

<b>Administrative Policy Name</b>	Appointment and Conduct of Hearing Officers	<b>Administrative Policy Number</b>	<b>P-COR-019</b>
<b>Effective Date</b>	December 15, 2025	<b>Revision Date</b>	
<b>Approved By</b>	Council		
<b>Related Administrative Procedure or Policy</b>	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 Monetary Penalty System – Undue Hardship Monetary Penalty System – Conflict of Interest		

**Policy Statement:**

The purpose of the Hearing Officer is to provide a second, independent, and final decision in the Administrative Penalty Program’s appeal process. In recognition of their importance to the integrity and transparency of the appeal process, the following policy is provided as a general standard for all Hearing Officers appointed by Council to ensure they are acting in a manner appropriate to their position as an independent adjudicator of the Township of Centre Wellington. This Policy also provides a consistent and transparent framework for selecting and appointing Hearing Officers in a fair and equitable manner in accordance with applicable legislation and Council-approved By-laws.

**Definitions:**

“Township” means the Township of Centre Wellington;

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

“Council” means the Council of the Township of Centre Wellington;

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

“AMPS Screening Officer and Hearing Officer By-law” means the By-law passed by the Township to establish the position of Hearing Officers and to provide for the appointment of Hearing

Officers, in relation to the Administrative Penalties Program, as amended from time to time, or any successor thereof;

“Policy” refers to the Appointment and Conduct of Hearing Officers Policy;

“Relative” means any of the following persons:

- spouse;
- parent;
- child, including a step-child and grandchild;
- grandparent;
- siblings and children of siblings;
- aunt, uncle, niece and nephew;
- in-laws, including mother, father, sister, brother, daughter and son; or
- any person, including but not limited to a dependant, who lives with the person on a permanent basis;

“Spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage and includes a common-law partner.

**Scope:**

This Policy applies to the selection, appointment, and conduct of Hearing Officers within the Administrative Penalties Program.

**Policy Communication:**

This Policy will be posted on the Township’s website on the Administrative Penalties Program page.

**Recruitment and Appointment:**

The Township may, from time to time, recruit Hearing Officer(s) as contemplated by the AMPS Screening Officer and Hearing Officer By-law, in accordance with the following process:

1.1 Eligibility

The following persons are not eligible to be appointed or to remain as Hearing Officer(s):

- a) A member of Council;
- b) A Relative of a member of Council;
- c) An employee of the Township;
- d) A person indebted to the Township.

## 1.2 Application and Review Process Application Process

### Application Process and Appointment

The Township of Centre Wellington Legislative Services Division will be responsible for the recruitment of the Hearing Officer(s). The position posting will outline the role of the Hearing Officer(s), eligibility criteria, and necessary and desirable qualifications.

Eligible applicants may complete an application in a form prescribed by the Township.

The Legislative Services Division will be responsible for reviewing the applications and recommending appointments. The review process involves reviewing applications and ensuring applicants meet the eligibility criteria and have the necessary qualifications for performance of duties in alignment with the provisions of the AMPS Screening Officer and Hearing Officer By-law. The Clerk will consider the recommendations of the Managing Director of Corporate Services

### Other Administrative Penalty Programs

Should the Township decide to expand the Administrative Penalties Program(s) to other matters or to include other municipalities, Council may, but is not required to, expand the duties of and appoint any existing Hearing Officer(s) for that purpose.

### Nature of Position and Term

Hearing Officer(s) are independent adjudicators and are not Township employees. Unless revoked, Hearing Officer(s) 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.

### **Hearing Officer Conduct:**

Hearing Officers shall, when exercising their duties and functions, or during interactions with Members of Council, staff or members of the public, act in a manner accomplishing the following:

- demonstrates respect for all fellow Hearing Officers, Council, Township staff, and the public;
- demonstrates professionalism, transparency, accountability, and timeliness in completing any matters that come before them and makes themselves available to those requiring their services;
- demonstrates integrity, as they are subject to ongoing public scrutiny, respecting and complying with the law and always conducting themselves in a manner that promotes public confidence in the integrity and impartiality of the hearing review process;
- conforms with the AMPS Screening Officer and Hearing Officer By-law and all other applicable by-laws, policies, procedures, guidelines, legislation, and regulations as they relate to the Administrative Penalties Program;

- demonstrates their commitment to performing their duties in a conscientious, ethical, and diligent manner;
- demonstrates their commitment to remain up to date on changes in the law, applicable by-laws, policies, procedures, and guidelines relevant to their function while maintaining their knowledge and competence by participating in training and education courses, and by seeking guidance from their colleagues and the Township;
- conforms with their obligation to treat those with whom they deal with in a respectful and tolerant manner regardless of the gender, sexual orientation, race, religion, culture, language, mental abilities, or physical abilities.

A Hearing Officer shall not:

- be influenced by partisan interests, public opinion, or by fear of criticism;
- engage in any business or transaction or have a financial or personal interest that is incompatible with performing their duties;
- place themselves in a position where they are under obligation to any person who might benefit from special consideration or favour on their part or who might seek preferential treatment;
- openly or publicly criticize the administration of any Administrative Penalties Program or other regulatory processes under which the Hearing Officer provides services;
- openly or publicly criticize the conduct of anyone associated with the Township for whom the Hearing Officer provides services, including but not limited to members of municipal council, municipal employees, and municipal screening officers;
- use confidential information acquired during the course of their duties for personal or private gain, or for the gain of relatives or any person or corporation;
- accept gifts, hospitality, or entertainment that could reasonably be construed as being given in anticipation or recognition of special consideration;
- disclose or release by any means to any member of the public, any confidential information acquired during the course of their duties, either in written or in oral form except when required by law.
- respond to any media request for information or communications, should any media outlet contact a Hearing Officer, the enquiry should be referred to the Clerk, or designated persons.

**Remuneration:**

Hearing Officers shall receive a per diem fee of \$600 for a full day (up to 6.5 hours) or \$300 for each half day (up to 3.5 hours). Services are to be paid for by invoice. The Hearing Officer's remuneration rate will be reviewed by the Clerk or designate annually. Hearing Officers will not receive reimbursement of mileage or transportation costs.

There is no guarantee provided with regards to minimum days of work. Schedules will be determined in advance, as required by the rate of Hearing Review requests received by the Administrative Penalties Program.

**Conflict of Interest:**

A Hearing Officer shall disclose to the Clerk, or persons designated, immediately that they could be involved in either a real or perceived conflict of interest as prohibited by the policy; and shall abide by any decision made by the Clerk, or designated persons, with respect to the conflict of interest without recourse.

Where a Hearing Officer believes or has been advised that they may have a conflict of interest with respect to a particular matter they shall:

- prior to taking any action on a matter, disclose his or her interest and the general nature thereof;
- take appropriate steps to resolve or obtain advice with respect to such possible conflicts as they arise.

Hearing Officers may seek advice from the Managing Director of Corporate Services

**Compliance, Review and Updates:**

In cases of policy violation, the Township may investigate and determine appropriate corrective action. If any portion of this Policy conflicts with the AMPS Screening Officer and Hearing Officer By-law or the Administrative Penalties Program By-law, the aforementioned by-laws prevail. The Administrative Penalties Program shall be responsible for the development, approval, compliance, and updates on the policy. The policy will be reviewed and updated annually. All changes made to the policy will be reviewed and confirmed by the Clerk or designate.