

Public Complaints Respecting the Administration of the Administrative Monetary Penalty System (AMPS)

Policy Statement and Strategic Plan Linkages

The AMPS program aligns with Council's Strategic Priority of Safe Streets (Transportation) by providing exceptional transportation experiences across all modes through continuous improvement of accessibility, safety and speed reduction.

Purpose

This Policy is to address any public complaints regarding the administration of Administrative Monetary Penalty System (**AMPS**) and to ensure **AMPS** remains a transparent, accessible, responsive, accountable, efficient and effective system for parking enforcement in the **Town** of Newmarket, and that any public complaints are addressed in a timely and responsible manner.

In accordance with Ontario Regulation 333/07, the **Town** is required to develop a policy to address public complaints regarding the administration of **AMPS**.

Definitions

For the purposes of this Policy, the following definitions are defined in accordance with By-laws 2019-62.

AMPS means Administrative Monetary Penalty System;

Director of Legislative Services means the Director of Legislative Services, their delegate, or anyone designated by the Director of Legislative Services to perform duties pursuant to the Administrative Monetary Penalty System;

Council means the Council of the **Town**;

Hearing Officer means a person who performs the functions of a Hearing Officer in accordance with section 7 of By-law 2019-62;

Manager of Regulatory Services means the **Town's** Manager of Regulatory Services or their designate.

Screening Officer means a person who performs the functions of a **Screening Officer** in accordance with section 6 of By-law 2019-62.

Town means The Corporation of the Town of Newmarket;

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Provisions

1. Application

This Policy applies to all public complaints, informal or formal, regarding all aspects of **AMPS**, and applies to all administrative actions and functions of all **Town** employees and other individuals responsible for the administration of **AMPS**.

Any public complaint filed under this Policy in regards to the administrative actions of a **Town** employee, **Screening Officer** or **Hearing Officer** under **AMPS** shall be referred to the **Director of Legislative Services**, using the prescribed form.

Screening Officers and **Hearing Officers** do not have jurisdiction to consider questions relating to the validity of a Statute, Regulation or By-law or the constitutional applicability or operability of any Statute, Regulation or By-law. Any such complaints will not be processed through this Policy.

This Policy is not intended to replace other specific **Town** programs, policies/procedures and legal processes available to the public to address public concerns with **AMPS**.

2. A public complaint shall be processed using the following framework:

- (a) Any public complaint must be in writing, using the prescribed form, identifying the name and full contact information of the complainant, and sent to the **Manager of Regulatory Services**, or designate, within 30 calendar days of the date of the event for which the complaint is being made.
- (b) All complaints shall be treated as confidential by the **Manager of Regulatory Services**, respecting personal information privacy and confidentiality, in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
- (c) Any complaint regarding a Member of **Council** in respect of the administration of **AMPS** shall be processed in accordance with the **Council** Code of Conduct.
- (d) The **Manager of Regulatory Services**, or designate, will not address or process any public complaint that is deemed by the **Manager of Regulatory Services**, or designate, as frivolous, vexatious, trivial or made in bad faith.
- (e) Where possible, attempts will be made to address public complaints through an informal resolution process before proceeding to a formal resolution process.

- (f) Any deemed resolution of a formal complaint will be addressed by a written response from the **Manager of Regulatory Services**, or designate, to the person filing the complaint. A public complaint sustained through a review cannot be used as the basis to change or void a decision of a **Screening Officer** or **Hearing Officer**, including any penalties and administrative fees due or paid.

3. Anonymous complaints

Complaints that are anonymous will not be accepted.

4. Withdrawing a complaint

A complainant may withdraw their complaint at anytime.

5. Accountability

All individuals responsible for administering the **AMPS** program shall be responsible for adherence to this policy. The **Director of Legislative Services**, or designate, unless otherwise noted, shall be responsible for addressing public complaints regarding the administration of **AMPS**.

Cross-References

Municipal Act, 2001
Ontario Regulation 333/07 (Administrative Penalties)
Town of Newmarket AMPS By-law 2019-62

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Details

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