

Corporate Procedure

Subject: Administrative Monetary Penalty System (AMPS) - Financial Management and Reporting

Purpose:

This **Policy** addresses financial management and the reporting and tracking of administrative penalties and fees related to The Corporation of the Town of Caledon's (**Town**) Administrative Monetary Penalty System (**AMPS**). Ontario Regulation 333/07 mandates that any Municipality establishing an **AMPS** must develop standards for the system of administrative penalties, including policies and procedures for financial management and reporting. Accordingly, this document outlines the **Policy** for managing and reporting administrative penalties and fees, affirming that the **Town's AMPS** will adhere to existing corporate policies and procedures.

Definitions:

Term	Definition
Administrative Fee	Means any fee specified in By-law 2024-086.
AMPS	Means Administrative Monetary Penalty System.
Commissioner	Means the Person or designate or successor with decision making authority and overall responsibility for the Administrative Monetary Penalty System at the Town .
Council	Means the Council of the Town of Caledon.
Hearing Officer	Means a person who performs the functions of a Hearing Officer in accordance with Section 3.14 of By-law 2024-086, and pursuant to the Town's Screening and Hearing Officer By-law 2024-087.
Payment Tracking System (PTS)	Means a collective or individual systems, internal or third-party that tracks, records and manages, all payment transactions received by the Town from a Person in relation to AMPS.
Penalty Notice	Means a notice given to a Person pursuant to Section 4 of By-law 2024-086.
Person	Includes an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in their capacity as a trustee, executor, administrator or other authorized agent.



Corporate Procedure

Screening Officer	Means a person who performs the functions of a Screening Officer in accordance with Section 3.13 of By-law 2024-086, and pursuant to the Town's Screening and Hearing Officer By-law 2024-087.
--------------------------	--

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 several 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, analysis, and auditing. This will be reflected in routine reporting on **AMPS** financial results, as well as efficiency and effectiveness measures of the **AMPS** programs and services.

Procedure:

General Financial Management and Reporting

Preparation of the **Town's** budget revolves 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 the **AMPS** program shall be the responsibility of the **Commissioner**, Corporate Services.

Through the process of current and capital financial management and reporting for the **AMPS** program, the **Commissioner**, Corporate Services 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** program service levels.



Corporate Procedure

- (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.
- (h) Comply with all **Town** procurement policies and procedures in regard to the **AMPS** program.

Screening Officers and **Hearing Officers** are prohibited from directly accepting any payment from any person in respect of an administrative penalty. Any person issuing a **Penalty Notice** in respect of the contravention of a designated by-law is not permitted to accept payment in respect of an administrative penalty.

If a **Person** has paid any administrative fees in respect of an administrative penalty and the penalty is subsequently cancelled by a **Screening Officer** or **Hearing Officer**, the **Town** shall refund in full such **Administrative Fees** to the **person**.

All **Town** employees engaged in the administration of the **AMPS** program shall ensure all work activities are conducted in accordance with the Employee Code of Conduct policy. **Town** employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

Method of Payment

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

1. **Online:**
 - a. Visa, or MasterCard at www.caledon.ca/paypenalty (Subject to on-line transaction fee).
2. **In – Person:**
 - a. Cash or Debit Card;



Corporate Procedure

- b. Credit Cards Visa, or MasterCard;
- c. Personal Cheques/Certified Cheques/Money Order (include Penalty Notice/Order number).

3. By Phone:

- a. 311 in Caledon or 905-584-2272.

4. By Mail:

Write the Penalty Notice or Penalty Order Number on the front of your cheque or money order and make it payable to **The Corporation of the Town of Caledon**, and send to Town of Caledon, 6311 Old Church Road Caledon, ON L7C 1J6. Do not send cash. Payment is not considered made until received by the **Town**. **Persons** must allow sufficient mailing time for payments. Post-dated cheques or payment by installments are not accepted unless an order is issued to the **Person** to do so by a Screening or Hearing Officer. NSF cheques will be subject to an administrative charge in accordance with the **Town's** Fee's By-law.

Processing of Payments

Payments will be processed as follows:

1. Online:

- a. 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.

2. In Person:

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

3. By Mail:

- a. 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** of Caledon employee will apply the payment to a specific **Penalty Notice** in the **PTS** management system. Unless otherwise agreed by the **Commissioner** partial payments will not be accepted. The **Penalty Notice** will reflect "paid" status.



Corporate Procedure

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*.

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 or reduced by a **Screening Officer** or **Hearing Officer**, the **Town** shall refund the Administrative Fee or part thereof cancelled or reduced to the **Person**. The processing of refund requests shall be initiated by the Office of the Administrative Monetary Penalty System.

Administrative Fees

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

Reference and Related Documents:

Municipal Act, 2001;
Ontario Regulation 333/07 (Administrative Penalties);
Town of Caledon AMPS By-law 2024-086;
Applicable Corporate financial policies and procedures

