



# Town of Wasaga Beach

## Policy Manual

<b>Section Name:</b> Protection to Persons & Property	<b>Policy Number:</b> 5-13
<b>Policy:</b> Administrative Monetary Penalty System- Appointment of Screening and Hearing Officer Policy	<b>Policy:</b> May 15, 2030
<b>Effective Date:</b> May 15, 2025	<b>REVISIONS:</b>
<b>ADMINISTERED BY:</b> Municipal Law Enforcement Division	

### 1. PURPOSE

- 1.1 The purpose of this policy is to provide a consistent and transparent framework for the selection and appointment of Screening Officers and Hearing Officers and to act as a guide for appointees.
- 1.2 The Town of Wasaga Beach values a clear and transparent process, completed in a fair and equitable manner, for the selection of Screening Officers and Hearing Officers. The selection is to be conducted in accordance with applicable legislation and Council-approved bylaws for the purposes of AMPS.

### 2. SCOPE

- 2.1 Screening Officers are appointed to review Penalty Notices issued by Town Enforcement Staff and make decisions on Administrative Penalties and related fees regarding Penalty Notices.
  - a. Responsibilities include:

- i. Authority to review Penalty Notices as set out in the Administrative Monetary Penalty By-law and make decisions on whether to reduce, cancel or affirm a Penalty Notice's penalty amount.
  - ii. Authority to extend the time to pay or, upon proper application, and in accordance with established AMPS policies, procedures and guidelines, extend the time to dispute.
- 2.2 Hearing Officers are appointed to review Screening Officer decisions regarding an Administrative Penalty and related fees, as requested by Persons, and make final decisions on the Screening Officer decisions.
  - a. Responsibilities include:
    - i. Authority to review Penalty Notices as set out in the Administrative Monetary Penalty By-law and make decisions on whether to reduce, cancel or affirm a Penalty Notice's penalty amount.
    - ii. Authority to review the Screening Decision, as set out in the Administrative Monetary Penalty By-law.
    - iii. Authority to extend the time to request a review of a Screening Decision, upon proper application, and in accordance with established AMPS policies, procedures and guidelines.
    - iv. Authority to conduct a hearing in accordance with the Statutory Powers and Procedures Act, including not making any decision respecting a review of a Screening Decision unless the Person (with the Penalty Notice) and the Town have an opportunity to be heard at the scheduled hearing of the review.
    - v. Authority to affirm, cancel or reduce the penalty amount assessed by a Screening Decision, or extend the time for payment of an Administrative Penalty, in accordance with the established AMPS policies, procedures and guidelines, with any such decision being final.

### **3. POLICY**

#### **3.1 Appointment of Screening Officers**

- a. In accordance with the Screening and Hearing Officer By-law, Screening Officers shall be appointed by the General Manager of Legislative and Development Services in writing.

- b. The General Manager may revoke the appointment of a Screening Officer if, at any time, the Person becomes ineligible for appointment or continuation as a Screening Officer or is otherwise determined by the General Manager to be unable to carry out the duties related to AMPS in a fair and impartial manner or to comply with Town policies or procedures.

### **3.2 Recruitment of Hearing Officers**

- a. The Town may, from time to time, recruit Hearing Officers as contemplated by the Screening and Hearing Officer By-law and/or may enter into an agreement with any third-party hearing services provider.
- b. Hearing Officers are independent and are not Town Employees. Hearing Officers may be required to enter into a contract with the Town outlining the terms of service.
- c. Unless revoked, Hearing Officers shall be appointed for the term of Council (or remainder thereof, where appointed mid-term), and thereafter until reappointed or until a successor is appointed.
- d. Hearing Officers appointed by the Town shall not be guaranteed minimum or maximum hours of work. Rather, Hearing Officers shall be assigned on an as-needed basis with no minimum compensation or frequency of work amounts.
- e. The General Manager may revoke the appointment of a Hearing Officer at any time, in accordance with the Screening and Hearing Officer Bylaw.

## **4. POLICY ADMINISTRATION AND REVIEW**

- 4.1 This Policy will be reviewed as required, but in any case no later than five (5) years from the date of the most recent review.
- 4.2 This Policy shall be administered by the General Manager of Legislative and Development Services.

## **5. REFERENCE AUTHORITIES**

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- AMPS Parking By-law 2025-17, as amended
- AMPS Non Parking By-law 2025-18, as amended
- Appointment of Screening and Hearing Officers By-law 2024-48, as amended