Policy No.:	Policy #LS-2026-05 - Financial Management and Reporting for Administrative Penalty System
Department:	Legal Services
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Approved By:	#C-08-26
Amended By:	#C-XXX-XX

Subject

Financial Management and Reporting for the Administrative Penalty System (APS) Program.

Purpose

Ontario Regulation 333/07 under the *Municipal Act*, 2001, S.O. 2001, c. 25 requires the Municipality to establish a policy relating to financial management and reporting relating to APS.

This policy shall ensure all financial management and reporting responsibilities related to the APS program conform to Municipality's current policies and procedures for financial management and reporting.

Scope

This policy applies to all financial management and reporting responsibilities regarding the APS program. All persons responsible for administering the APS program shall comply with this policy.

Definitions

"**Administrative Penalty**" means an administrative penalty as set out in schedule A of the Administrative Penalty System By-law;

"**Administrative Fee(s)**" means any fee specified in Schedule B of Administrative Penalty System By-law;

"**APS**" means the Administrative Penalty System;

"**Council**" means the Council for the Corporation of the Municipality of Leamington;

'**Director**" means the Director of Legal and Legislative Services, or his or her delegate.

"**Employee(s)**" means an Employee of the Municipality of Leamington;

"**Municipality**" means the Corporation of the Municipality of Leamington;

"**Officer**" means a Municipal Law Enforcement Officer of the Municipality, or other person(s) appointed by or under the authority of a Municipality By-law to enforce Municipality By-laws; or Ontario Provincial Police or Royal Canadian Mounted Police;

"**Penalty Notice**" means a notice issued pursuant to the Administrative Penalty System By-law;

"**Penalty Notice Number**" means the unique reference number specified on the top right-hand corner of a Penalty Notice.

Policy

Financial Management and Reporting for APS

1. Preparation of the Municipality's budget revolves around priority setting that reflects the Municipality'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 APS shall be the responsibility of the Director.

2. Through the process of current and capital financial management and reporting for APS, the Director 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 APS program service level;

d. Identify and mitigate factors impacting the APS budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of the Municipality's decision makers;

e. Comply with all reporting standards and requirements as part of the Municipality's financial management and reporting processes;

f. Ensure all necessary financial signing authorities are in place and followed by all Employees involved in APS administration;

g. Comply with all Municipal procurement policies and procedures in regard to APS;

Payment of a Penalty Notice

3. Any Officer issuing a Penalty Notice for an infraction of a designated by-law is not permitted to accept payment for an Administrative Penalty or any Administrative Fee.

4. Screening Officers and Hearing Officers are not permitted to accept payment for an Administrative Penalty or any Administrative Fee.

5. Employees involved in receiving payment for an Administrative Penalty shall ensure compliance with the Municipality's payment handling procedures or policies.

6. Following the issuance of a Penalty Notice, the person is permitted to make a voluntary payment by using one of the following methods:

   a. Online using credit card at www.leamington.ca;

   b. In person at the Municipal Building located at 111 Erie Street North, Leamington ON N8H 2Z9;

   c. By mail using cheque or money order made payable to the Municipality of Leamington with the Penalty Notice Number written on the front of the cheque or money order. Mail to: Municipality of Leamington, 111 Erie Street North, Leamington ON N8H 2Z9.

7. Post dated cheques are not accepted.

8. Cash is not accepted.

9. Payment is not considered made until received by the Municipality.

10. Additional Administrative Fee(s), where applicable, may be charged to a person with a Penalty Notice in accordance with the Administrative Penalty System By-law.

Implementation

11. This policy shall form part of the orientation for all Screening Officers and Hearing Officers and Employees involved with the administration of APS.

References and Related Policies

- *Municipal Act*, 2001, S.O. 2001, c. 25
- Ontario Regulation 333/07 Administrative Penalties
- Municipality's Administrative Penalty System By-law

(Report LS-19-25)