

**Subject:** Administrative Monetary Penalty System Update

**Staff Report No.** CPS-026-24

**Department/  
Commission:** Corporate Services Commission

**Date:** November 6, 2024

**Recommendation:**

1. That Council receive Report CPS-026-24 for information.

**Report Highlights**

- This Report provides information and an update on the Town’s Administrative Monetary Penalty System (AMPS)
- AMPS has been very successful, and expansion of the program is planned with further By-laws being added under an AMPS Model

**1. Purpose:**

The purpose of this report is to provide information and an update on the Town’s Administrative Monetary Penalty System which was implemented on May 8, 2024. This report outlines some of the initial successes of the program, including preliminary statistical data, and provides an outlook to the future expansion of the AMPS program in the Town of Whitchurch-Stouffville.

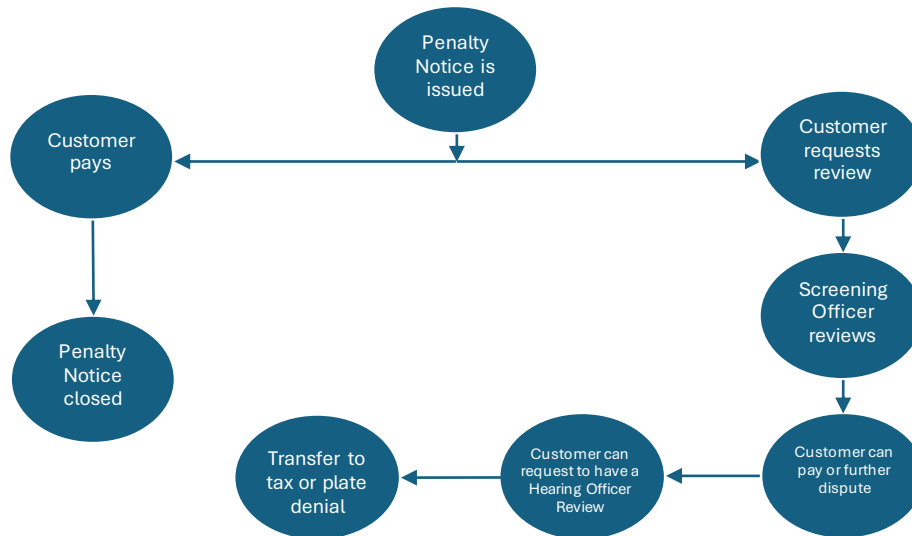
**2. Background:**

Town Council approved the introduction and implementation of an AMPS Program, and the Program was launched on May 8, 2024.

The earlier Provincial Offences Act (POA) based enforcement and processing model was cumbersome and relied heavily on Provincial Court resources to prosecute By-law infractions. As By-law infractions were considered less important than moving violations, bail or other more serious offences, the Courts delayed trials for less-serious By-law infraction matters which resulted in delays of over 1.5 years.

The Province of Ontario recognized this challenge and amended legislation to allow municipalities to process and adjudicate their own matters under a municipally controlled Administrative Monetary Penalty System (AMPS) model. The AMPS model is significantly more efficient by removing the former court and trial-based system and matters are now resolved within weeks instead of months or years. The diagram below provides an overview of the simplicity of the AMPS Program and brings about more efficient adjudication, improved customer service and enhanced service delivery.

**AMPS Process**



The benefits of the Town’s new AMPS Program were realized very quickly as it immediately introduced a quicker and more-efficient dispute resolution system, significantly improved accessibility and customer experience through the Town’s online services and modernized the way that By-law violations were processed. The Program is proving to be extremely successful by reducing the Penalty completion times from 1.5 years to only 4-8 weeks and further providing a significant reduction in Penalty cancellations that would otherwise occur under the former court-based trial model. The initial six months have shown that the program is extremely successful, introducing efficiency, reducing costs and significantly enhancing service delivery.

With this being a new program for the Town, staff are constantly reviewing and updating items as required and reviewing best-practices across Ontario to maximize efficiency and service delivery for the residents of the Town of Stouffville.

**3. Analysis:**

The Town’s Municipal Law Enforcement Services Division is responsible for the majority of parking and code enforcement offences, with other divisions supporting them. Under the current AMPS Model, Parking, Fire Route, Noise and Short-Term Rental By-laws are included and have been active in AMPS since May 8, 2024.

In the initial six months of AMPS, a total of 2,052 Penalty Notices were issued. The tables below provide statistical data on AMPS activity from May 8, 2024 to October 24, 2024.

**Table 1: Penalty Notices Issued by By-law Category**

Bylaw Violation Category	Number of Violations
Parking related Offences	1,825
Fire Routes	181
Short-Term Rental	36
Noise	10

**Table 2: Total Number of Parking Penalty Notices Issued, Disputed and Dispositions**

Total Number of Penalties Issued	Screenings 23%	Affirmed 88%	Cancelled 7.2%	Reduced 4.7%	Hearings Requested .01%
2,052	472	2035	148	110	25

- \*Issued refers to total Penalty Notices Issued since May 8, 2024, Disputed refers to those Penalty Notices which had Screenings and/or Hearing Reviews conducted and Dispositions refers to the outcomes of those disputed matters.

The tables above provide a summary of all enforcement activity and the administrative reviews (Screening Requests). These Screening Requests are initiated by those who wish to challenge their Penalty Notices and shows the resulting outcomes for their disputes. The majority of Screening Reviews are conducted virtually by email, however customers have the option of telephone or in-person Screening Reviews, if requested.

Under the Town’s Administrative Monetary Penalty System, Town-employed Screening Officers review Penalty Notices at the Disputant’s request. Screening Officers decide whether to cancel, vary, or affirm the administrative penalty based on the merits of the enforcement event, evidence provided and whether extenuating circumstances were present. More importantly and as required by legislation, Screening Reviews are conducted impartially and without political or other interference so that the review of circumstances of an enforcement event can be undertaken with an independent lens. As shown above, Screening Reviews can have one of three outcomes: Penalty Affirmed, Penalty Cancelled or Penalty Reduced. A variety of factors can impact a Screening Decision to arrive at a fair Decision. Those factors include but are not limited to:

- enforcement occurring during different weather conditions;
- medical emergencies;
- road work, traffic volumes or traffic anomalies; or
- other circumstances that would have made complying with a particular By-law difficult or impractical.

In cases, where the Disputant is not satisfied with the decision of a Screening Officer, legislative protocols allow them to request a review of that decision before an Administrative Monetary Penalty Tribunal (AMPT) with a Hearing Officer.

This final review (referred to as a Hearing Review) is conducted by an independently appointed Hearing Officer at the AMPT in Newmarket, Ontario. As of the date of this report, while there have been over 2,000 Penalty Notices issued, there have been 472 Screenings, and only 25 Hearings requested. These numbers are expected to drop as the Program matures and Disputants become more educated with this modern approach to By-law disputes, but the figures do provide strong evidence that the Program is having the desired effect of fairness, transparency and efficiency when managing adjudications and increasing compliance.

### Next Steps

As the program continues to expand and mature, staff will be enhancing AMPS by amending the current AMPS Bylaw to incorporate ASE prior to year-end, bringing forward additional by-laws to be added to AMPS and will be hiring permanent staff (subject to Budget approvals and Council consideration). As part of those enhancements, staff intend to introduce and add the following By-laws under AMPS in Q1 – 2025:

- Animal Services By-law
- Fireworks By-law
- Signage By-law

Additional by-laws will be brought under in AMPS throughout 2025.

## **4. Options:**

### **4.1 Option A (Recommended)**

That Council receive this report for information.

## **5. Financial Implications:**

While staff are tracking revenues and expenditures, and the program is intended to operate revenue neutral in the first year, staff are not yet reporting out on the financial impact related to the new AMPS Program. This is due in part to the fact that staff wish to examine a full year of enforcement and dispute activity as seasonal changes impact

both enforcement and disputes. Moreover, start-up costs and projected revenue and resource requirements will be included in the 2025 Budget Submission. Staff will report out on the financial impact of this Program immediately after the one-year anniversary of the Program late Q2/early Q3 2025.

## **6. Broader Intergovernmental Impacts and/or Considerations:**

The Town has been working with York Region to bring the Regional Parking By-law schedule related to Regional roads in the Town of Stouffville under AMPS.

The implementation of AMPS in Stouffville is helping to reduce the pressures on the courts.

## **7. Communication:**

The Town has a dedicated webpage dedicated to amps: [www.townofws.ca/amps](http://www.townofws.ca/amps).

Consultation with other departments on what By-laws should be brought under AMPS is an ongoing discussion internally.

## **8. Alignment with Strategic Plan:**

1. A Town that Grows  
A Town that grows in support of complete communities
2. An Engaging Town  
Increase Community Engagement & Outreach
3. Good Governance  
Provide Good Governance
4. Organizational Effectiveness  
To Elevate our Organizational Effectiveness

## **9. Attachments:**

None

## **10. Related Reports:**

None

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**For further information on this report, please contact the Department Head:** Becky Jamieson, Commissioner of Corporate Services & Town Clerk, at 905-640-1900 or 1-855-642-8697 ext. 2224 or via email at [becky.jamieson@townofws.ca](mailto:becky.jamieson@townofws.ca)