle, motorcycle, boat, motor vehicle trailer, traction engine, farm tractor, road building machine and any vehicle propelled or driven by any kind of power including muscular power and such additional definitions as set out in the *Highway Traffic Act*.

Application of this By-law

2.0 The Municipal By-laws, or portions of Municipal By-laws, listed in the attached Schedule ‘A’ of this By-law shall be designated By-laws for the purposes of sections 102.1 and 151 of the *Municipal Act* and paragraph 3(1)(b) of the Regulation. The attached Schedule ‘B’ sets out the administrative penalty and may include short form language to be used on penalty notices, for the contraventions of designated By-laws.

2.1 Schedule ‘B’ of this By-law shall also set out administrative fees imposed for the purposes of this By-law.

2.2 The *Provincial Offences Act* applies to all designated By-laws except to a designated By-law respecting the parking, standing or stopping of vehicles.

Penalty Notices

3.1 Every person(s) in contravention of a designated By-law shall upon issuance of a penalty notice be liable to pay the Municipality an administrative penalty in the amount specified in the attached Schedule ‘A’ to this By-law.

3.2 An officer who has reason to believe that a person(s) has contravened any designated By-law may issue a penalty notice as soon as reasonably practicable.

3.3 A penalty notice may include the following information:

- (a) the vehicle license plate number or vehicle identification number;
- (b) the penalty notice date;
- (c) a penalty notice number;
- (d) the date on which the administrative penalty is due and payable;
- (e) the identification number and signature of the Officer;
- (f) the name of the person penalized;
- (g) the contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- (h) the amount of the administrative penalty;
- (i) such additional information as the Clerk determines is appropriate, respecting the process by which a person(s) may exercise the right to request a screening review of the administrative penalty; and;
- (j) a statement advising that an unpaid administrative penalty, including any applicable administrative fee(s), will constitute a debt of the person(s) to the Municipality unless cancelled pursuant to screening review or hearing process.

3.4 In addition to the service methods provided in section 6 "Service of Documents" of this By-law, an Officer may serve the penalty notice on a person(s) by delivering it personally to the person(s) contravening the By-law at the time of the offence.

3.5 No Officer may accept payment of an administrative penalty or administrative fee.

3.6 A person(s) who is served with a penalty notice and who does not pay the amount of the administrative penalty on or before the date on which the administrative notice is due and payable, shall also pay the Municipality any applicable administrative fee(s).

Review by Screening Officer

4.1 A person(s) who is served with a penalty notice may request that the administrative penalty be reviewed by a screening Officer and shall do so on or before the date on which the administrative penalty is due and payable, and in accordance with the process set out in Section 4.3.

4.2 If a person(s) has not requested a screening review on or before the date on which the administrative penalty is due and payable, the person(s) may request that the screening Officer extend the time to request a screening review to a date that is no later than forty-five (45) days after the penalty notice date, in accordance with the process set out in Section 4.3.

4.3 A person's right to request an extension of time for a screening review expires, if it has not been exercised, on or before forty-five (45) days after the penalty notice date, at which time:

- (a) the person(s) shall be deemed to have waived the right to request a screening review or request an extension of time for a screening review; and,
- (b) the administrative penalty shall be deemed to be confirmed on the sixteenth (16th) day following the penalty notice date; and,
- (c) the administrative penalty shall not be subject to any further review, including a review by any Court.

4.4 A person's request for review by a screening Officer or request for an extension of time to request a screening review is exercised by:

- a) a submission in writing to the Clerk or designate of a request for review by a screening Officer or request for an extension of time to request a screening review; in the prescribed form and in accordance with the directions on the prescribed form, attached as Schedule 'C'.

4.5 A request for review by screening Officer of an administrative penalty or a request for an extension of time to request a screening review shall include the penalty notice number and the person's contact information.

4.6 A request for review by screening officer or a request for an extension of time to request a screening review shall only be scheduled by the By-law Enforcement department if the person(s) makes the request on or before the dates established by Sections 4.1 of this By-law.

4.7 On a request for an extension of time to request a screening review, the By-law Enforcement department may only extend the time to request a screening review where the person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.

4.8 Where an extension of time to request a screening, review is not granted by the By-law Enforcement department, the administrative penalty and any applicable administrative fee(s) are deemed to be confirmed.

4.9 Where a person(s) fails to attend at the time and place scheduled for a screening review of an administrative penalty:

- a) the person(s) shall be deemed to have abandoned the request for a screening review of the administrative penalty;
- b) the administrative penalty as set out in the penalty notice shall be deemed to be confirmed on the sixteenth (16th) day following the penalty notice date;
- c) the administrative penalty shall not be subject to any further review, including a review by any Court; and
- d) the person(s) shall pay to the Municipality a screening non-appearance fee and any other applicable administrative fee(s).

4.10 On a review of an administrative penalty, the screening Officer may:

- a) affirm the administrative penalty; or
- b) cancel, reduce or extend the time for payment of the administrative penalty, including any administrative fee(s), on the following grounds:
 - i) where the person(s) establishes on the balance of probabilities that they did not contravene the designated By-law(s) as described in the penalty notice; or
 - ii) where the person(s) establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the administrative penalty, including any administrative fee(s), is necessary to relieve any undue hardship.

4.11 On a screening review of an administrative penalty, before making a decision, a screening Officer shall conduct an interview with the person(s).

4.12 After a review by a screening Officer, the screening Officer shall deliver a screening decision to the person(s), in accordance with Section 6 of this By-law.

4.13 A screening Officer has no authority 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.

Review by Hearing Officer

5.1 A person(s) may request a review by hearing Officer during the screening review.

5.2 If a person(s) has not made a request for review by hearing Officer at the time of the screening review, the person(s) may make a request for review by hearing Officer before the due and payable date for the administrative penalty listed on the screening decision.

5.3 The person's right to request for review by hearing Officer expires if it has not been exercised on or before the due and payable date for the administrative penalty listed on the screening decision, at which time:

- a) the person(s) shall be deemed to have waived the right to request for review by hearing Officer;
- b) the screening decision and the administrative penalty and any administrative fee(s), if applicable, as modified in the screening decision, shall be deemed to be confirmed; and
- c) the screening decision and administrative penalty shall not be subject to any further review, including a review by any Court.

5.4 A person's request for review by hearing Officer is exercised by:

- a) a submission in writing to the Clerk for a request for review by a hearing Officer, or request for an extension of time to request a hearing; or
- b) attending in person at the location listed on the screening decision to make request for review by a hearing Officer or request an extension of time to request a hearing; or
- c) calling the telephone number listed on the screening decision to make a request for review by hearing Officer or request an extension of time to request a hearing.

5.5 A request for review by hearing Officer shall only be scheduled by the By-law Enforcement Department if the person(s) makes the request within the time limits set out in Section 5 of this By-law.

5.6 Where a person(s) fails to appear at the time and place scheduled for a hearing:

- a) the person(s) shall be deemed to have abandoned the hearing for review of a screening decision;
- b) the screening decision and the administrative penalty and any administrative fee(s) shall be deemed to be confirmed;
- c) the screening decision and the administrative penalty and any administrative fee(s) shall not be subject to any further review, including a review by any Court; and
- d) the person(s) shall pay to the Municipality a hearing non-appearance fee, late payment fee(s) and any other applicable administrative fee(s).

5.7 On a review of a screening decision, the hearing Officer may:

- a) confirm the screening decision; or
- b) cancel, reduce or extend the time for payment of the administrative penalty, including any administrative fee(s), on the following grounds:
 - i. where the person(s) establishes on a balance of probabilities that they did not contravene the designated Bylaw(s) as described in the penalty notice; or
 - ii. where the person(s) establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the administrative penalty, including any administrative fee(s), is necessary to relieve any undue hardship.

5.8 A hearing Officer shall not make any decision respecting a review of a screening decision unless the hearing Officer has given the person(s) and a representative of the Municipality an opportunity to be heard at the time and place scheduled for the hearing.

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

5.10 A hearing Officer has no authority 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.

5.11 After a hearing is complete, the hearing Officer shall deliver to the person(s) a hearing decision, in accordance with Section 6 of this By-law.

5.12 The decision of a hearing Officer is final.

Service of Documents

6.0 The service of any document, notice or decision, including a penalty notice, pursuant to this By-law, when served in any of the following ways, is deemed effective:

- a) immediately, when a copy is delivered to the person(s) to whom it is addressed;
- b) on the seventh (7th) day following the date a copy is sent by registered mail to the person's last known address;
- c) immediately upon sending a copy by electronic mail (i.e. e-mail) to the person's last known electronic mail address.

6.1 For the purposes of subsections 6.0 (b), (c) and (d) of this By-law, a person's last known address and electronic mail address includes an address and electronic mail address provided by the person(s) to the Municipality as may be required by a form, practice or policy under this By-law.

Administration

7.1 The Clerk, their delegate, or anyone designated by the Clerk shall administer this By-law and establish any additional practices, policies and procedures necessary to implement this By-law and may amend such practices, policies and procedures from time to time as they deem necessary, without amendment to this By-law.

7.2 The Clerk, their delegate, or anyone designated by the Clerk shall prescribe all forms and notices, including the penalty notice, necessary to implement this By-law and may amend such forms and notices from time to time as they deem necessary, without amendment to this By-law.

7.3 An administrative penalty, including any administrative fee(s), that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Municipality owed by the person(s).

- a) Pursuant to subsections 398 (1) and (2) of the *Municipal Act*, where an administrative penalty, including any administrative fees(s) remain unpaid after the final date on which it is payable as specified in the penalty notice, the administrative penalty including any administrative fees(s) shall be deemed to be unpaid taxes and the outstanding amount shall be added to the tax roll and collected in the same manner as Municipal taxes.

7.4 Where an administrative penalty is not paid by the date on which the administrative penalty is due and payable; the person shall pay to the Municipality a late payment fee(s), in addition to the administrative penalty and any applicable administrative fee(s).

7.5 Where a person makes a payment to the Municipality of any administrative penalty, administrative fee or late payment fee, by negotiable instrument, for which there are insufficient funds available in the account on which the instrument was drawn, the person shall pay to the Municipality the NSF fee set out in the Municipality's Fees and Charges By-law.

7.6 Where an administrative penalty is cancelled by a screening Officer or hearing Officer, any administrative fee(s) are also cancelled.

7.7 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.

7.8 A person(s) claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Clerk, their delegate, or anyone designated by the Clerk, the screening Officer or the hearing Officer, as applicable.

7.9 Any schedule attached to this By-law forms part of this By-law.

Severability

8.0 Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

Interpretation

9.0 The provisions in Part VI of the *Legislation Act*, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.

Short Title

10.0 This By-law may be referred to as the AMPS By-law.

Effective Date

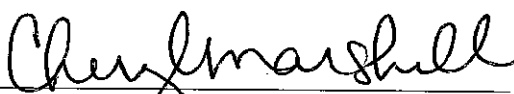
11.0 That this By-law shall come into effect on the day it was passed.

Administrative Corrections

The Clerk of the Township of McMurrich/Monteith is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatic, semantic or descriptive nature or kind to the By-law and schedule(s) as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

Read in its entirety, approved, signed and the seal of the Corporation affixed thereto and finally passed in open Council this 2nd day of July, 2025.


Glynn Robinson, Mayor


Cheryl Marshall, Clerk

THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF MCMURRICH/MONTEITH

SCHEDULE "A"
BY-LAW #30-2025

Administrative Monetary Penalty By-law for
Non-Parking Offences Designated By-laws

Designated By-laws:

- Animal(s)-at-Large By-law (Other the Dogs) #2023-31
- Control and Licensing of Dogs By-law #2023-07
- Littering By-law #2012-13
- Noise By-law #2024-27
- Nuisance Beavers and Beaver Dams By-law #2023-30
- Open Air Burning By-law #2023-08
- Trailer By-law #2016-29

1. For the purposes of Section 2 of this By-law, Column 1 in the following Table lists the provisions in the designated By-law identified in the Schedule, as amended.
2. 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.
3. Column 3 in the following Table sets out the administrative penalty amount that is payable for contraventions of the designated provisions listed in Column 1.

THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF MCMURRICH/MONTEITH

SCHEDULE “A”
BY-LAW #30-2025

Administrative Monetary Penalty By-law for
Non-Parking Offences Designated By-laws

BY-LAW #2023-31
BEING AT LARGE OR TRESPASSING
OF ANIMALS OTHER THEN DOGS

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Permit animal(s) to run at large or trespass upon a highway	Sec. 2.1	\$300.00
2	Permit animal(s) to run at large or trespass upon a public or private property	Sec. 2.2	\$300.00
3	Failure to erect and/or maintain a fence	Sec. 2.4	\$300.00

THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES

BY-LAW #2023-07
CONTROL & LICENSING OF DOGS

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Fail to obey muzzle order	2.3	\$300.00
2	Allow more than 3 dogs to reside in the Residential Settlement area or where prohibited	4.1 (i)	\$300.00
	Allow more than 6 dogs to reside in the Rural area	4.1 (ii)	\$300.00
3	Fail to obtain license	3.1	\$300.00
4	Fail to affix dog tag	3.3	\$300.00
5	Fail to notify By-law Enforcement Officer of changes to owner information	3.4	\$300.00
6	Fail to remove excrement	4.2	\$300.00
7	Fail to restrain a dog in public	4.3	\$300.00
8	Allow a dog to run at large	4.4	\$300.00
9	Allow a dog to excessively bark	4.4	\$300.00
10	Allow a dog to trespass on private property	4.8	\$300.00
11	Allow a dog within a beach area	4.9	\$300.00
12	Fail to restrain a dog in a park or on a trail	4.10	\$300.00
13	Allow a dog into a Municipal facility or building without approval	4.11	\$300.00

THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES

BY-LAW #2012-13
LITTERING

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1.	Depositing litter on highways within the Municipality	2	\$300.00
2	Littering on any Township of McMurrich/Monteith property	3	\$300.00
3	Dumping, burying, or disposing of refuse, domestic or industrial waste on any Township of McMurrich/Monteith property	4	\$300.00
4	Obstructing the Township of McMurrich/Monteith's By-law Enforcement Officer in the lawful exercise or power or duty.	7	\$300.00

THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES

BY-LAW #2024-27
TO CONTROL NOISE

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Permitting noise from electronic device during prohibited time	Section 2.1 and 2.2 schedule A (1)	\$300.00
2	Permitting noise from auditory signaling device during prohibited time	Section 2.1 and 2.2 schedule A (2)	\$300.00
3	Permitting noise from construction equipment during prohibited time	Section 2.1 and 2.2 schedule A (3)	\$300.00
4	Permitting noise from a toy, model or replica during prohibited time	Section 2.1 and 2.2 schedule A (4)	\$300.00
5	Permitting noise from a motorized conveyance during prohibited time	Section 2.1 and 2.2 schedule A (5)	\$300.00
6	Permitting noise from a motorized conveyance resulting in excessive noise	Section 2.1 and 2.2 schedule A (6)	\$300.00
7	Permitting persistent noise from a domestic pet during prohibited time	Section 2.1 and 2.2 schedule A (7)	\$300.00
8	Permitting noise from any tool, equipment or appliance during prohibited time	Section 2.1 and 2.2 schedule A (8)	\$300.00
9	Permitting noise from solid waste bulk lift or refuse compacting	Section 2.1 and 2.2 schedule A (9)	\$300.00
10	Making or permitting noise by yelling, shouting, hooting or hollering during a prohibited time	Section 2.1 and 2.2 schedule A (10)	\$300.00
11	Permitting noise from loud playing of musical instruments during prohibited time	Section 2.1 and 2.2 schedule A (11)	\$300.00
12	Permitting the operation of a motorized conveyance in such a way to rev the engine	Section 2.1 and 2.2 schedule A (12)	\$300.00
13	Permitting noise from a domestic generator during prohibited time	Section 2.1 and 2.2 schedule A (13)	\$300.00

THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES

BY-LAW #2023-30
RESPECTING THE MANAGEMENT
OF NUISANCE BEAVERS AND BEAVER DAMS

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Permit a beaver dam or other obstruction on property	Sec. 1.1	\$300.00
2	Fails to comply with an order	Sec. 3.2	\$300.00
3	Hinders or obstructs an employee or agent of the Township	Sec. 3.3	\$300.00

**THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES**

**BY-LAW #2023-08
PRESCRIBE THE PARAMETRES FOR OPEN AIR FIRES**

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Set open air fire during prohibited hours	2.1	300.00
2	Set or permit a flying lantern	2.4	300.00
3	Fail to comply with permit conditions	4.2	300.00
4	Fail to extinguish fire otherwise allowed under permit when ordered to do so	4.6	300.00
5	Recreational fire in fire pit larger than permitted	5.1	300.00
6	Set or permit recreational fire – burn prohibited materials	5.2	300.00
7	Allow recreational fire to adversely affect other Persons	5.3	300.00
8	Set or permit recreational fire - burn oversized wood	5.5	300.00
9	Set or permit recreational fire within 33 Feet (10 metres) of adjacent property	5.6	300.00
10	Set or permit recreational fire within 33 Feet (10 metres) of combustible structure	5.7	300.00
11	Set or permit recreational fire without extinguishing provisions and devices	5.8	300.00
12	Fail to supervise recreational fire	5.9	300.00
13	Set or permit recreational fire during high winds or smog alert	5.10	300.00
14	Fail to take reasonable precautions during recreational fire	5.11	300.00
15	Fail to extinguish recreational fire when ordered to do so	5.12	300.00
16	Set or permit recreational fire during fire ban	5.13	300.00
17	Set or permit non-recreational fire without a permit	6.1	300.00
18	Set or permit non-recreational fire with oversized burn pile	6.1	300.00
19	Set or permit non-recreational fire of prohibited materials	6.2	300.00
20	Set or permit non-recreational fire – burn materials other than dry wood or permitted yard waste	6.3	300.00
21	Set or permit non-recreational fire within 33 Feet (10 metres) of adjacent property	6.4	300.00
22	Allow non-recreational fire to adversely affecting other Persons	6.5	300.00
23	Fail to supervise non-recreational fire	6.6	300.00
24	Set or permit non-recreational fire without extinguishing provisions and devices	6.7	300.00
25	Set or permit non-recreational fire during high winds or smog alert	6.8	300.00
26	Fail to take reasonable precautions during non-recreational fire	6.9	300.00
27	Fail to extinguish non-recreational fire when ordered to do so	6.10	300.00
28	Set or permit non-recreational fire during fire ban	6.11	300.00
29	Non-recreational open air fire during 01 November–31 March exceeds permitted size	6(b)	300.00
30	Fail to extinguish fire when ordered to do so	8.3	300.00
31	Hinder or obstruct any Person exercising a power or performing a duty under this By-law	12.1	300.00

THE TOWNSHIP OF MCMURRICH/MONTEITH
ADMINISTRATIVE MONETARY PENALTIES

BY-LAW #2016-29
TO LICENSE TRAILERS

ITEM #	COLUMN 1 SHORT FORM WORDING	COLUMN 2 CREATING OR DEFINING OFFENCE	COLUMN 3 PENALTY
1	Fail to obtain a license for trailer over 21 Day limit	3.1	\$300.00
2	Fail to vacate trailer from the months of December 1 st to April 30 th	3.2	\$300.00
3	Allow additions to be built to a trailer other than an uncovered, unattached deck not exceeding 10 sq. m. and access stairs	3.4	\$300.00
4	Having more than 1 trailer per property	3.6	\$300.00
5	Allow Person to locate trailer on his/her property without license	3.7	\$300.00
6	Fail to display license so it can easily be seen from the outside of the trailer	5.4	\$300.00
7	Providing false information on their license application	6.4	\$300.00
8	Obstruct Person Designated to enforce this By-law	6.9	\$300.00

THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF MCMURRICH/MONTEITH

SCHEDULE “B”
BY-LAW #30-2025

Administrative Monetary Penalty By-law for
Non-Parking Offences Designated By-laws

Administrative Fees

ITEM	COLUMN 1 Administrative Fee	COLUMN 2 Amount
1	Late Payment Fee	\$50.00
2	MTO Plate Denial Fee	\$50.00
3	MTO Search Fee	\$50.00
4	Screening No Show Fee	\$50.00
5	Hearing No Show Fee	\$50.00
6	Insufficient Funds Fee (NSF)	As per the Municipality’s Fees By-law

THE MUNICIPAL CORPORATION OF THE TOWNSHIP
OF MCMURRICH/MONTEITH

SCHEDULE "C"
BY-LAW #30-2025

Administrative Monetary Penalty By-law for
Non-Parking Offences Designated By-laws

AMPS REQUEST FORM

IMPORTANT INFORMATION TO READ PRIOR TO COMPLETING
REQUEST FORM

- ☐ Applicants are responsible for completing all required portions of the applicant portion of this form, and any false or misleading information may lead to this Request being null and void.
- ☐ Personal information contained on this form is collected under the authority of Part IV and Section 11 of the *Municipal Act, 2001* and will be used for the administration of the AMPS Program. Questions concerning collection of Personal information should be directed to the Clerk.
- ☐ Any supporting evidence (photos or documents) for your Screening Request must be brought with you or attached to this completed form and the Number of items noted.
- ☐ Any supporting evidence NOT presented for the Screening is NOT ADMISSABLE at the Hearing.

TO BE COMPLETED BY APPLICANT				
<input type="checkbox"/> Penalty Notice Recipient		<input type="checkbox"/> Authorized Representative		<input type="checkbox"/> Property Owner
PENALTY NOTICE RECIPIENT				
NAME (First and Last)		ADDRESS (Street, Town, Province)		POSTAL CODE
EMAIL		HOME PHONE #		OTHER PHONE #
AUTHORIZED REPRESENTATIVE (to be completed IF REPRESENTATIVE is accompanying Recipient)				
NAME (First and Last)		ADDRESS (Street, Town, Province)		POSTAL CODE
EMAIL		HOME PHONE #		OTHER PHONE #
PENALTY NOTICE INFORMATION (found on Notice received)				
PENALTY NOTICE #		NAME / ADDRESS ON NOTICE		OFFENCE COMMITTED
BY-LAW / SECTION #		ADDRESS OF OFFENCE		ISSUED IN PERSON/MAIL/VEHICLE
TYPE OF REQUEST (Under AMPS By-law)				
<input type="checkbox"/> SCREENING REVIEW	<input type="checkbox"/> APPEAL TO HEARING	<input type="checkbox"/> EXTENSION OF TIME TO PAY	<input type="checkbox"/> EXTENSION OF TIME FOR A SCREENING	<input type="checkbox"/> EXTENSION OF TIME FOR A HEARING
In the space below, provide a factual and detailed explanation of your reason(s) for the Request:				
APPLICANT SIGNATURE			DATE / TIME	
AMPS REQUEST MUST BE SUBMITTED BY:				
1. In Person or by Mail: Township of McMurrich/Monteith, PO Box 70, 31 William Street, Sprucedale, Ontario, P0A 1Y0				
2. Email completed and signed form (with attachments) to clerk@mcmurrichmonteith.com				
TO BE COMPLETED BY TOWNSHIP / APPOINTED OFFICER / AUTHORIZED STAFF				
Name		Role / Position		Date Received
				Signature / Initials
IS REQUEST COMPLETE? (applicant information complete / Request signed)				
FEE REQUIRED FOR TYPE OF REQUEST?				
Additional information / evidence attached to Request?				
Number of attachments:				

SUBJECT:	Conflict of Interest in Relation to the Administration of the Administrative Monetary Penalty System (AMPS) program By-law #30-2025 - Schedule "D"	POLICY #: ADM-009	
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1. POLICY STATEMENT

- 1.1. This policy addresses conflict of interest provisions in relation to the administration of the Administrative Monetary Penalty System (AMPS) program.

2. PURPOSE

- 2.1. To define what constitutes a conflict of interest in relation to the AMPS program, to prevent such conflicts of interest and to redress such conflicts should they occur.
- 2.2. To establish conflict of interest guidelines to ensure that AMPS program responsibilities are conducted in accordance with fundamental principles of justice, which include judicial and prosecutorial independence, fairness, impartiality, competence and integrity.

3. SCOPE

- 3.1. This policy applies to all Screening Officers, Hearing Officers and all Municipal officials and staff involved in the administration of the AMPS program.
- 3.2. For Municipal staff engaged in the administration of the AMPS program, the Code of Conduct and Ethics shall also apply in regard to the activities of an employee in the administration of the AMPS program.

4. PROCEDURE

- 4.1. Appointment of Screening Officers and Hearing Officers:
- 4.1.1. Screening Officers and Hearing Officers shall be appointed by a bylaw passed by Council in accordance with the provisions of By-law #30-2025.
- 4.1.2. Screening Officers are Persons (either independent citizens, employees of the Municipality, or employees of another Municipality, where an agreement for such services exist) appointed by Council to review screening Requests. Screening Officers employed by a Municipality are not permitted to be involved in the Day-to-Day supervision or management of Officers issuing Penalty Notices under AMPS.
- 4.1.3. Hearing Officers are independent citizens appointed by Council to conduct Hearing Reviews in the public interest. While not a mandatory qualification, it is encouraged that Hearing Officers have a familiarity with legal processes and an educational/employment background in legal matters.
- 4.1.4. The following Persons are not eligible for appointment as a Screening Officer or Hearing Officer:
1. A Member of Council or a relative of a Member of Council. A relative, for the purposes of this policy, is defined to include a
- a) Spouse, common-law partner, or any Person with whom the Person is living as a spouse outside of marriage;
 - b) Parent;
 - c) Child, including a step child and grandchild;
 - d) Siblings and children of siblings;
 - e) Aunt, uncle, niece and nephew;
 - f) In-laws, including mother, father, sister, brother, daughter and son; or

- g) Any Person who lives with the Person on a permanent basis; or
- 2. A Person indebted to the Municipality other than:
 - a) in respect of current real property taxes; or
 - b) Pursuant to an agreement with the Municipality the terms with which the Person is in compliance.

5. CONFLICT OF INTEREST

5.1. A conflict of interest arises where a Screening Officer, Hearing Officer or staff Person involved in the administration of the AMPS program has a Personal or business interest that conflicts, might conflict, or may be perceived to conflict with the interests of the AMPS program. A conflict of interest could arise in relation to Personal or business matters including:

- a) directorships or other employment;
- b) interests in business enterprises or professional practices;
- c) share ownership or beneficial interests in trusts;
- d) existing 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 as defined in this policy.

5.1.1. A Screening Officers must be and appear to be impartial at all times. It would be inappropriate for a Screening Officer to review a Penalty Notice for a personal or business acquaintance or relative (as defined above). A conflict of interest includes an actual conflict and a potential or perceived conflict.

5.1.2. Hearing Officers have obligations 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, legitimate expectation, etc.). Hearing Officers must be and appear to be impartial at all times. It would be inappropriate for a Hearing Officer to review a Screening Review Decision for a Personal or business acquaintance or relative, as defined by this policy. A conflict of interest includes an actual conflict and a potential conflict.

5.1.3. Every Screening Officer, Hearing Officer or other Municipal staff Person involved in the administration of AMPS, must disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties to or interests in the administration of the AMPS program. A Screening Officer or Hearing Officer shall not represent any Person at a Screening Review or Hearing Review.

5.2. Conduct of a Screening Officers and Hearing Officers:

5.2.1. All Screening Officers and Hearing Officers shall conduct themselves in the following manner:

5.2.2. With independence:

- must both be and appear to be independent, impartial, and unbiased.
- must 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.
- should not be influenced by partisan interests, public opinion, or by fear of criticism.

- should not use their title and position to promote their own interests or the interests of others.
- should discharge their duties in accordance with the law, Municipal By-laws and AMPS policy, procedures, and guidelines.

5.2.3. With knowledge:

- should maintain their competence through their work, by participating in training and education courses and by seeking guidance from their colleagues and Municipality, as required.
- should remain up to Date on changes in the law, Municipal By-laws, policy, and procedures relevant to their function.

5.2.4. With conduct becoming:

- are subject to ongoing public scrutiny and therefore they must 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 the AMPS program.
- should approach their duties in a calm and courteous manner when dealing with the public and others and should present and conduct themselves in a manner consistent with the dignity of the AMPS system and their appointment.
- should convey in plain language their Decisions and the reasons therefore where such are required.
- must safeguard the confidentiality of information that comes to them by virtue of their work and should not disclose that information except as required by law.
- in discharging their duties, must treat those with whom they deal in a respectful and tolerant manner regardless of the gender, sexual orientation, race, religion, culture, language, mental abilities, or physical abilities of those Persons.

5.2.5. With administration of natural justice paramount:

- shall refrain from openly and publicly criticizing the administration of the AMPS program or the conduct of others. Screening and Hearing Officers shall recognize that only the Clerk and CAO may speak publicly on behalf of the Municipal AMPS program. Any criticisms, suggestions, or concerns related to the AMPS program should be communicated through appropriate channels to the Clerk.
- should deal with the tasks that come before them in a timely manner and should make themselves accessible to those requiring their services.
- must not knowingly exercise a power or function for which they have not been Designated.

5.2.6. Procedures may be defined by the Clerk to address specific implementation of this policy.

5.3 Preventing Conflict of Interest:

5.2.7. The keys to preventing conflicts of interest are: disclosure and withdrawal from the power of Decision in regards to a Screening Review or Hearing review.

5.2.8. The need for disclosure and withdrawal from a power of Decision applies to any real or perceived conflict of interest.

5.2.9. If a Screening Officer or Hearing Officer becomes aware of any real or perceived conflict of interest in regard to a review of an Administrative Penalty or Screening

Decision, as the case may be, the Screening Officer or Hearing Officer shall notify the Clerk or his or her designate(s), of the conflict of interest and

- a) in the case of a scheduled review of an Administrative Penalty or Screening Decision that has not yet commenced, Request another Screening Officer or Hearing Officer to conduct the review to avoid actual or potential conflicts of interest; or
- b) in the case of a review of an Administrative Penalty or Screening Decision that has commenced, adjourn the review and withdraw from the power of Decision, and advise the Clerk, or his or her designate. The Municipality will reschedule the Screening Review or Hearing Review with another Screening Officer or Hearing Officer, as the case may be.

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

5.2.11. Questions related to this policy are to be directed to the Clerk. Should legal clarification be required, a solicitor used by the Municipality may be contacted by the Clerk.

5.3. Addressing Conflicts if they Occur:

- 5.3.1. The Municipality's Code of Conduct and Ethics has a process to deal with breaches of the Code by employees in the administration of the AMPS program.
- 5.3.2. If someone suspects that a Screening Officer or Hearing Officer conducted a Screening Review or Hearing review where there was a conflict of interest, the Person shall advise the Clerk and an investigation may be conducted in accordance with Municipal policies.
- 5.3.3. Any finding of a conflict of interest, shall be reported to the Clerk by the responsible Municipal official, including any recommendation for appropriate disciplinary action, up to and including revocation of appointment.

5.4. Influence:

- 5.4.1. No Person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with employees or other Persons performing duties related to the administration of AMPS.
- 5.4.2. No Person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, a Screening Officer or Hearing Officer respecting the determination of an Administrative Penalty matter and/or respecting a delegated 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 a Screening Review or Hearing Review.

5.5. Charges under the Criminal Code or Other Statutes or Regulations:

- 5.5.1. Where a Screening Officer or Hearing Officer is charged with an offence under the Criminal Code of Canada or any other federal statute or regulation that is dealt with under the Criminal Code of Canada, such charge shall be disclosed forthwith to the Clerk.
- 5.5.2. Where a Screening Officer or Hearing Officer is charged with an offence under other federal or provincial statutes or regulations and where continuing to perform his or her duties may erode public confidence in the administration of the AMPS program, the charge shall be disclosed to the Clerk.
- 5.5.3. A determination will be made by the Clerk as to whether or not an actual or perceived conflict of interest exists or if public confidence in the administration of the AMPS program 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.

of the AMPS program 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.

6. COMMUNICATION / IMPLEMENTATION

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

7. ACCOUNTABILITY

7.1 All Screening Officers, Hearing Officers and Municipal staff involved in the administration of the AMPS program is accountable for implementing and abiding by this policy. Accountability for interpretation of this policy in relation to a real or perceived conflict of interest shall be determined by the Clerk.

8. EVALUATION

8.1 The effectiveness of this policy will be evaluated by the CAO and Clerk from time to time or as required by legislative changes.

8.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.

SUBJECT:	Prevention of Political Interference in the Administrative Monetary Penalty System (AMPS) Program By-law #30-2025 - Schedule "E"	POLICY #: ADM-010	
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1. POLICY STATEMENT

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

2. PURPOSE

- 2.1. To prevent political interference of any kind in the administration of the AMPS program, and to minimize and restrict opportunities for political interference, intentionally or unintentionally.
- 2.2. To define what constitutes political interference in relation to the AMPS program, to ensure the responsibilities of the Screening 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.

3. SCOPE

- 3.1. This policy applies to all elected Members of the Council of the Township of McMurrich Monteith, as well as other Municipal officials and staff.
- 3.2. 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.

4. PROCEDURE

- 4.1. Principles of Preventing Political Interference:
 - 4.1.1. No Person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically, or otherwise, with employees or other Persons performing duties related to the administration of AMPS.
 - 4.1.2. No Person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, a Screening Officer or Hearing Officer respecting the determination of an Administrative Penalty matter and/or respecting a delegated 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 a Screening Review or Hearing Review.
 - 4.1.3. All Persons involved with the enforcement and administration functions of the AMPS program shall endeavor to carry out such duties in a manner, which upholds the integrity of the administration of justice
 - 4.1.4. If someone attempts to influence a Screening Officer, Hearing Officer or Municipal employee engaged in the administration of the AMPS program, contrary to the rules above, the Screening Officer, Hearing Officer or Municipal employee, as the case may be, shall report the incident to the Clerk as soon as possible. No action will be taken against a Screening Officer or Hearing Officer for making any such report in good faith.
 - 4.1.5. Procedures may be defined by the Clerk to address specific implementation of this policy.

5. IMPLEMENTATION

- 5.1 All Members of Council shall be provided with a copy of this policy and the policy shall form part of the Council Code of Conduct.

5.2 This policy shall form part of the orientation for all Members of Council at the start of new term of Council, as well as all current and new Municipal officials and staff, with the potential for interaction with the AMPS program.

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

6. ACCOUNTABILITY

6.1 Attention is brought to the fact that any interference with the AMPS program may result in charges under the Criminal Code of Canada, Provincial statutes, or other disciplinary action.

6.2 A Screening or Hearing Officer, employee or other Person performing duties related to the AMPS program under this policy shall report any attempt at political influence or interference, financial, 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.

6.3 Where any employee, Screening Officer, Hearing Officer or other Person performing duties related to the AMPS program, is contacted by a Member of Council or Municipal official with respect to the administration of the AMPS program, he or she shall immediately disclose such contact to the Clerk in order to maintain the integrity of the AMPS program.

6.4 A Screening Officer or Hearing Officer shall disclose any actual or perceived political interference as soon as possible to the Clerk.

7. ADMINISTRATION

7.1 This policy shall be administered by the Clerk.

8. EVALUATION

8.1 The effectiveness of this policy will be evaluated by the CAO and Clerk from time to time or as required by legislative changes.

8.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.

SUBJECT:	Public Complaints Process Respecting Administrative Monetary Penalty System (AMPS) Program By-law #30-2025 - Schedule "F"	POLICY #: ADM-011	
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POLICY STATEMENT

1.1. This policy is to address any public complaint regarding the administration of the Administrative Monetary Penalty System (AMPS).

2. PURPOSE

2.1 To ensure the AMPS program remains an open, accessible, responsive, accountable, efficient, and effective system for enforcement of Municipal By-laws in the Township of McMurrich Monteith, and any public complaints are addressed in a timely and responsible manner.

3. SCOPE

3.1. This policy applies to all public complaints, informal or formal, regarding all aspects of the AMPS program, and applies to all Administrative actions and functions of all Municipal employees and other Persons responsible for the administration of the AMPS program.

3.2. 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 public complaints regarding the validity of a statute, regulation or By-law or the constitutional applicability or operability of any statute, regulation or By-law will not be processed through this policy.

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

4. PROCEDURE

4.1. A public complaint shall be processed in keeping with all applicable statutes, By-laws, and policies of the Township of McMurrich/Monteith. The complaint process shall be as follows:

4.1.1. Any public complaint must be in writing, identifying the name and full contact information of the complainant, and sent to the Clerk, or his or her delegate(s), within 30 Days in respect to the Date of the event for which the complaint is being made. Complaints that are anonymous will not be accepted.

4.1.2. All complaints shall be treated as confidential by the Clerk, respecting Personal information privacy and confidentiality, subject to legislative provisions.

4.1.3. 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.

4.1.4. The Clerk, or his or her designate(s), will not address or process any public complaint that is deemed by the Clerk, or his or her designate(s), as frivolous, vexatious, trivial or made in bad faith.

4.1.5. A complainant may withdraw his/her complaint at any time.

4.1.6. Where possible, attempts will be made to address public complaints through an informal resolution process before proceeding to a formal resolution process.

4.1.7. Any deemed resolution of a formal complaint will be addressed by written response by the Clerk, or his or her designate(s), 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 Penalty fines and Administrative Fees due or paid.

4.1.8. The Clerk in conjunction with the Municipal By-law Enforcement Officer will report annually as part of the annual AMPS program report on the summary of public complaints filed and addressed in respect of the AMPS program.

4.1.9. Procedures may be defined by the Clerk to address specific implementation of this policy.

5. ACCOUNTABILITY

5.1 All Persons responsible for administering the AMPS program shall be responsible for implementation of this policy. The Clerk, or his or her designate(s), unless otherwise noted, shall be responsible for addressing public complaints regarding the administration of the AMPS program.

6. ADMINISTRATION

6.1 This policy shall be administered by the Clerk.

7. EVALUATION

7.1 The effectiveness of this policy will be evaluated by the CAO and Clerk from time to time or as required by legislative changes.

7.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.

SUBJECT:	Financial Management and Reporting for the Administrative Monetary Penalty System (AMPS) Program By-law #30-2025 - Schedule "G"	POLICY #: ADM-012	
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1. POLICY STATEMENT

- 1.1. This policy is to affirm that the Township of McMurrich Monteith's Administrative Monetary Penalty System (AMPS) shall follow the existing corporate policies and procedures related to financial management and reporting.

2. PURPOSE

- 2.1. To ensure all financial management and reporting responsibilities related to the AMPS program conform to current corporate policies and procedures for financial management and reporting.

3. SCOPE

- 3.1. This policy applies to all financial management and reporting responsibilities and accountabilities regarding the AMPS program. All Township employees and other Persons responsible for the administration of the AMPS program shall comply with this policy.

4. PROCEDURE

- 4.1. Overall Financial Management and Reporting:

- 4.1.1. Preparation of the Township's budget revolves around priority setting that reflects the Township'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 the AMPS program shall be the responsibility of the Clerk in conjunction with the Municipal Law Enforcement Officer.
- 4.1.2. Through the process of current and capital financial management and reporting for the AMPS program, the Clerk 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) Comply with all reporting standards and requirements as part of the Township's financial management and reporting processes.
 - d) Comply with all Township procurement policies and procedures in regard to the AMPS program.
- 4.1.3. Screening Officers and Hearing Officers are prohibited from directly accepting any Payment from any Person in respect of an Administrative Penalty. Any Person issuing a Penalty Notice in respect of the contravention of a Designated By-law is not permitted to accept Payment in respect of an Administrative Penalty.
- 4.1.4. If a Person has paid any Administrative Fees in respect of an Administrative Penalty and the Penalty is subsequently cancelled by a Screening Officer or Hearing Officer, the Township shall refund in full such Administrative Fees to the Person.
- 4.1.5. All Township employees engaged in the administration of the AMPS program shall ensure all work activities are conducted in accordance with the Code of Conduct and Ethics. Township employees shall ensure compliance with cash/Payment handling procedures for financial stewardship.

5. METHODS OF PAYMENT

5.1 Following the issue of a Penalty Notice, the Person is permitted to make a voluntary Payment by using one of the following methods:

- a) Online: e-Transfer to clerk@mcmurrichmonteith.com
Indicate "Penalty Notice" as subject and include Penalty Notice Number.
- b) In Person: Cash or Debit Card
Personal Cheques/Certified Cheques/Money Order (include Penalty Notice Number) and made payable to "Township of McMurrich/Monteith"
- c) Overnight Drop box (located at front doors of the Municipal Office)
- d) By Mail to the Municipal Office
Township of McMurrich/Monteith, P.O. Box 70, 31 William Street
Sprucedale, Ontario, P0A 1Y0
Personal Cheques/Certified Cheques/Money Order (include Penalty Notice Number) and made payable to "Township of McMurrich/Monteith"

5.2 Payment is not considered made until received by the Township. Persons must allow sufficient mailing time for Payments. Persons should not send cash by mail. Post-Dated cheques or Payment by installments are not accepted. NSF cheques will be subject to an Administrative charge.

6. AMPS PROGRAM ADMINISTRATIVE FEES

6.1 Various Administrative Fees may be payable by a Person with a Penalty Notice and Administrative Penalty due and payable, as set out in the Municipality's current Administrative Monetary Penalty System By-law.

7. REPORTING AND TRACKING ADMINISTRATIVE PENALTIES AND ADMINISTRATIVE FEES

7.1 Upon receipt of a Penalty Notice Payment, a Township employee will apply the Payment to a specific Penalty Notice and provide notification to the MLEO that the Notice has been paid.

7.2 The Township employee will process the various methods of Payment as follows:

- a) In Person
Apply the various methods of Payments to the Penalty Notice. Provide a Person with a receipt of Payment for their records.
- b) By Mail
Apply the cheque Payment to the Penalty Notice Mail receipt if Requested by the Person.
- c) Online
Apply the e-transfer Payment to the Penalty Notice. Provide a receipt if Requested by the Person.

7.3 Procedures may be defined by the Clerk or designate to address specific implementation of this policy.

8. ACCOUNTABILITY

8.1 All Persons responsible for administering the AMPS program shall be responsible for implementation of this policy.

9. ADMINISTRATION

9.1 This policy shall be administered by the Clerk or designate.

10. EVALUATION

- 10.1 The effectiveness of this policy will be evaluated by the CAO and Clerk or designate from time to time or as required by legislative changes.
- 10.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.

SUBJECT:	Financial Hardship Policy for the Administrative Monetary Penalty System (AMPS) Program By-law #30-2025 - Schedule "H"	POLICY #: ADM-013	
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1. POLICY STATEMENT

- 1.1. The Township of McMurrich/Monteith has deployed an Administrative Monetary Penalty System (AMPS) for the administration of the various By-laws in force in the Township. This Policy addresses financial hardship in relation to the administration of the AMPS and the Fees associated with AMPS. This Policy establishes guidelines to ensure that the Screening and Hearing Officers are aware of how to address these instances and provides examples of documentation that could be accepted as evidence that Payment would cause a financial hardship.

2. PURPOSE

- 2.1. The purpose of this policy is to respond to Requests by Persons with a Penalty Notice for relief from paying all, or part of a Penalty Notice, including Administrative Fees, if the Person can demonstrate they would suffer financial hardship if required to pay the Penalty.
- 2.2. In accordance with Ontario Regulation 333/07, the Township is required to develop a policy to address financial hardship experienced by individuals required to pay a Penalty Notice and any applicable Administrative Fees.

3. SCOPE

- 3.1. This policy applies to a Screening Review and Hearing Appeal conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the current Administrative Monetary Penalty System By-law.

4. PROCEDURE

- 4.1. Any Person who receives a Penalty Notice is given the right to dispute the Penalty Notice.
- 4.2. The Screening Officer has the authority to cancel 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.

4.3. 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 Appeal. 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.

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

5. RECORDS RETENTION

- 5.1 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.

6. IMPLEMENTATION

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

7. ADMINISTRATION

- 7.1 This policy shall be administered by the Clerk or designate.

8. EVALUATION

- 8.1 The effectiveness of this policy will be evaluated by the CAO and Clerk or designate from time to time or as required by legislative changes.
- 8.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.

SUBJECT:	Screening Officer and Hearing Officer Process Policy Administrative Monetary Penalty System (AMPS) Program By-law #30-2025 – Schedule “I”	POLICY #: ADM-013	
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1. POLICY STATEMENT

1.1. The Township of McMurrich/Monteith deployed an Administrative Monetary Penalty System (AMPS) for the administration of the various By-laws in force in the Township. The Township 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 By-law violations.

2. PURPOSE

2.1. This Policy is to provide guidelines for Screening Reviews and Hearing Appeals conducted pursuant to the Township of McMurrich/Monteith Administrative Monetary Penalty System By-law.

3. PROCEDURE

Screening Officer Review

The Screening Officer is selected by the Clerk and appointed by Council to conduct screening reviews in the public interest. A screening review may be held in the following manner:

- a) Virtual meeting: conducted online by electronic means, using web conferencing technology with specific link provided by the Township.
- b) In Person: Designated room at the Township of McMurrich/Monteith Municipal office located at 31 William Street, Sprucedale, Ontario.

You may have an agent attend the Screening Meeting to represent you.

You may have someone attend the Screening Meeting as your interpreter. An interpreter will not be provided by the Township.

The review will be informal and is an opportunity to explain to the Screening Officer why they should reduce or cancel the Administrative Penalty. You may also Request an extension of time to pay the Penalty as specified in the AMPS By-law. If you are making arguments that the Penalty will cause you financial hardship, you must provide documentation as listed in the Financial Hardship Policy.

After review of a Screening Review Request, a Screening Officer may affirm the Administrative Penalty, including any Administrative Fee(s), or cancel or reduce the Administrative Penalty, including any Administrative Fee(s), or extend the time for Payment of the Administrative Penalty, including any Administrative Fee(s) on the following grounds:

- a) where a Person establishes on a balance of probabilities, that they did not contravene the Designated By-law as described in the Penalty Notice;
- b) the Penalty Notice is defective in substance or form;
- c) the Penalty Notice was not served in accordance with Section 6 of the AMPS By-law; or
- d) where a Person provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for Payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any undue hardship.

You may Request an appeal of the Screening Decision by a Hearing Officer within 15 Days of the Screening Decision. The Notice will indicate the Date, time, and link for virtual meeting, along with any documents the Township deems necessary for you to have prior to the Hearing Appeal.

Hearing Officer Appeal

These Rules shall be broadly interpreted so as to ensure the most just and expeditious determination of a Hearing on its merits. Where procedures are not provided for in these Rules, a Hearing Officer may do whatever is necessary and permitted by law to effectively determine the matter before them. A Hearing Officer may exercise any of their powers under these Rules on their own initiative or at the Request of a party.

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

If the owner is not satisfied with the Screening Decision, they have the opportunity to Request a Hearing Appeal before a Hearing Officer. All Hearing Appeals will be scheduled by the By-law Enforcement Department.

A Hearing meeting shall be held in the following manner:

a) Virtual meeting: conducted online by electronic means, using web conferencing technology with specific link provided by the Township.

You may have an agent attend the Hearing Appeal to represent you. A party at any Hearing may:

a) Present evidence and submissions; and

b) Call and examine witnesses and conduct cross-examinations of witnesses reasonably required for a full and fair disclosure of all matters relevant to the issues in the Hearing.

Unless the Hearing Officer directs otherwise, the process for all Hearings shall be as follows:

a) The Hearing Officer will call the Hearing to order and may advise the parties of the Hearing process;

b) The Hearing Officer will swear or affirm the witnesses or parties presenting evidence;

c) The Hearing Officer will ask the Officer for all information relevant to the Penalty Notice;

d) The Hearing Officer will ask the Owner, or their representative to make submissions;

e) If witnesses are called, the process for each witness to give evidence is: direct examination, cross-examination and re-examination, if any;

f) The Hearing Officer may ask questions of the witness or parties at any time;

g) A party may make a brief closing statement;

This process is subject to change by the Hearing Officer if they find that there is a fairer way of proceeding.

The Hearing Officer may adjourn a Hearing at any time on such conditions as they consider just.

Where a Person is properly notified of a Hearing and does not attend at the time and place appointed, the Hearing Officer may proceed in that Person's absence and without further Notice to that Person.

Where a Person fails to attend at the Date, time and place scheduled for a Hearing, the process of Section 5.6 of the Township's current Administrative Monetary Penalty System By-law shall apply.

After conducting a Hearing, a Hearing Officer may affirm the Administrative Penalty, including any Administrative Fee(s), or cancel or reduce the Administrative Penalty, including any Administrative Fee(s), or extend the time for Payment of the Administrative Penalty, including any Administrative Fee(s) on the following grounds:

a) where a Person establishes on a balance of probabilities, that they did not contravene the Designated By-law as described in the Penalty Notice;

b) the Penalty Notice is defective in substance or form;

c) the Penalty Notice was not served in accordance with Section 6; or

d) where a Person provides clear and sufficient evidence to establish that the cancellation, reduction or extension of time for Payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any undue hardship.

The Hearing Officer does not have the power to award costs of the Hearing to a party.

The Hearing Officer will provide their Decision with their reasons in support of the Decision, if any, to the By-law Enforcement Department who shall send a copy of the Decision to the parties.

The Hearing Officer may at any time correct a typographical error, error of calculation, misstatement, ambiguity, technical error or other similar error made in their Decision, direction or order.

The Decision of a Hearing Officer is final.

Adjudication Fee

An individual who receives an upheld Decision in a review by a Hearing Officer in relation to a Penalty Notice issued through AMPS shall be responsible for an additional Adjudication Fee of

\$25.00.

Submitting Documents

You must submit any documents or supporting evidence you wish to use in your Screening Review or Hearing Appeal 14 Days prior to the Date via electronic mail to the following address: clerk@mcmurrichmonteith.com

Where a document is submitted in advance, Township staff shall Date stamp the document. The Date stamped on the document shall be deemed to be the Date of receipt.

The party producing the documents should ensure to have originals, where possible and that all documents are legible.

Dismissing Request for Hearing appeal before Hearing Date

The Hearing Officer may dismiss a Request without a Hearing if:

a) the Request is frivolous, vexatious, or is commenced in bad faith;

b) the Request relates to matters that are outside the jurisdiction of the Hearing Officer;

c) the Request was not commenced within the proper time limits required in the Township's By-law or the Owner failed to demonstrate extenuating circumstances that warrant the extension of time; or

d) some aspect of the statutory requirements for Requesting a Hearing has not been met.

Before dismissing a Request under this Rule, the Hearing Officer shall give Notice of their intention to dismiss the Request to all parties setting out the reasons for the dismissal.

Adjournments/Re-scheduling

A party may Request to re-schedule a Screening Review or Hearing Appeal within at least fourteen (14) Days prior to the Hearing Date to the following email: clerk@mcmurrichmonteith.com

Only one single adjournment will be made available to the owner.

Last minute Requests to re-schedule will be forwarded to the Hearing Officer, in writing, who will use their discretion in determining whether to grant or deny the Request.

Sharing Information

The Hearing Officer may, at any stage in a matter make orders for:

- a) the exchange of documents;
- b) the oral or written examination of a party; or
- c) any other form of sharing information.

The Hearing Officer's power to make such orders for sharing information is subject to any statute or regulation that applies to the Hearing and nothing in this Rule requires the sharing of any information which is privileged by law.

Disclosure Request

The Person who is Requesting a Hearing Appeal may Request disclosure of documents thirty (30) Days prior to the Date of the Hearing Appeal. This Request must be on prescribed form submitted via email to clerk@mcmurrichmonteith.com

Witnesses

Unless these Rules provide otherwise, witnesses at a Hearing shall be examined orally and the examination may consist of direct examination, cross-examination and re-examination. The Hearing Officer may determine whether or not evidence from a witness needs to be given under affirmation.

There shall be no undue harassment or embarrassment of a witness as they are giving evidence. The Hearing Officer may disallow a question put to the witness that is vexatious or irrelevant to any matter that may be properly inquired into at the Hearing.

The Hearing Officer may at any time during a Hearing direct that a witness be recalled for further examination.

Evidence at Hearings

The Hearing Officer may admit the following as evidence at a Hearing:

- a) any oral testimony; and
- b) any document or other thing, relevant to the subject matter of the Hearing and may act on such evidence, but the Hearing Officer may exclude anything unduly repetitious.

Nothing is admissible in evidence at a Hearing, that would be inadmissible in a court by reason of any privilege under the law of evidence or that is inadmissible by the statute or by law under which the Hearing arises or any other statute.

Where the Hearing Officer is satisfied as to its authenticity, a copy of a document or other thing may be admitted as evidence at a Hearing.

Record of Hearing

The By-law Enforcement Department shall compile a record of any Hearing before a Hearing Officer which shall include:

- a) the Notice of the Hearing;
- b) all Decisions made by the Hearing Officer;
- c) all documentary evidence filed at the Hearing; and
- d) any other documents that in the opinion of the Clerk or designate, or the Hearing Officer should be included in the record of Hearing.

4. SEVERABILITY

4.1 If any provision of these Rules is or becomes illegal, invalid or unenforceable, the illegality, invalidity or enforceability of that provision shall not affect the legality, validity or enforceability of the remaining provisions of these Rules.

5. ADMINISTRATION

5.1 This policy shall be administered by the Clerk.

6. EVALUATION

6.1 The effectiveness of this policy will be evaluated by the CAO and Clerk from time to time or as required by legislative changes.

6.2 Any identified deficiencies or non-compliance issues will be addressed promptly, with corrective measures documented and implemented.