



POLICY: Extension of Time to Pay	NO. OF PAGES: 2
SECTION: Administrative Penalty System for Parking and Non-Parking Offences	REVISED:
EFFECTIVE DATE: March 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking By-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening and Hearing Officers to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws .

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

To provide a standardized policy to define what constitutes financial hardship, and the options available in relation to the Screening and Hearing Officers, when assessing claims of financial hardship.

When non-compliance of a municipal by-law is identified a penalty notice is issued to a person. A Penalty Notice must be given or mailed to a Person as soon as is reasonably practicable and must include basic information that will inform the Person of the by-law contravention, the penalty amount, a Person's right to request a review of the penalty and of the consequences in the event that the penalty is not reviewed.

Scope

A Person has a time-limited right to request a review of the administrative penalty by a Screening Officer.



Within 15 days of the date of the Penalty Notice the Person will have the option to:

- 1) make a voluntary payment; or
- 2) request a review of the administrative penalty by a Screening Officer.

Extension of Time for Payment

Screening Officer

The Screening Officer has a residual discretion to cancel, reduce or to extend the time for payment of an administrative penalty. This is intended to address obvious errors on the Penalty Notice

The Screening Officer will consider reasonable requests for an extension of time to pay on a case-by-case basis, but is not obligated to grant the extension.

Hearing Officer

- The Hearing Officer has the authority to: Cancel or confirm the administrative penalty;
- Extend the time for payment of an administrative penalty; and
- Consider reductions where a person has outlined that financial hardship exists; The Hearing Officer may request supporting documents, that financial hardship exists and is not limited in their request of information to deliberate each case. And shall not be less than the minimum fine amount outlined in the APS Designated Non-Parking By-law.

As with the Screening Officer, the Hearing Officer will consider reasonable requests for extension in the time to pay on a case-by-case basis, but is not obligated to grant the extension.

The decision of the Hearing Officer is final.