



TO:	CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES COMMITTEE MEETING ON JANUARY 23, 2018
FROM:	G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	ADMINISTRATIVE MONETARY PENALTIES

RECOMMENDATION

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, Civic Administration **BE DIRECTED** to prepare a business case on the implementation of a system of Administrative Monetary Penalties as an enforcement tool to address by-law violations, including but not limited to parking, licensing and property standards.

BACKGROUND

This report provides background information on the use of an Administrative Monetary Penalties (AMPs) for parking and by-law infractions. The use of AMPs is an emerging approach to dealing with parking and by-law infractions in a manner that is fair, effective and efficient. This approach has been adopted by numerous Ontario municipalities and is designed to streamline the by-law enforcement process.

AMPs are an alternative to the current method of issuing *Provincial Offences Act* (POA) tickets. When a defendant receives a ticket for a parking or by-law offence, the defendant may request a trial heard by a Justice of the Peace in the Provincial Offences Court. The AMPs system of enforcement transfers by-law disputes from the courtroom to the municipality through the use of screening and hearings officers who are able to modify, cancel, or affirm penalties. The Province reported that in 2015, over 88% of POA matters set for trial (313,000 of 355,000) were resolved on the trial date without a trial, meaning that court resources including the charging officer's time were not optimally utilized. The AMPs system aids in reducing congestion in the courts as well as providing a more local and accessible dispute resolution system.

The Municipal Act sets out the requirements for municipalities using AMPs. This includes the requirement to appoint screening / hearings officers and for the municipality to establish policies to prevent political interference, conflicts of interest, financial management and public complaints.

AMP notices can be issued through the following methods: in person; through registered or regular mail to the individual's last known address; by facsimile (fax) to the individual's last known facsimile transmission number; by email to the individual's last known email address; and on the vehicle (parking infractions). Initial discussions with municipalities currently using AMPs indicate improved parking enforcement in school zones where "drive-aways" are very common under the current system of issuing POA notices on the vehicle.

On December 17, 2017, Bill 177 - Stronger, Fairer Ontario Act received Royal Assent. This Act amends the Building Code Act by adding new provisions to authorize the use of AMPs to address property standards by-law infractions.

Civic Administration recommend that consideration be given to implementing a system of AMPs as an enforcement tool to efficiently and effectively achieve compliance with municipal by-laws, including but not limited to parking, licensing and property standards. A business case would review the costs and benefits of an AMPs system as well as identify necessary by-law amendments, policies and standard operating procedures.

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PREPARED BY:	RECOMMENDED BY:
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