



Township of Georgian Bay AMPS Financial Hardship

Policy Number: 2024-005-AD

Department: Fire and Emergency
Services

Effective Date: February 12, 2024

Approval: CAO

Attachments:

Related Documents / Legislation: Administrative Monetary Penalty System
By-law 2024-004

A. Policy Statement

The Township of Georgian Bay has deployed an Administrative Monetary Penalty System (AMPS) for the administration of the various by-laws in force in the Township. This Policy addresses financial hardship in relation to the administration of the AMPS and the fees associated with AMPS. This Policy establishes guidelines to ensure that the Screening and Hearing Officers are aware of how to address these instances and provides examples of documentation that could be accepted as evidence that payment would cause a financial hardship.

B. Purpose

The purpose of this policy is to respond to requests by persons with a Penalty Notice for relief from paying all, or part of a Penalty Notice, including administrative fees, if the person can demonstrate they would suffer financial hardship if required to pay the penalty.

In accordance with Ontario Regulation 333/07, the Township is required to develop a policy to address financial hardship experienced by individuals required to pay a Penalty Notice and any applicable administrative fees.

C. Definitions

For the purposes of this Policy, the following terms are defined in accordance with By-law 2024-004

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Administrative fees means a fee imposed by this by-law and set out in the Township's Fees & Charges By-law, as amended from time to time;

AMPS means Administrative Monetary Penalty System;

Hearing Decision means a notice that contains the decision of a Hearing Officer;

Hearing Appeal means a review of a Screening Decision by a Hearing Officer;

Hearing Officer means a Person appointed by Council to perform the functions of a Hearing Officer in accordance with this By-law;

Person includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

Screening Decision means a notice which contains the decision of a Screening Officer;

Screening Officer means a **Person** appointed by **Council** to perform the functions of a Screening Officer in accordance with this By-law;

Screening Review means a review of an Administrative Penalty by a Screening Officer;

Township means the Corporation of the Township of Georgian Bay in the District of Muskoka.

D. General Terms and Procedures

Application

This Policy applies to a Screening Review and Hearing Appeal conducted by a Screening Officer and Hearing Officer, respectively, pursuant to the Township of Georgian Bay By-law 2024-004.

General Provisions

- a. Any Person who receives a Penalty Notice is given the right to dispute the Penalty Notice;
- b. The Screening Officer has the authority to cancel or extend the time for payment of the Penalty Notice, including any Administrative Fees, if

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- the Screening Officer finds that payment of the Penalty Notice (including any Administrative Fees) would cause financial hardship.
- c. 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
 - d. A Person who receives a Screening Decision from the Screening Officer shall, if in disagreement with the Screening Decision, be given the right to dispute the Screening Officer's Decision with a Hearing Officer.

Documentation to support financial hardship.

A Person who is experiencing financial hardship should bring documentation to support their claim at the Screening Review or Hearing Appeal. The Person, when required, shall provide documented proof of financial hardship such as:

- a. Old Age Security;
- b. Canada Pension;
- c. Guaranteed Income Supplement;
- d. Disability Pension;
- e. Ontario Student Assistance Program; or
- f. any other form of social assistance.

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

Records Retention

All information and documentation shall be treated in a confidential manner, in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Photocopies of the documentation may be required and attached to the Screening Decision and/or Hearing Decision record.

Implementation

This Policy shall form part of the orientation for all current and new Screening Officers, Hearing Officers and AMPS administration staff.

E. Supported By

Strategic Plan
Transparency Withing Government
Municipal, Fiscal and Resident Responsibility
Well Managed Infrastructure