



Municipality of Hastings Highlands - Corporate Policies and Procedures			
DEPARTMENT: Administration			POLICY #:
POLICY: Prevention of Political Interference for the Administration of the Administrative Penalty System			
DATE: June 18, 2025	REV. DATE:	COVERAGE: Members of Council, Municipal Staff, Screening Officers, Hearing Officers	PAGE #: 1-4

1. Policy Statement

1.1 This Policy is to ensure that the Administrative Penalty System (APS) is conducted in a fair and independent manner, preventing interference in the administration of the Administrative Penalty System (APS).

2. Purpose

2.1 Ontario Regulation 333/07 pursuant to the *Municipal Act, 2001* requires a municipality establishing an Administrative Penalty System (APS) to have a policy for the prevention of political interference in the Administrative Penalty System (APS).

2.2 The purpose of this Policy is to define what constitutes political interference in relation to the APS, to ensure the responsibilities of the *Screening Officer* and *Hearing Officer* are conducted in accordance with fundamental principles of justice, which include *Decision-making* and procedural independence, fairness, impartiality and integrity, without any political interference.

3. Scope

3.1 This Policy applies to all elected Members of *Council*, *Screening Officers*, *Hearing Officers* and Municipal staff involved in the enforcement and administration of the *Administrative Penalty System Bylaw*.

3.2 For Municipal staff engaged in the administration of the APS, the *Code of Conduct and Ethics* Policy, and any successor Policy, shall also apply in regard to the activities of an employee in the administration of the APS.

3.3 In regard to Members of *Council*, this Policy should be read and interpreted within the context of prevailing Provincial legislation (i.e., *Municipal Conflict of Interest Act*) and the *Council Code of Conduct*, including its related policies, procedures and guidelines.

4. Definitions

4.1 For the purposes of this Policy, the following definitions are defined in accordance with the

Administrative Penalty System Bylaw:

Administrative Penalty means an *Administrative Penalty* established by the *Administrative Penalty System Bylaw* for a *Contravention of a Designated Bylaw*, as defined therein;

Administrative Penalty System Bylaw means the bylaw passed by the *Municipality* to establish *Administrative Penalties* for the *Contravention of Designated Bylaws*, as amended from time to time, or any successor thereof;

APS means Administrative Penalty System;

Chief Administrative Officer means the employee who is responsible for exercising general control or management of the administration and affairs of the *Municipality* and other duties as directed by *Council*;

Code of Conduct and Ethics Policy means the Policy adopted by the *Municipality* to govern employee conduct, provide ethical standards and address *Conflicts of Interest*, as amended from time to time, or any successor thereof;

Conflict of Interest means a situation in which a *Person's* personal, financial, professional, or other interests could improperly influence, or appear to influence, the performance of their duties or *Decision-making* responsibilities;

Contravention means, in the context of an Administrative Penalty System Bylaw, a violation, breach, or failure to comply with a law, specifically a Designated Bylaw.

Council means the *Council* of the Corporation of the Municipality of Hastings Highlands;

Council Code of Conduct means the Code of Conduct for Members of *Council*, adopted by the Municipality to govern the conduct of Members of *Council*, as amended from time to time, or any successor thereof;

Decision means a notice that contains a *Decision* made by a *Screening Officer* or *Hearing Officer* delivered in accordance with the *Administrative Penalty System Bylaw*;

Designated Bylaw means a bylaw, or a part or provision of a bylaw, that is designated under the *Administrative Penalty System Bylaw*;

Hearing Officer means any *Person* who is appointed from time to time, to perform the functions of a *Hearing Officer* in accordance with the *Administrative Penalty System Bylaw*;

Municipality means the Corporation of the Municipality of Hastings Highlands;

Officer means a Municipal Bylaw Enforcement *Officer*, Chief Building Official, Fire Chief or designate appointed by the Municipality to administer and enforce the *Administrative Penalty System Bylaw*;

Penalty Notice means a formal notification issued by an *Officer* informing an individual or

organization that they are in *Contravention* of a *Designated Bylaw* in accordance with the *Administrative Penalty System Bylaw*;

Person means and includes any individual, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives of a *Person* to whom the context can apply according to law;

Screening Officer means a *Person* from time to time appointed pursuant to the *Administrative Penalty System Bylaw* who performs the duties of *Screening Officer* as set out pursuant to the *Administrative Penalty System Bylaw*.

5. Policy Communication

5.1 This Policy will be posted on the *Municipality's* website.

5.2 This Policy shall form part of the orientation for all Members of Council at the start of a new term of Council.

5.5 This Policy shall form part of the orientation for all *Screening Officers*, *Hearing Officers* and all those involved in the enforcement and administration of APS.

6. Principles of Preventing Political Interference

6.1 No *Person* shall attempt, directly or indirectly, to communicate with a *Screening Officer* or *Hearing Officer*, or Municipal staff performing duties related to the administration of the APS for the purpose of influencing or interfering, financially, politically or otherwise, with the administration of the APS program or any particular *Penalty Notice*.

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

7. Accountability

7.1 A *Screening Officer* or *Hearing Officer*, or any Municipal staff performing duties related to the APS shall report any attempt at influence or interference, financial, political or otherwise by a *Person*, to the *Chief Administrative Officer* as soon as possible. No action shall be taken against the *Screening Officer*, *Hearing Officer*, or Municipal staff for making any such report in good faith.

7.2 Where any *Screening Officer*, *Hearing Officer*, or any Municipal staff performing duties related to the APS, is contacted by a Member of *Council* with respect to the administration of the APS or a specific *Penalty Notice*, they shall immediately disclose such contact to the *Chief Administrative Officer* in order to maintain the integrity of the APS.

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

7.4 Any interference or attempt to interfere with the APS by a Member of *Council* may be considered a *Council Code of Conduct* violation. Cases involving Members of *Council* will be referred to the Integrity Commissioner for their review and report.

7.5 The *Chief Administrative Officer* will determine, on a case-by-case basis, whether the attempt to

influence is significant enough to warrant assigning another *Screening Officer* or *Hearing Officer* as the case may be.