Policy No.:	Policy #LS-2026-06 – Prevention of Political Interference in the Administrative Penalty System Program
Department:	Legal Services
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Review Period:	January 2028
Approved By:	#C-08-26
Amended By:	#C-XXX-XX

Subject

Prevention of Political Interference in 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 for the prevention of political interference in the Administrative Penalty System (APS) Program.

This policy defines what constitutes political interference in relation to the APS program and establishes requirements for individuals involved in APS to carry out their responsibilities according to the principles of fundamental justice, decision making and procedural independence, fairness, impartiality, and integrity without any political interference.

Scope

This policy applies to all members of Council, Screening Officers, Hearing Officers and Employees involved in the enforcement and administration of AMPS and to all other Employees in relation to their interaction with APS and members of Council.

Definitions

"**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;

"**Hearing Officer**" means a person appointed by the Municipality to perform the functions of a Hearing Officer in accordance with the Administrative Penalty System By-law;

"**Screening Officer**" means a person who performs the functions of a Screening Officer in accordance with APS By-law.

Policy

Principles of Preventing Political Interference

1. No person shall attempt, directly or indirectly, to communicate with Employees or other persons performing duties related to the administration of APS for the purpose of influencing or interfering, financially, politically or otherwise, with the administration of the APS program.

2. No person shall attempt directly or indirectly to communicate for the purpose of influencing or interfering, financially, politically, or otherwise with a Screening Officer or Hearing Officer respecting a penalty notice and/or respecting a power of decision in a proceeding that is or will be pending before a review.

3. All persons involved with the enforcement and administrative functions of APS shall carry out such duties in a manner which upholds the integrity of the administration of justice.

Accountability

4. If an attempt is made to influence a Screening Officer, Hearing Officer or Employee in relation to the administration of APS, a report shall be made to the Director advising of the incident as soon as possible. No action shall be taken against the Screening Officer, Hearing Officer or Employee for making any such report in good faith.

5. Any interference with or attempt to interfere with APS by any person may result in charges under the Criminal Code of Canada, Provincial Statute or other disciplinary action.

6. Any interference or attempt to interfere with APS by a member of Council will be addressed pursuant to the Council Code of Conduct.

Implementation

7. This policy shall form part of the orientation for all current and new Screening Officers and Hearing Officers and Employees involved with APS.

8. Members of Council shall be provided with a copy of this Policy.

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
- H00 – Code of Conduct – Members of Council and local boards

(Report LS-19-25)