

<p>CORPORATE POLICY and PROCEDURE</p>	 <p>WOOLWICH TOWNSHIP</p>	<p>Policy No.: AMPS-02 Pages: 5 Effective Date: October 22nd, 2024 Supercedes:</p>
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SECTION: Administrative Monetary Penalty System (AMPS)

SUBJECT: Financial Management and Reporting

PURPOSE

Ontario Regulation 333/07 requires a municipality establishing an Administrative Monetary Penalty System (AMPS) to have a policy to address financial management and reporting of AMPS.

This purpose of this Policy is to provide a Policy regarding financial management and the reporting and tracking of administrative penalties and fees. This Policy affirms that the Township of Woolwich’s AMPS shall follow the existing corporate policies and procedures related to financial management and reporting.

LEGISLATIVE AUTHORITY

Municipal Act, 2001 and O. Reg. 333/07

DEFINITIONS

“Administrative Fee” means any fee specified in the Administrative Monetary Penalty System By-law;

“Administrative Penalty” means an administrative penalty imposed for contravention of a Designated By-law, in accordance with the Administrative Monetary Penalty System By-law;

“Administrative Monetary Penalty System By-law” means the by-law passed by the Township to establish administrative penalties, as amended from time to time, or any successor thereof;

“AMPS” means Administrative Monetary Penalty System;

“Clerk” means the Township Clerk, or anyone designated by the Township Clerk to perform his or her duties relating to AMPS;

“Director” means the Director of Corporate Services/Clerk of the Township, or anyone designated by the Director of Corporate Services/Clerk to perform his or her duties relating to AMPS;

“Hearing Officer” means any person who is appointed by the Township 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 Monetary Penalty System By-law;

“By-law Enforcement Services” means the By-law Enforcement Services section of the Township, or any successor thereof;

“*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 the Administrative Monetary Penalty System By-law;

“Person” includes an individual or a corporation;

“Screening and Hearing Officer By-law” means any person appointed by the Township 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 Monetary Penalty System By-law;

“Screening Officer” means any person appointed by the Township from time to time pursuant to the Screening and Hearing Officer by-law, to performs the functions of a Screening Officer in accordance with the Screening and Hearing Officer By-law and the Administrative Monetary Penalty System By-law;

“Township” means The Corporation of the Township of Woolwich.

POLICY SCOPE

1. 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.
2. The Township has established several financial policies and procedures which, along with proactive financial planning processes, provide a framework for the Township’s overall fiscal planning and management. The Township 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 programs and services.

POLICY COMMUNICATION:

3. This Policy will be posted on the Township's website.
4. Affected staff will be advised of the new Policy and any major amendments.
5. All members of Council shall be provided with a copy of this Policy.
6. This Policy shall form part of the orientation for all members of Council at the start of a new term of Council.
7. This Policy shall form part of the orientation for all Screening Officers, Hearing Officers and Township staff involved in the enforcement and administration of AMPS
8. Without limiting Section 7 all current and new Township officials and staff, with the potential for interaction with the AMPS program, shall receive training in relation to this Policy.

POLICY:

9. General Financial Management and Reporting:
 - a) Preparation of the Township's budget resolves 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 AMPS shall be the responsibility of By-law Enforcement Services.
10. Through the process of current and capital financial management and reporting for AMPS, By-law Enforcement Services shall:
 - a) review and monitor current year actual, budgeted and projected financial performance and operating results in accordance with the Township's financial policies;
 - b) proactively compare program financial activity with past performance to identify trends, issues and opportunities in accordance with the Township's financial policies;
 - 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 in accordance with the Township's financial policies;
 - e) identify and mitigate factors impacting the AMPS budget and financial performance, such as inflation in accordance with the Township's financial policies;

- f) comply with all corporate reporting standards and requirements as part of the Township'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 Township procurement policies and procedures in regard to AMPS.

11. Payment of a Penalty Notice:

- a) Any person issuing a Penalty Notice for an infraction of a Designated By-law is not permitted to accept payment for an Administrative Penalty.
- b) Hearing Officers are prohibited from directly accepting any payment from any Person in respect of a Penalty Notice.
- c) Township employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

Methods of Payment

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

- a) Online (subject to a nominal processing fee);
- b) In person at: Township of Woolwich Administration Office
24 Church Street W, Elmira
Monday – Friday from 8:30am-4:30pm;
- c) By mail using cheque or money order only, where:
 - i. 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 Township of Woolwich
 - ii. Mail to: The Corporation of the Township of Woolwich
24 Church Street West
P.O. Box 158
Elmira, Ontario N3B 2Z6

13. Payment is not considered made until received by the Township. 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 Director) are not

accepted. A fee will be applied for any Non-Sufficient Funds, cancelled or reversed payment, in accordance with the Township's Fees and Charges By-law.

14. 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.
- d) Upon receipt of a Penalty Notice payment, a Township employee will apply the payment to a specific Penalty Notice in the Township's parking system connected to the Township's Point-of-Sale terminals. Unless otherwise agreed by the Director, partial payments will not be accepted. The Penalty Notice will reflect "paid" status.
- e) A Person's credit card information is not kept by the Township's system, in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

15. Refund of Payment:

- a) 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 Township shall refund the Administrative Fee or part thereof cancelled or reduced to the Person.

16. Administrative Fees

- a) Various Administrative Fees may be payable by a Person with a Penalty Notice as set out in the Administrative Monetary Penalty System By-law. Where applicable, such fees shall be paid in addition to the Administrative Penalty.

Compliance

17. In cases of Policy violation, the Township may investigate and determine appropriate corrective action.

POLICY STATEMENT

18. This Policy is to establish financial management and reporting responsibilities related to the Administrative Monetary Penalty System (AMPS).