



Township of Georgian Bay AMPS Interference

Policy Number: 2024-007-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 is intended to address the requirement, to define what constitutes political interference in relation to AMPS, and to ensure that the responsibilities of individuals involved in AMPS are conducted in accordance with the principles of fundamental justice. This includes decision making and procedural independence, fairness, impartiality, and integrity, without any political interference.

B. Purpose

To provide a standardized guideline to define what constitutes interference in relation to the Screening and Hearing Officers, to prevent such interference.

In accordance with Ontario Regulation 333/07, the Township is required to establish a Policy for the prevention of political interference in AMPS.

C. Definitions

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

AMPS means Administrative Monetary Penalty System;

AMPS Interference

Chief Administrative Officer means the Chief Administrative Officer, their delegate, or anyone designated by the Chief Administrative Officer to permit duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the Township;

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

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

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

D. General Terms and Procedures

Application

This Policy defines what constitutes political interference in relation to AMPS. This ensures the responsibilities of the Screening Officers and Hearing Officers are conducted in accordance with fundamental principles of justice, which include decision making and procedural independence, fairness, impartiality and integrity without any political interference.

This Policy applies to all elected Members of Council, as well as other Township of Georgian Bay officials and staff in relation to their interaction with AMPS and Members of Council.

Principles of Preventing Political Interference

No person shall attempt, directly or indirectly, to communicate with employees or other persons performing duties related to the administration of AMPS for the purpose of influencing or interfering, financially, politically or otherwise, with the administration of the AMPS program or any particular Penalty Notice;

All individuals involved with the enforcement and administrative functions of the AMPS program shall carry out such duties in a manner which upholds the integrity of the administration of justice.

AMPS Interference

Implementation

All Members of Council shall be provided with a copy of this Policy;
This Policy shall form part of the orientation for all Members of Council at the start of a new term of Council, as well as all current and new municipal officials and staff, with the potential for interaction with the AMPS program.

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

Accountability

Any interference with AMPS by an individual may result in charges under the Criminal Code of Canada, Provincial Statute or other disciplinary action;

Any interference with AMPS by a Member of Council may be considered a Council Code of Conduct violation;

A Screening Officer, Hearing Officer, Township employee or another individual performing duties related to AMPS under this Policy shall report any attempt at political influence or interference, pecuniary, political or otherwise, to the Chief Administrative Officer. No action shall be taken against the employee or other person(s) for making any such report in good faith;

Where any Township employee, Screening Officer, Hearing Officer or other person performing duties related to AMPS, is contacted by a Member of Council or Township official with respect to the administration of AMPS, they shall immediately disclose such contact to the Chief Administrative Officer in order to maintain the integrity of AMPS; and

A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Chief Administrative Officer.

E. Supported By

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