

## Report to Community and Protective Services Committee

**To:** Chair and Members  
Community and Protective Services Committee

**From:** Scott Mathers, MPA, P. Eng  
Deputy City Manager, Planning and Economic Development

**Subject:** Administrative Monetary Penalty (AMPS) By-law:  
Housekeeping Amendments

**Date:** July 15, 2024

## Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken:

- (a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting to be held on July 23, 2024, to amend By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London”.

## Executive Summary

This report is intended to be an update to the Administrative Monetary Penalties (AMPS) By-law (A-54) and to ensure updates are made to the penalty schedules of the Fireworks By-law (PW-11), Sound By-law (PW-12), the Parks & Recreation By-law (PR-2), Traffic and Parking By-law (PS-114). The proposed amendments to these Penalty Schedules are administrative in nature and are recommended to continue to employ AMPS penalty system efficiently as a tool to ensure by-law compliance.

## Linkage to the Corporate Strategic Plan

Section 1.3 (in Outcome 1: *Wellbeing and Safety*) of the 2023-2027 Strategic Plan, focuses on addressing safety concerns and supporting Londoners’ overall quality of life: improving public spaces such as parks and recreation centres, delivering services that enhance the quality of life for residents, providing better emergency services, promoting health equity, and supporting better affordability with our city. The recommendations contained within this report are directly in line with the 2023-2027 Strategic Plan.

# Analysis

## 1.0 Background Information

### 1.1 The Administrative Monetary Penalties System (AMPS) By-law (A-54)

On June 29, 2019, Municipal Council passed the Administrative Monetary Penalties System Bylaw (AMPS) with an effective date of November 1, 2019. The AMPs process has since proven to be an effective method of issuing Provincial Offences Act (POA) tickets for parking violations and other by-law matters. The AMPS process transfers by-law disputes from the courtroom to the municipality using screening officers and independent hearing officers who can reduce, cancel, or affirm penalties. The intent of the attached amendments is to further support the use of AMPs to address additional municipal by-law violations.

### 1.2 Previous Reports Related to this Matter

Community and Protective Services Committee - Administrative Monetary Penalties – January 23, 2018, December 11, 2018, June 17, 2019, October 6, 2020, April 20, 2021, and March 21, 2023.

### 1.3 Municipal Purpose

The Municipal Act, 2001 is the main statute governing the creation, administration, and government of municipalities in the Canadian province of Ontario.

Subsection 10(2) 6) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: health, safety, and wellbeing of persons.

Subsection 10(2) 8) protection of persons and property, including consumer protection.

## 2.0 Discussion and Considerations

### 2.1 Amendments to Penalty Schedules

Staff are proposing the following amendments:

- Fireworks By-law – (PW-11) – Addition of Administrative Monetary Penalties addressing the discharging of fireworks.
- Sound By-law (PW-12) – Addition of shortform wording for an “Obstruct” provision to the Sound By-Law (Schedule A-16)
- Parks and Recreation Area By-law (PR-2) - Addition of shortform wording for an “Allow, cause, or permit” provision regarding the operation of vehicles/motor vehicle / e-scooter / horse-drawn conveyance in public parks and on multi-use pathways (Schedule A-17).

- Traffic & Parking By-law - PS-114 – Amendments to Schedule B include MTO Fee Plate Denial Request Fee, Schedule C to outline who is eligible to be assigned as a 'Designated Screening Officer' and to outline Administrative Fees for infractions pertaining to Screening reviews and Hearing reviews.

### **3.0 Financial Impact/Considerations**

None currently.

### **4.0 Key Issues and Considerations**

This report seeks Council's approval to amend the Administrative Monetary Penalties System (AMPS) By-law (A-54). This amended by-law and its schedules are attached as Appendix "A", Schedule "A-16", Schedule "A-17", Schedule "A-28" (new), Schedule "B", and Schedule "C".

## **Conclusion**

The use of Administrative Monetary Penalty System (AMPS) has been become recognized as a fair, effective, and more flexible way to address nuisance behaviours across the city. Staff are proposing minor, housekeeping amendments to help ensure proper by-law implementation though Municipal By-law enforcement.

**Prepared by:** Mark Hefferton, MURP, RPP, MCIP  
Policy & Program Analyst, Municipal Compliance

**Submitted by:** Nicole Musicco  
Manager, Licensing, Policy, and Special Operations

**Reviewed &  
Concurred by:** Wade Jeffery  
Manager, Community Compliance and Animal  
Services, Municipal Compliance,  
(Acting) Director, Municipal Compliance

**Recommended by:** Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic  
Development

## Appendix “A”

Bill No. \_\_\_\_\_  
2024

By-law No. A-54 (\_\_\_)-\_\_\_

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London to amend Schedules, “A-16” and “A-17”, add “A-28” and to repeal and replace Schedules “B” and “C”.

**WHEREAS** section 434.1 of the Municipal Act and Section 15.4.1 of the Building Code Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

**AND WHEREAS** the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

**AND WHEREAS** the Municipal Council on June 25, 2019, passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

**AND WHEREAS** the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to contraventions of designated by-laws under the Administrative Monetary Penalty System By-Law;

**NOW THEREFORE** the Council of The Corporation of the City of London enacts as follows:

- 1.) That Schedules “A-16” and “A-17” of the Administrative Monetary Penalty (AMPS) By-law (A-54) are hereby amended to include new Administrative Penalties, including short form wordings and penalty amounts; and
- 2.) That Schedules “B” and “C” of the Administrative Monetary Penalty (AMPS) By-law (A-54) be repealed and replaced with the attached Schedules “B” and “C”.

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 23, 2024,

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – July 23, 2024  
Second Reading – July 23, 2024  
Third Reading – July 23, 2024

## Schedule "A-16"

### Penalty Schedule for the Sound By-law (PW-12)

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

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 3.

3. Column 4 in the following table sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Designated Provision</b>	<b>Column 4 Administrative Penalty Amount</b>
1	Obstruct any person exercising power or duty under by-law	7.5	\$250.00
2	Attempt to obstruct any person exercising power or duty under by-law	7.5	\$250.00

*\*Note: At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.*

## Schedule "A-17"

### Penalty Schedule for Parks and Recreation Area By-law (PR-2)

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

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 3.

3. Column 4 in the following table sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Designated Provision</b>	<b>Column 4 Administrative Penalty Amount</b>
1	Allow, cause, or permit the operation of a vehicle upon roadway in direction other than indicated on signs	3	\$200.00
2	Allow, cause, or permit the operation of a vehicle in violation of posted signs	7	\$200.00
3	Allow, cause, or permit the operation of a vehicle (in excess of posted speed limit / in excess of 20km/hr.)	10	\$200.00
4	Allow, cause, or permit the operation of a motor vehicle / e-scooter / horse-drawn conveyance on multi-use pathway	15	\$200.00

*\*Note: At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.*

## Schedule "A-28"

### Penalty Schedule for Fireworks By-law – PW-11

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

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 3.

3. Column 4 in the following table sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

<b>Column 1 Item #</b>	<b>Column 2 Short Form Wording</b>	<b>Column 3 Designated Provision</b>	<b>Column 4 Administrative Penalty Amount</b>
1	Causing or allowing the discharge of Fireworks (display or consumer Firecrackers when prohibited)	4.(1), 5.(4)	\$500.00
2	Discharging any prohibited firecrackers or fireworks	4.(2)	\$500.00
3	Discharging display Fireworks or consumer Fireworks in a dangerous manner	5.(5), 5.(6), and 5.(7)	\$500.00
4	Discharging display Fireworks or consumer Fireworks on days not permitted in the by the by-law or without a permit	4.(1), 5.(1), 6.(2), 8 (a)-(i), 9 (a)-(c), 10, 11, and 12	\$500.00
5	Failure to provide direct supervision of and control of a person eighteen (18) years of age or over	5.(3)	\$500.00
6	Discharging special effect pyrotechnics without a permit	22	\$250.00
7	Hold display of display Fireworks or consumer Fireworks in a public	6.(1), 6.(2)	\$500.00



	place or on private property when prohibited or without a permit.		
8	Failure of the permit holder holding the display of special effect pyrotechnics to ensure that all unused fireworks and all debris are removed.	23	\$250.00
9	Failure of the holder of a display firework or display of special effect pyrotechnics to produce his or her permit upon being so directed by the Fire Chief.	24.1	\$250.00

*\*Note: At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.*

### Schedule "B"

**Designated Provisions for laying out the Administrative Fee structure for infractions pertaining to MTO fee, Plate Denial, Hearing and Screening reviews.**

<b>Administrative Fee Description</b>	<b>Fee Amount*</b>
MTO Fee (Parking penalties only)	\$10
Plate Denial Request Fee (Parking penalties only)	\$20
Late Payment Fee	\$25
Screening Non-Appearance Fee	\$50
Hearing Non-Appearance	\$100

Note: Fee listed in Schedule "B" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

## **Schedule “C”**

### **Designated Screening Officers**

1. The Director, Municipal Compliance, or delegate(s) as assigned.
2. Manager of Municipal Law Enforcement Services or delegate(s) as assigned.
3. Parking Coordinator or delegate(s) as assigned.
4. Screening Officers or delegate(s) as assigned.