



<b>POLICY:</b> Interference	<b>NO. OF PAGES:</b> 2
<b>SECTION:</b> Administrative Penalty System for Parking Non-Parking Offences	<b>REVISED:</b>
<b>EFFECTIVE DATE:</b> 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 hear and decide the outcome of disputes related to Penalty Notices issued for regulatory by-law violations. The Town requires that employees conduct themselves responsibly and professionally in the performance of their duties.

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.

### **Purpose**

To provide a standardized guideline to define what constitutes interference in relation to the Screening and Hearing Officers, to prevent such interference.

### **Principles of Preventing Political Interference**

This policy applies to the Mayor, members of Council, all employees of the Town of Milton, volunteers, contractors and consultants to the Town.

The positions of Screening Officers and Hearing Officers are established for the purpose of exercising Delegated Powers of Decision.

“Delegated Power of Decision” means a power or right, conferred by a Town By-law, to prescribe the legal rights, powers, privileges, immunities, duties and/or liabilities of any person or party;



No person shall attempt, directly or indirectly, to communicate with or influence a Screening or Hearing Officer, or other employees or individuals performing duties related to the administration of APS program. No person shall attempt to influence a Delegated Power of Decision in a proceeding that is or will be pending before the Hearing Officer except a person who is entitled to be heard in the proceedings or the person's agent and only by that person or their agent during the hearing of the proceeding in which the issued arises.

All individuals involved with the enforcement and administrative functions of the APS program shall carry out such duties in a manner, which upholds the integrity of the administration of justice.

### **Implementation**

All Members of Council shall be provided with a copy of this Policy;

This Policy shall form part of the orientation for all Members of Council at the start of a new term of Council, as well as all current and new municipal officials and staff, with the potential for interaction with the APS program; and

This Policy shall form part of the orientation for all current and new Screening Officers and Hearing Officers and APS program administration staff.

### **Accountability**

Where any employee, Screening Officer, Hearing Officer or other person performing duties related to APS, is contacted by a Member of Council or Town official with respect to the administration of APS, he or she shall immediately disclose such contact to the Director of Legal & Legislative Services in order to maintain the integrity of APS; and

A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Director of Legal & Legislative Services.

Cases involving members of Council will be referred to the Integrity Commissioner for their review and report.

This does not prevent a Screening Officer or Hearings Officer from seeking and receiving advice from an appropriate member of the Town's staff.

Proceedings before a Hearings Officer shall be subject to the *Statutory Powers Procedures Act*.