



*Hastings Highlands*  
Beautiful By Nature

<b>Municipality of Hastings Highlands - Corporate Policies and Procedures</b>			
<b>DEPARTMENT:</b> Administration			<b>POLICY #:</b>
<b>POLICY:</b> Financial Management and Reporting for the Administration of the Administrative Penalty System			
<b>DATE:</b> June 18, 2025	<b>REV. DATE:</b>	<b>COVERAGE:</b> Municipal Staff, Screening Officers, Hearing Officers	<b>PAGE #:</b> 1-6

## 1. Policy Statement

This Policy is to establish financial management and reporting responsibilities related to the Administrative Penalty System (APS).

## 2. Purpose

Ontario Regulation 333/07 pursuant to the *Municipal Act, 2001* requires a municipality establishing an APS system to have a policy to address financial management and reporting of APS.

The purpose of this Policy is to provide guidance and establish financial management and the reporting and tracking of administrative penalties and fees. This policy affirms that the Municipality shall follow the existing corporate policies and procedures related to financial management and reporting.

## 3. Scope

3.1 This Policy applies to all financial management and reporting responsibilities and accountabilities regarding APS. All persons responsible for administering the APS program, as well as Screening Officers and Hearing Officers, shall comply with this Policy.

3.2 The Municipality has established a number of financial management policies and procedures, which along with proactive financial planning processes provide a framework for the Municipality's overall fiscal planning and management. The Municipality continues to display financial accountability through regular, thorough, and transparent financial performance reporting and analysis. This will be reflected in routine reporting on APS financial results, as well as efficiency and effectiveness measures of the APS program and services.

#### **4. Definitions**

For the purposes of this Policy, the following definitions are defined in accordance with the APS Bylaw:

**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;

**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;

**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** mean 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 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;

**Treasurer** means the person responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by the council of the municipality, as defined in the *Municipal Act, 2001*;

## **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 involved in the enforcement and administration of APS.

## **6. General Financial Management and Reporting**

- 6.1. Staff must maintain all records relevant to administering this policy in a recognized Municipal recordkeeping system and in accordance with Municipal Records Management policies and procedures.
- 6.2. 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 Bylaw Enforcement Department, in consultation with the Treasurer.
- 6.3. Through the process of current and capital financial management and reporting for APS, Bylaw Enforcement, in consultation with the Treasurer, 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 services levels.
  - (d) review and develop long-term plans for APS including a multi-year operating and capital budget analysis and projections, as applicable;

- (e) 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 Municipal decision-makers;
- (f) comply with all corporate reporting standards and requirements as part of the Municipality's financial management and reporting processes;
- (g) ensure all necessary financial signing authorities are in place and followed by all staff involved in APS administration; and
- (h) comply with all Municipal procurement policies and procedures in regard to APS.

## **7. Payment of a Penalty Notice**

- 7.1. Any Officer issuing a Penalty Notice for an infraction of a Designated Bylaw is prohibited from directly accepting any payment from any Person in respect of a Penalty Notice.
- 7.2. Screening Officers and Hearing Officers are prohibited from directly accepting any payment from any Person in respect of a Penalty Notice.
- 7.3. Municipal staff shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

## **8. Methods of Payment**

- 8.1. Following the issuance of a Penalty Notice or a Notice of Decision, the Person shall make a payment by using one of the following methods:
  - (a) In person by cash, cheque or debit at the Municipal Administration Office (33011 Hwy 62N in Maynooth, ON) during regular business hours or outside of regular business hours in the designated drop box;
  - (b) By mailing a cheque or money order to the Municipality at:

The Municipality of Hastings Highlands  
Bylaw Enforcement Department  
P.O. Box 130  
33011 Hwy 62N  
Maynooth, ON K0L 2S0  
Attention: APS Program

- (c) Online.  
For further Information on how to pay online, please call (613) 338-2811 or

1-877-338-2818. This process involves a Person or Bylaw Enforcement Officer requesting that the finance department issue an invoice for the Penalty Notice via the Municipality's Accounts Receivable financial system. Additional time is required for creating an invoice and processing online payments.

8.2. The Penalty Notice number must be written on the front of the cheque and shall be made payable to "The Municipality of Hastings Highlands". The Municipality does not accept cheques drawn from U.S. banks.

8.3. Payment is not considered made until received and processed by the Municipality. Persons must allow sufficient mailing time for payments and should not send cash by mail. Post-dated cheques or payment by installments (unless otherwise agreed by the Bylaw Enforcement Officer) are not accepted. A fee will be applied for any Non-Sufficient Funds, cancelled, or reversed payment, in accordance with the Municipality's User Fees and Service Charges Bylaw.

## **9. Processing Payments**

9.1. Payments will be processed as follows:

(a) In Person

Apply the appropriate method of payment to the Penalty Notice. The Person is provided with a receipt of payment for their records.

(b) By Mail

Apply the cheque to the Penalty Notice. Upon receipt of a Penalty Notice payment, Municipal staff will apply the payment to a specific Penalty Notice. A receipt is not provided when using this method of payment.

(c) Online

Once an invoice is issued by Hastings Highlands, a Person can create an online account to pay the applicable invoice by credit card, via the Municipality's website. The Person may print or email a receipt of payment as proof of payment for their records. A person's credit card information is not kept by the Municipality's system, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*. NOTE: A third-party fee is charged for online credit card payments.

Alternatively, a Person can use their Hastings Highlands issued invoice to make a payment via their financial institution by adding the "Municipality of Hastings Highlands – Accounts Receivable", or "Hastings Highlands AR or Accounts Receivable" as a PAYEE, then use the Account number from the invoice to complete the payment transaction.

9.2. A copy of the receipt for a paid Penalty Notice shall be forwarded to the Bylaw Department via internal mail.

## **10. Refund of Payment**

If a Person has paid any Administrative Fee in respect of a Penalty Notice, and the Administrative Fee or part thereof is later cancelled or reduced by a Screening Officer or Hearing Officer, the Municipality shall refund the Administrative Fee or part thereof cancelled or reduced, to the Person within 30 days.

## **11. Administrative Fees**

Various Administrative Fees may be payable by a Person with a Penalty Notice as set out in the Administrative Penalty Systems Bylaw. Where applicable, such fees shall be paid in addition to the Administrative Penalty.