



Financial Hardship in the Administrative Monetary Penalty System (AMPS)

Policy Number:	2025-05
Approval Date:	February 10, 2025
Revision Date(s):	N/A
Approval Authority:	Director of Legislative Services

1. Purpose

This is a Policy to respond to requests by persons with a Penalty Notice for relief from paying all, or part of a Penalty Notice, including any Administrative Fees, if the Person can demonstrate they would suffer financial hardship if required to pay the penalty required under the Administrative Monetary Penalty Systems (AMPS).

In accordance with Ontario Regulation 333/07, the Town is required to establish a policy to address financial hardship experienced by individuals required to pay a Penalty Notice and any applicable Administrative Fees.

2. Policy Principles

This Policy ensures that AMPS responsibilities are conducted in accordance with fundamental principles of justice, which include fairness, impartiality, competence and integrity.

3. Definitions

For the purposes of this Policy, the following terms are defined in accordance with the Administrative Monetary Penalty By-law 2025-003 and the Screening and Hearing Officer By-law 2025-004.

- **Administrative Fee:** means any fee specified in Administrative Monetary Penalty By-law 2025-003, as may be amended from time to time or set out in the Town's Fees and Charges By-law;
- **AMPS:** means Administrative Monetary Penalty System;

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- **Director:** means the Director of Legislative Services for the Town or their designate;
- **Hearing Officer:** means a person who performs the functions of a Hearing Officer in accordance with part 6 of the Town's Administrative Monetary Penalty By-law 2025-003, and pursuant the Town's Screening and Hearing Officer By-law 2025-004;
- **Hearing Review:** means the process set out in part 6 of the Town's Administrative Monetary Penalty By-law 2025-003;
- **Manager:** means the Manager responsible for the By-law Services Division or their designate;
- **Penalty Notice:** means a notice given to a Person pursuant to part 4 of the Town's Administrative Monetary Penalty By-law 2025-003;
- **Person:** includes an individual or a business name; sole proprietorship; corporation; partnership; or limited partnership; or an authorized representative thereof, whose name appears on the Penalty Notice, or vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and licence plate portion, and different Persons are named on each portion, the Person whose name appears on the licence plate portion, as provided by the Ontario Ministry of Transportation, is the Person for the purposes of this Policy;
- **Screening Decision:** means a notice which contains the decision of a Screening Officer;
- **Screening Officer:** means a person who performs the functions of a Screening Officer in accordance with part 5 of the Town's Administrative Monetary Penalty By-law 2025-003, and pursuant the Town's Screening and Hearing Officer By-law 2025-004;
- **Screening Review:** means the process set out in part 5 of the Town's Administrative Monetary Penalty By-law 2025-003;
- **Town:** means the Corporation of the Town of Collingwood.

4. Scope

This Policy applies to a Screening Review and Hearing Review conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the Town's Administrative Monetary Penalty By-law 2025-003.

5. Policy

5.1. General Provisions

- i. A Person who receives a Penalty Notice has the right to dispute the Penalty Notice;
- ii. The Screening Officer has the authority to cancel, reduce or extend the time for payment of the Penalty Notice, including any Administrative Fees, if the Screening Officer finds that payment of the Penalty Notice (including any Administrative Fees) would cause financial hardship. Similarly, the Hearing Officer has the authority to take into consideration financial hardship when determining to cancel, reduce or extend the time for payment of the Penalty Notice (including any Administrative Fees); and,
- iii. A Person who receives a Screening Decision from the Screening Officer shall, if in disagreement with the Screening Decision, has the right to dispute the Screening Officer's Decision with a Hearing Officer.

5.2. Documentation to Support Financial Hardship

- i. A Person who is experiencing financial hardship should bring documentation to support their claim at the Screening Review or Hearing Review. The Person, when required, shall provide documented proof of financial hardship such as:
 1. Old Age Security;
 2. Canada Pension;
 3. Guaranteed Income Supplement;
 4. Disability Pension;
 5. Ontario Student Assistance Program; or
 6. any other form of social assistance.

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- ii. The Screening Officer or Hearing Officer will satisfy themselves at the Screening Review or Hearing Review as to the authenticity/credibility of the documents provided and will refer to those documents in their decision.

5.3. Records Retention

- i. All information and documentation shall be treated in a confidential manner, subject to the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56.
- ii. Photocopies of documentation may be required and attached to the Screening Decision and/or Hearing Decision record.

5.4. Administration and Contact

- i. This Policy shall be administered by the Director. Procedures may be defined, and amended from time to time, by the Director to address specific implementation of this Policy.
- ii. Correspondence to the Director shall be addressed to:
Town of Collingwood
Attention: Director of Legislative Services
97 Hurontario Street
Collingwood, Ontario
L9Y 3Z5
Telephone: 705-445-1030
Email: clerk@collingwood.ca
- iii. The Director shall have the authority to amend or revise this policy from time to time as may be required.

6. Roles and Responsibilities

A Screening Officer or Hearing Officer, Town employee or another individual performing duties related to the AMPS shall be responsible for adherence to this policy.

7. References and Related Documents

The following documents relate to and support this policy:

- *Municipal Act*, 2001, S.O. 2001, c. 25
- Ontario Regulation 333/07 (Administrative Penalties)
- Town of Collingwood Administrative Monetary Penalty By-law 2025-003

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- Town of Collingwood Screening and Hearing Officer By-law 2025-004

8. Consequences of Non-Compliance

In cases of Policy violation, the Town may investigate and determine the appropriate corrective action(s), and in accordance with any policy as may be applicable, including but limited to the Council Code of Conduct, Employee Code of Conduct, and/or Employee Disciplinary Policy. Non-compliance of a Hearing Officer may include suspension or termination.

9. Review Cycle

This Policy shall be reviewed by the Manager of By-law every term of Council, or earlier as necessary.