

<b>Administrative Procedure Name</b>	Administrative Monetary Penalty System – Undue Hardship	<b>Administrative Procedure Number</b>	<b>P-COR-018</b>
<b>Effective Date</b>	July 14, 2025	<b>Revision Date</b>	
<b>Approved By</b>	Council		
<b>Related Administrative Procedure or Policy</b>	Monetary Penalty System-Conflict of interest Monetary Penalty System – Financial Management and Reporting Monetary Penalty System – Prevention of Political Interference Monetary Penalty System – Public Complaints Monetary Penalty System – Extension of Time to Pay Monetary Penalty System – Extension of Time to Request a Review		

## 1. Intent

- 1.1 The Township has implemented an Administrative Monetary Penalty System (**AMPS**).
- 1.2 The purpose of this procedure is to outline a process for requests to be excused from paying all or part of an **administrative penalty** and any related administrative fees.

## 2. Scope

- 2.1 This procedure applies to a **Screening Officer** or **Hearing Officer** conducting a **Screening Review** or **Hearing**.

## 3. Definitions

- 3.1 For the purposes of this Procedure:

“**Administrative Penalty**” means an administrative monetary penalty for a contravention of a Township By-law;

“**AMPS**” means Administrative Monetary Penalty System;

“**Hearing**” means a review of a decision of a **Screening Officer**;

“**Hearing Officer**” means a person who performs the functions of a Hearing Officer in accordance with the Township’s **AMPS** By-laws;

“**Penalty Notice**” means a notice for a contravention of a Township By-law and includes a Penalty Order;

“**Screening Officer**” means a person who performs the functions of a Screening Officer in accordance with the Township’s **AMPS** By-laws;

“**Screening Review**” means a review of an **administrative penalty** by a **Screening Officer**.

#### 4. Application

- 4.1 A person who has been issued a **penalty notice** may request to be excused from paying all or part of an **administrative penalty** and any related administrative fees by requesting a **Screening Review** or **Hearing** in accordance with the applicable Township **AMPS** By-law.
- 4.2 A **Screening Officer** or **Hearing Officer** during a **Screening Review** or **Hearing** may cancel or reduce an **administrative penalty** and any related administrative fees where the person provides clear and sufficient evidence to establish that the cancellation or reduction of the **administrative penalty** and any related administrative fees is necessary to relieve any undue hardship.
- 4.3 A **Screening Officer** or **Hearing Officer** shall take into consideration oral or written evidence presented by the person to demonstrate:
  - (a) whether the person is employed, retired, a student, or other circumstances that would render the payment of the **administrative penalty** and any related administrative fees a financial hardship;
  - (b) whether the amount of the **administrative penalty** and any related administrative fees causes significant difficulty or a burden that is unreasonably high or excessive resulting in undue hardship.
- 4.4 A person may submit proof to demonstrate a financial hardship or undue hardship such as:
  - (a) Old Age Security;
  - (b) Canada Pension;
  - (c) Guaranteed Income Supplement;
  - (d) Disability Pension;
  - (e) O.S.A.P.; or
  - (f) any other form of social assistance.
- 4.5 Documentation submitted to demonstrate a financial hardship or undue hardship as part of a **Screening Review** will be treated in a confidential manner.
- 4.6 A person who wishes to submit oral or written evidence to demonstrate a financial hardship or undue hardship may request that a portion of the **Hearing** be held in absence of the public as intimate financial or personal matters will be disclosed.

- 4.7 A **Screening Officer** or **Hearing Officer** shall satisfy themselves as to the authenticity or credibility of the oral or written evidence presented.
- 4.8 The decision to cancel or reduce an **administrative penalty** and any related administrative fees is at the sole discretion of the **Screening Officer** or **Hearing Officer**.
- 4.9 Where an **administrative penalty** is cancelled any administrative fee(s) are also cancelled.

## 5. Implementation

- 5.1 All **Screening Officer(s)**, **Hearing Officer(s)**, and staff involved in the administration and enforcement of the **AMPS** program shall be provided with a copy of this procedure.
- 5.2 This procedure shall form part of the orientation for all:
  - (a) staff involved in the administration and enforcement of the **AMPS** program;  
and
  - (b) **Screening Officer(s)** and **Hearing Officer(s)**.