


Financial Management and Reporting for the Administrative Monetary Penalty System (AMPS)

Revision Date:	N/A	Supersedes:	N/A
Effective:	May 8, 2024	AP Owner (Dept/Div):	Commissioner, Corporate Services
Applicable to:	Screening and Hearing Officers, all Persons responsible for administering the AMPS Program	Authority:	CAO 

1.0 Overview

Ontario Regulation 333/07 pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 requires a municipality establishing an Administrative Monetary Penalty System (AMPS) to have a policy to address financial management and reporting of AMPS.

This policy provides a framework regarding financial management and the reporting and tracking of administrative penalties and fees. This policy affirms that the Town of Whitchurch-Stouffville’s AMPS program shall follow the existing corporate policies and procedures related to financial management and reporting.

2.0 Scope

This policy applies to all financial management and reporting responsibilities and accountabilities regarding AMPS. All Persons responsible for administering the AMPS program, as well as Screening Officers and Hearing Officers, shall comply with this policy.

The Town has established a number of financial management policies and procedures which, along with proactive financial planning processes, provide a framework for the Town’s overall fiscal planning and management. The Town continues to display financial accountability through regular, thorough and transparent financial performance reporting and analysis. This will be reflected in routine reporting on AMPS financial results, as well as efficiency and effectiveness measures of the AMPS programs and services.

3.0 Definitions

“Administrative Fee” means any fee specified in the Administrative Monetary Penalty System By-law;

“Administrative Monetary Penalty System By-law” means the by-law passed by the Town to establish Administrative Penalties, as amended from time to time, or any successor thereof;

“Administrative Penalty” means an Administrative Penalty imposed for contravention of a Designated By-law, in accordance with the Administrative Monetary Penalty System By-law;

“AMPS” means the Administrative Monetary Penalty System, established by the Administrative Monetary Penalty System By-law;

“Commissioner” means the Commissioner, Corporate Services, or anyone designated by the Commissioner, Corporate Services to perform his or her duties relating to AMPS;

“Council” means the Council of the Town;

“Designated By-law” means a Town by-law, or part or provision of a Town by-law, to which the Administrative Monetary Penalty System By-law applies, as designated under the Administrative Monetary Penalty System By-law;

“Employee” means any Person employed by the Town on a temporary, contract or permanent basis;

“Hearing Officer” means any Person who is appointed by the Town from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a Hearing Officer in accordance with the Screening and Hearing Officer By-law and the Administrative Monetary Penalty System By-law;

“Municipal Freedom of Information and Protection of Privacy Act” means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56, as amended from time to time, or any successor thereof;

“Penalty Notice” means a Penalty Notice as described in Section 4.0 of the Administrative Monetary Penalty System By-law;

“Person” includes an individual or a corporation;

“Screening and Hearing Officer By-law” means any Person appointed by the Town from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a Screening Officer in accordance with the Screening and Hearing Officer By-law and the Administrative Monetary Penalty System By-law;

“Screening Officer” means any Person appointed by the Town from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a Screening Officer in

accordance with the Screening and Hearing Officer By-law and the Administrative Monetary Penalty System By-law;

“**Town**” means The Corporation of the Town of Whitchurch-Stouffville.

4.0 Policy

4.1 General Financial Management and Reporting

Preparation of the Town’s budget resolves around priority setting that reflects the Town’s Strategic Plan, Council priorities, service delivery objectives and standards and historical financial performance; all balanced with the need for prudent financial management. Priority setting and budgeting with respect to AMPS shall be the responsibility of the Commissioner.

Through the process of current financial management and reporting for AMPS, the Commissioner shall:

- a) review and monitor current year actual, budgeted and projected financial performance and operating results;
- b) proactively compare program financial activity with past performance to identify trends, issues and opportunities;
- c) determine priorities for maintaining and improving AMPS programs service level;
- d) review and develop long-term plans for AMPS including a multi-year operating and capital budget analysis and projections;
- e) identify and mitigate factors impacting the AMPS budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of the Town’s decision-makers;
- f) comply with all corporate reporting standards and requirements as part of the Town’s financial management and reporting processes;
- g) ensure all necessary financial signing authorities are in place and followed by all staff involved in AMPS administration; and
- h) comply with all Town procurement policies and procedures in regard to AMPS.
- i) transfer any outstanding penalty amounts, Administrative Fees or other charges to a property’s tax account, using their discretion. Transfers to property taxes shall occur only when the defaulted amounts remain outstanding for 45 days or more.

4.2 Payment of a Penalty Notice

Any Person issuing a Penalty Notice for an infraction of a Designated By-law is not permitted to accept payment for an Administrative Penalty.

Screening and Hearing Officers are prohibited from directly accepting any payment or monetary gifts as payment from any Person in respect of a Penalty Notice.

Town Employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

4.1.1 Methods of Payment

Following the issuance of a Penalty Notice, the Person is permitted to make a payment by using one of the following methods:

- a) Online (subject to a nominal processing fee).
- b) In person at the customer service desk, Town Hall, 111 Sandiford Drive, Whitchurch-Stouffville, Ontario, during regular business hours, Monday – Friday from 8:30am-4:30pm.
- c) In our secure drop box, located beside the main entrance of Town Hall, or by mail using cheque or money order only.

If a Person is making payment by mail, the Penalty Notice number must be written on the front of the cheque or money order and shall be made payable to The Corporation of the Town of Whitchurch-Stouffville.

Mail to: The Corporation of the Town of Whitchurch-Stouffville
Corporate Services Commission
111 Sandiford Drive,
Stouffville, ON
L4A 0Z8
Attention: AMPS Program

Payment is not considered made until received by the Town. Persons must allow sufficient mailing time for payments and should not send cash by mail. Post-dated cheques or payment by installations (unless otherwise agreed to by the Commissioner) are not acceptable. A fee will be applied for any non-sufficient funds, cancelled or reversed payment in accordance with the Town's then current Fees and Charges By-law.

4.1.2 Processing Payments

Payments will be processed as follows:

a) Online

The Person enters their Penalty Notice and related information into the system and makes a payment with their credit card information. Once the transaction is processed and approved, the Person may print a receipt of payment as proof of payment for their records.

b) In Person

Apply the appropriate method of payment to the Penalty Notice. The Person is provided with a receipt of payment for their records.

c) By Mail/Secure Drop Box

Apply the cheque or money order payment to the Penalty Notice. A receipt is not provided when using this method of payment.

Upon receipt of a Penalty Notice payment, a Town Employee will apply the payment to a specific Penalty Notice in the AIMS system connected to the Town's Point-of-Sale terminals. Unless otherwise agreed by the Commissioner, partial payments will not be accepted. The Penalty Notice will reflect "paid" status only when full payment is made within the prescribed timelines or due dates.

A Person's credit card information is not kept by the Town's system, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

4.1.3 Refund of Payment

If a Person has paid any Administrative Fee in respect of a Penalty Notice, and the Administrative Fee or part thereof is later cancelled due to administrative errors or reduced by a Screening Officer or Hearing Officer, the Town may refund the Administrative Fee or part thereof cancelled or reduced, to the Person.

4.1.4 Administrative Fees

Various Administrative Fees may be payable by a Person with a Penalty Notice as set out in the Administrative Monetary Penalty System By-law. Where applicable, such fees shall be paid in addition to the Administrative Penalty.

4.3 Accountability

The Commissioner is responsible for the administration of this policy and has the authority to amend the policy from time to time to ensure the administration of the AMPS program.

5.0 Compliance

In cases of policy violation, the Town may investigate and determine appropriate corrective action.

6.0 References

- Administrative Monetary Penalty System By-law
- *Municipal Act, 2001*, S.O. 2001, c. 25
- O. Reg. 333/07
- Screening and Hearing Officer By-law

Available in alternative format upon request.