



*Hastings Highlands*  
Beautiful By Nature

## Municipality of Hastings Highlands - Corporate Policies and Procedures

<b>DEPARTMENT:</b> Administration	<b>POLICY #:</b>		
<b>POLICY:</b> Extension of Time to Request a Screening Review or Hearing Review for the Administration of the Administrative Penalty System			
<b>DATE:</b> June 18, 2025	<b>REV. DATE:</b>	<b>COVERAGE:</b> Public	<b>PAGE #:</b> 1-4

### 1. Policy Statement

This Policy is to respond to a Person's request for an extension of time to request a review of a Penalty Notice by a Screening Officer or a Screening Decision by a Hearing Officer.

### 2. Purpose

Ontario Regulation 333/07 pursuant to the *Municipal Act, 2001* requires a municipality establishing an Administrative Penalty System to develop procedures to allow a Person to obtain an extension of time in which to request a review by a Screening Officer, or a review by a Hearing Officer.

### 3. Scope

This policy applies to Screening Reviews and Hearing Reviews conducted by a Screening Officer or Hearing Officer, in accordance with the Municipality's Administrative Penalty System Bylaw.

### 4. Definitions

**Administrative Fee** means any fee specified in the Administrative Penalty Systems Bylaw or its Schedule 'B';

**Administrative Penalty** means an administrative penalty established by the Administrative Penalty Systems Bylaw for a contravention of a Designated Bylaw, as defined therein;

**APS** means Administrative Penalty System;

**Administrative Penalty Systems Bylaw** means the bylaw passed by the Municipality to establish administrative penalties for Designated Bylaws, as amended from time to time, or any successor thereof;

**Chief Administrative Officer or CAO** 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.

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

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

**Hearing Decision** means a notice that contains the decision made by a Hearing Officer;

**Hearing Review** means the process related to review of a screening decision;

**Integrity Commissioner** means the Integrity Commissioner as appointed by Council from time to time;

**Mitigating or Extenuating Circumstances** means unforeseen or exceptional situations beyond a person's control that can justify or explain a failure to meet a requirement or deadline. These circumstances are typically serious and must significantly impact a person's ability to act within the expected time frame.

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

**Municipal Freedom of Information and Protection of Privacy Act** means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56, as amended from time to time, or any successor thereof;

**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 Systems Bylaw;

**Penalty Notice** means a formal notification issued by an Officer informing an individual or organization that they have violated a bylaw in accordance with the Administrative Penalty Systems 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 Decision** means a notice which contains the decision of a Screening Officer;

**Screening Officer** means any person who is appointed, from time to time, to perform the functions of a Screening Officer in accordance with the Administrative Penalty Systems Bylaw;

**Screening Review** means the process related to review of a Penalty Notice.

## **5. Policy Communication**

- 5.1. This Policy will be posted on the Municipality's website.
- 5.2. Staff will be advised of the new Policy via distribution through the Senior Leadership Team.
- 5.3. 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. Screening Review**

- 6.1. Within 15 days from the date of the Penalty Notice issuance, a Person will have the option to:
  - (a) make a voluntary payment; or
  - (b) request a review of the Penalty Notice by a Screening Officer.
- 6.2. If the Person has not requested a Screening Review of their Penalty Notice on or before the 15th day after the Penalty Notice was issued, they may request an Extension of Time to Request a Screening Review. The Person shall make this request no later than 30 calendar days after the issued date on the Penalty Notice.

## **7. Granting a Request for an Extension of Time to Request a Screening Review**

- 7.1. The request for an extension may be granted if the Person requesting the extension demonstrates the existence of mitigating or extenuating circumstances that prevented them from requesting a Screening Review within the original 15-day timeframe set out on the Penalty Notice.
- 7.2. A Person may provide supporting written documentation and other information to the Screening Officer to justify the mitigating or extenuating circumstances.
- 7.3. Examples of extenuating mitigating and extenuating circumstances may include:
  - (a) Medical emergencies or serious illness
  - (b) Death or serious illness of an immediate family member
  - (c) Natural disasters or extreme weather events
  - (d) Legal obligations (e.g., court appearances)
  - (e) Accidents or unexpected travel disruptions

To be considered valid, such circumstances usually require some form of supporting documentation (e.g., a doctor's note, death certificate, police report, etc.).

7.4. The decision to grant the request for an Extension of Time to Request a Screening Review will be at the sole discretion of the Screening Officer. The decision will be made in accordance with the APS Bylaw.

## **8. Hearing Review**

8.1. Following the receipt of a Screening Decision, the Person will have the option to:

- (a) pay the total amount due; or
- (b) request a review of the Screening Decision by a Hearing Officer.

8.2. If a Person would like to request a Hearing Review of the Screening Decision, they must do so on or before the payment due date set out in the Screening Decision. If the Person has not requested a Hearing Review of their Screening Decision on or before the payment due date set out in the Screening Decision, they may request an Extension of Time to Request a Hearing Review. The Person may request an Extension of Time to Request a Hearing Review on or before 30 days after the payment due date established in the Screening Decision.

## **9. Granting a Request for an Extension of Time to Request a Hearing Review**

9.1 The request for an extension may be granted if the Person requesting the extension demonstrates the existence of mitigating or extenuating circumstances that prevented them from requesting a Hearing Review on or before the payment due date set out in the Screening Decision.

9.2 A Person may provide supporting written documentation and other information to the Hearing Officer to justify the mitigating or extenuating circumstances.

9.3 Examples of mitigating and extenuating circumstances may include:

- (a) Medical emergencies or serious illness
- (b) Death or serious illness of an immediate family member
- (c) Natural disasters or extreme weather events
- (d) Legal obligations (e.g., court appearances)
- (e) Accidents or unexpected travel disruptions

To be considered valid, such circumstances usually require some form of supporting documentation (e.g., a doctor's note, death certificate, police report, etc.).

9.4 The decision to grant the request for an Extension of Time to Request a Hearing Review will be at the sole discretion of the Hearing Officer. The decision will be made in accordance with the APS Bylaw.