



The Corporation of the Town of LaSalle
Policy Manual

Political Interference in the Administrative Monetary Penalty System (AMPS)

Policy Manual Section: Governance - General

Policy Number: G-GEN-013

Authority: Resolution 69/20

Date Approved: March 10, 2020

Department Responsible: Council Services

Revision Date: Not applicable

Review Date: March, 2022

Status: Active

Purpose:

Ontario Regulation 333/07 under the Municipal Act requires a municipality to establish a policy to prevent political interference of any kind in the administration of the AMPS program, intentional or unintentional.

This policy will outline what constitutes political interference in relation to the AMPS program to ensure the responsibilities of the Hearing and Screening Officers are conducted in accordance with fundamental principles of justice which include decision making and procedural independence, fairness, impartiality and integrity.

Policy Statement:

The Town of LaSalle is committed to ensuring the AMPS program is conducted in a fair and independent manner without any political interference whether intentional or unintentional.

Scope:

This policy applies to all members of Council, Screening Officers, Hearing Officers, and Town employees involved in the enforcement and administration of AMPS.

In regard to members of Council, this Policy should be read and interpreted within the context of provincial legislation (Municipal Conflict of Interest Act) and the Council Code of Conduct including its related policies, procedures and guidelines.

In regard to Screening and Hearing Officers, any agreement made with the Town of LaSalle shall apply to the activities of the Screening and Hearing Officer in the administration of AMPS.



In regard to Town employees involved in the enforcement and administration of AMPS, the Employee Code of Conduct shall apply to the activities of the employee in the administration of AMPS.

Policy:

Principles of Preventing Political Interference

- No person shall attempt directly or indirectly to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with employees or other persons performing duties related to the administration of AMPS.
- No person shall attempt directly or indirectly to communicate for the purpose of influencing or interfering, financially, politically or otherwise with a Screening 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 Screening or Hearing Officer, except a person entitled to be heard in a Screening Review or Hearing Review.
- All persons involved with the enforcement and administrative functions of AMPS shall carry out such duties in a way which upholds the integrity of the administration of justice

Accountability

- If an attempt is made to influence a Screening or Hearing Officer or Town employee in relation to the administration of the AMPS program, a report shall be made to the Director of Council Services/Town Clerk advising of the incident as soon as possible. No action shall be taken against the employee, Hearing or Screening Officer for making any such report in good faith.
- Any interference with or attempt to interfere with AMPS by any person may result in charges under the Criminal Code of Canada, Provincial statute or other disciplinary action as per the Code of Conduct for Members of Council.
- Any interference with or attempt to interfere with AMPS by a member of Council will be addressed pursuant to the Council Code of Conduct.

Responsibilities:

The Director of Council Services/Clerk is responsible for this policy.

Policy Review:

This policy will be periodically reviewed and updated as required. This policy must be reviewed by the stated review date and approved by the responsible department.

References and Related Documents:

Municipal Act, 2001



Ontario Regulation 333/07 (Administrative Penalties)
Town of LaSalle By-Law 8289 (Establishing a system of administrative penalties)
Town of LaSalle By-Law 8290 (Appointing screening & hearing Officers)
Policy G-GEN-003 Code of Conduct for Members of Council and Local Boards

Attachments:

Not applicable.