

The Corporation of the Township of

Algonquin Highlands

By-Law No. 2025-23

Being a By-Law to Implement an Administrative Monetary Penalty System (AMPS) within the Township of Algonquin Highlands

Whereas the Council of the Township of Algonquin Highlands, pursuant to Sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended is implementing an Administrative Monetary Penalty System (referred to as the AMPS Program) that will allow the municipality to govern its affairs, respond to municipal issues: while at the same time – ensuring accountability, transparency and protection of persons and property within the municipality; and

And Whereas Section 23.1, 23.2, 23.3 and 23.5 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes the Township of Algonquin Highlands to delegate its administrative and hearing powers; and

And Whereas Section 102.1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, and Ontario Regulation 333/07 authorize the Corporation of the Township to require a person to pay an Administrative Monetary Penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles; and

And Whereas Section 151(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes the Township to require a person, subject to conditions as the municipality considered appropriate, to pay an Administrative Penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality; and

And Whereas Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, enables the Township to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it; and

And Whereas Section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence; and

And Whereas Section 429 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act; and

And Whereas Section 434.1 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, allows for a municipality to establish a system of administrative penalties for contraventions of municipal by-laws; and

And Whereas Section 434.2 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that an Administrative Monetary Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality; and

And Whereas Section 15.4.1 of the Building Code Act, 1992, S.O. 1992, c.23 may require a person, subject to such conditions as the municipality considers appropriate, to pay an Administrative Penalty; and

And Whereas the Council for the Township of Algonquin Highlands considers it desirable and necessary to provide for a system of Administrative Monetary Penalties System (AMPS) including penalties and fees for Designated Township By-laws, or portions of the Designated Township By-laws; and

Now Therefore, the Council of the Corporation of The Township of Algonquin Highlands enacts as follows:

1.0 Definitions

In this By-law:

- 1.1 **Administrative Fee:** means any fee(s) specified in Schedule 'C' of this By-law, and/or the Township Fees and Charges By-law, as amended;
- 1.2 **Administrative Penalty (AMP):** means a fee imposed by this By-law set out in Schedule 'A' and/or 'B' for a contravention of a Designated By-law;
- 1.3 **Administrative Monetary Penalty System (AMPS):** refers to the program that the Township has implemented to encourage compliance with Designated By-laws and provide accountability, which includes financial penalties, administrative fees, review for penalties received, and policies and procedures administered by the Township;
- 1.4 **Clerk:** means the Municipal Clerk, or their delegate, for the Township of Algonquin Highlands;
- 1.5 **Council:** means the Council of the Township of Algonquin Highlands;
- 1.6 **Date or Day:** means any calendar day;
- 1.7 **Date of Contravention:** means the date on which there was an alleged contravention of a Designated By-law, which may be different from the date of issuance and/or the effective date if the Penalty Notice is served on a date that is after the date of contravention;
- 1.8 **Designated By-law:** means a Township By-law, or part or provision of a Township By-law, that is designated under this By-law or any other By-law;
- 1.9 **Director:** means the Manager of Building and By-law Services or their delegate;
- 1.10 **Effective Date:** means the date on which service of a Penalty Notice is deemed to be effective in accordance with Section 7.0 of this By-law;
- 1.11 **Fee:** means a fee(s) payable under the Township Fees and Charges By-law, as amended from time to time;
- 1.12 **Hearing Non-Appearance Fee:** means an Administrative Fee in respect of a Person's failure to appear at the date, time and place scheduled for a Hearing Appeal;
- 1.13 **Hearing Decision:** means a notice that contains a decision made by a Hearing Officer;
- 1.14 **Hearing Officer:** means a Person appointed by Council to perform the functions of a Hearing Officer in accordance with this By-law;
- 1.15 **Holiday:** means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any day the office of the Township is officially closed for business;
- 1.16 **Late Payment Fee:** means an Administrative Fee, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed as set out in Schedule 'C' of this By-law;

1.17 **Ministry:** means Ontario Ministry of Transportation or any other Ontario Ministry or related authority;

1.18 **MTO Fee:** means an Administrative Fee, for any search of documents or information, requests, notifications about a vehicle or the owner of a vehicle to the Ministry;

1.19 **NSF Fee:** means an Administrative Fee, in respect of payment by negotiable instrument, for which there are insufficient funds in the account on which the instrument was drawn as set out in the Township Fees and Charges By-law;

1.20 **Officer:** means a Municipal Law Enforcement Officer, Police Officer, Fire Chief, Chief Building Official, Deputy Chief Building Official or any other Person appointed by By-law to enforce a Township By-law;

1.21 **Owner:** means the Person whose name appears on one or more of the following:

- (a) Property Roll number;
- (b) Land Registry document;
- (c) Corporation ownership documents;
- (d) Person whose name appears on the permit of the vehicle or;
- (e) If the Vehicle permits consists of a Vehicle portion and plate portion and different Persons are names on each portion, the Person whose name appears on the plate portion;

1.22 **Penalty Notice:** means a notice for a contravention of a Designated By-law;

1.23 **Penalty Notice Date:** means the date of the contravention of a Designated By-law;

1.24 **Penalty Notice Number:** means the reference number specified on the Penalty Notice;

1.25 **Person:** includes an individual, sole proprietorship, partnership, limited partnership, trust, corporation and an individual in his or her capacity as trustee, executor, administrator, or other legal representative;

1.26 **Plate Denial Fee:** means an Administrative Fee, in respect of a Person's failure to pay within the time prescribed prior to a request for plate denial from the Ministry;

1.27 **Regulation:** means Ontario Regulation 333/07 under the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

1.28 **Screening Decision:** means a notice which contains the decision of a Screening Officer;

1.29 **Screening Non-Appearance Fee:** means an Administrative Fee, in respect of a Person's failure to appear at the date, time and place scheduled for a Screening Review;

1.30 **Screening Officer:** means a Person appointed by Council to perform the functions of Screening Officer in accordance with this By-law;

1.31 **Screening Review:** means a review of an Administrative Penalty by a Screening Officer;

1.32 **Township:** means the Corporation of the Township of Algonquin Highlands in the County of Haliburton;

1.33 **Vehicle:** includes a motor vehicle, automobile, bicycle, motorcycle, boat, motor vehicle trailer, traction engine, farm tractor, road building machine and any vehicle propelled or driven by any kind of power including muscular power and such additional definitions as set out in the Highway Traffic Act.

2.0 Application

- 2.1 The Township By-law, or portions of Township By-laws, listed in Schedules 'A' and 'B' of this By-law shall be Designated By-laws, including but limited, for the purposes of Sections 102.1 and 151 of the Municipal Act and paragraph 3(1)(b) of the Regulations.
- 2.2 The attached Schedules 'A' and 'B' of this By-law set out the Administrative Penalty and include short form wording to be used on Penalty Notices for the contraventions of Designated By-laws.
- 2.3 The Administrative Fee(s) imposed for purposes of this By-law, shall be as set out in Schedule 'C' of this By-law, as amended from time to time.
- 2.4 The Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, shall continue to apply to contraventions of a Designated By-law, except that no person that is required to pay an Administrative Penalty under this By-law in respect of a contravention of a Designated By-law shall be charged with an offence in respect of the same contravention under the Provincial Offences Act.
- 2.5 Where a title to a position identified in the By-law no longer exists or is modified, the powers and duties may be exercised by a Person deemed to have the responsibilities of the original position until such a time as an amending By-law is adopted by Council.
- 2.6 The positions of an Officer, Screening Officer or Hearing Officer shall not accept payment of an Administrative Penalty respecting a Penalty Notice or any Administrative Fee(s).
- 2.7 Screening Officers and Hearing Officers conducting a review or appeal under this By-law do not have jurisdiction to consider any question relating to the validity of a statute, regulation or By-law including, but not limited to, the constitutional applicability or operability of any statute, regulation, or By-law.
- 2.8 All Hearings by a Hearing Officer shall be conducted in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990, c. S.22, as amended.

3.0 Penalty Notice

- 3.1 Every Person who contravenes a Designated By-law shall, upon service of a Penalty Notice, be liable to pay the Township an Administrative Penalty set out in the Penalty Notice by the due date.
- 3.2 An Officer may apply an escalated penalty in accordance with Schedule 'B' of this By-law where a Person who has been issued a Penalty Notice contravenes the same Designated By-law;
- 3.3 If a contravention to a Designated By-law is related to a property, an Officer must ensure the property ownership has not changed before applying the escalated Administrative Penalty.

3.4 a) **Schedule 'A' By-laws (Parking)**

If a Vehicle has been left parked, standing, or stopped in contravention of a Designated By-law in Schedule 'A', the Owner of the Vehicle shall, upon issuance of a Penalty Notice be liable to pay to the Township an Administrative Penalty in the amount specified in Schedule 'A' and shall be liable to pay to the Township any Administrative Fee(s) in accordance with this By-law.

b) **Schedule 'B' (Non-Parking Related By-laws)**

If a Person is found in contravention of a Designated By-law in Schedule 'B', the Person shall, upon issuance of a Penalty Notice be liable to pay to the Township an Administrative Penalty in the amount specified in Schedule 'B' and shall be liable to pay to the Township any Administrative Fee(s) in accordance with this By-law.

3.5 An Officer who has reason to believe that a Person has contravened any Designated By-law may issue a Penalty Notice as soon as reasonably practicable; and within thirty (30) days of becoming aware of the alleged contravention.

3.6 If an Early Penalty Amount is set out in this By-law for a given contravention, any Penalty Notice for such contravention for which the Administrative Penalty is paid to the Township within seven (7) calendar days from the Service Date of the Penalty Notice, shall be subject to the Early Penalty Amount in lieu of the Set Penalty Amount.

3.7 Where the offence is continuous, each day the offence continues shall constitute a new and separate offence.

3.8 A Penalty Notice shall include the following information:

- a) Date of Violation;
- b) The Vehicle licence plate number and/or Vehicle identification number; or the name of the person(s), as applicable;
- c) Penalty Notice Date;
- d) Penalty Notice Number;
- e) The date on which the Administrative Penalty is due and payable, fifteen (15) days from service of the Penalty Notice;
- f) The identification number and signature of the Officer;
- g) The contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- h) the amount of the Administrative Penalty;
- i) Payment options;
- j) Such additional information as the Director determines is appropriate, respecting the process by which a Person may exercise the right to request a Screening Review of the Administrative Penalty; and
- k) A Statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Township unless cancelled pursuant to a Screening Review or Hearing Appeal process.

3.9 An Officer may serve a Penalty Notice on a Person by delivering it personally to the Person contravening the By-law at the time of the contravention.

3.10 A Person who has been issued a Penalty Notice shall:

- pay the Administrative Penalty within the fifteen (15) days; or
- not later than fifteen (15) days after the Effective Date, request the Administrative Penalty to be reviewed by a Screening Officer in accordance with Section 5.0.

3.11 An Administrative Penalty, including any Administrative Fee(s), that is not paid within fifteen (15) days after it becomes due and payable shall be deemed to be unpaid taxes and may be collected in the same manner as taxes in accordance with section 434.2 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

4.0 Voluntary Payment of Penalty Notice

4.1 Where a Penalty Notice has been paid, the Penalty Notice shall not be subject to any further review.

4.2 A Penalty Notice shall be deemed to have been paid when the penalty amount and all fees prescribed in this By-law have been paid.

5.0 Review by Screening Officer

5.1 A Person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so on or before the date on which the Administrative Penalty is due and payable.

5.2 If a Person has not requested a Screening Review on or before the date on which the Administrative Penalty is due and payable, the Person may request that the Screening Officer extend the time to request a Screening Review to a date that is on or before thirty (30) days after the Penalty Notice Date.

5.3 A Person's right to request an extension of time for a Screening Review expires, if it has not been exercised, on or before thirty (30) days after the Penalty Notice Date, at which time:

- the Person shall be deemed to have waived the right to request a Screening Review;
- the Administrative Penalty, including any applicable Administrative Fee(s) are deemed to be confirmed; and
- the Administrative Penalty shall not be subject to any further review, including a review by any Court.

5.4 A Person's Request for Review by a Screening Officer or request for an extension of time to request a Screening Review shall be exercised by completing and submitting the prescribed form to the Township.

5.5 A Request for Review by Screening Officer or a request for an extension of time to request a Screening Review shall include the Penalty Notice Number and the Person's contact information.

5.6 On a request for an extension of time to request a Screening Review, the Director may only extend the time to request a Screening Review where

the Person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.

- 5.7 Where an extension of time to request a Screening Review is not granted by the Director, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed.
- 5.8 Where a Person fails to attend at the date, time and place scheduled for a Screening Review, or fails to provide requested documentation in accordance with a request by a Screening Officer;
 - a) the Person shall be deemed to have abandoned the request for a Screening Review of the Administrative Penalty;
 - b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be confirmed on the sixteenth (16th) day following the Penalty Notice Date;
 - c) the Administrative Penalty shall not be subject to any further review, including a review by any court; and
 - d) the Person shall pay to the Township a Screening Non-Appearance Fee, MTO Fee, if applicable, and any other Administrative Fee(s) pursuant to this By-law.
- 5.9 On a review of an Administrative Penalty, the Screening Officer may:
 - a) affirm the Administrative Penalty; or
 - b) cancel, reduce or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), where the Screening Officer is satisfied that doing so would maintain the general purpose of the Designated By-law, and/or the following circumstances exist:
 - i) defective form or substance on the Penalty Notice;
 - ii) where the Person establishes on a balance of probabilities that they did not contravene the Designated By-law(s) as described in the Penalty Notice;
 - iii) proper service of the Penalty Notice did not occur;
 - iv) undue financial hardship.
- 5.10 On a Screening Review of an Administrative Penalty, before making a decision, the Screening Officer shall conduct a thorough review all evidence submitted and may also conduct an interview with the Person.
- 5.11 The Screening Officer may request such information from a Person as the Screening Officer considers relevant to a request to review.
- 5.12 A Screening Officer shall deliver the Screening Review Decision in writing at the conclusion of the review.

6.0 Review by Hearing Officer

- 6.1 A Person may only Request a Review by Hearing Officer after receiving a Decision from the Screening Officer.
- 6.2 If a Person has not made a Request for Review by a Hearing Officer upon the conclusion of the Screening Review, the Person may make a Request for Review by a Hearing Officer before the due and payable date for the Administrative Penalty listed on the Screening Decision.

6.3 The Person's right to Request for Review by Hearing Officer expires if it has not been exercised on or before the due and payable date for the Administrative Penalty listed on the Screening Decision, at which time:

- a) the Person shall be deemed to have waived the right to Request for Review by Hearing Officer;
- b) the Screening Decision, which includes the Administrative Penalty, and any applicable Administrative Fee(s), are deemed to be confirmed; and
- c) the Screening Decision, which includes the Administrative Penalty, and any applicable Administrative Fee(s) shall not be subject to any further review, including a review by any Court.

6.4 A Person's request for a Hearing Review or request for an extension of time to request a Hearing Review shall be exercised by completing and submitting the prescribed form to the Township.

6.5 Where a Person fails to appear at the date, time and place scheduled for a Hearing Review:

- a) the Person shall be deemed to have abandoned the request for a Hearing;
- b) the Screening Decision, which includes the Administrative Penalty, and any Administrative Fee(s) are deemed to be confirmed on the date scheduled for the Hearing;
- c) the Person shall pay the Township a Hearing Non-Appearance Fee; and
- d) the Screening Decision, which includes the Administrative Penalty, and any Administrative Fee(s) shall not be subject to any further review, including a review by any Court.

6.6 A Hearing Officer shall conduct a Hearing in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990, c.22, as amended.

6.7 A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or By-law including, but not limited to, the constitutional applicability or operability of any statute, regulation, or By-law.

6.8 In addition to anything else that is admissible as evidence at an appeal in accordance with the Statutory Powers and Procedures Act, the following are admissible evidence as proof of facts certified in them, in the absence of evidence to the contrary:

- a) a statement of an Officer respecting the contravention;
- b) a copy of a document, including but not limited to a photograph taken by an Officer, respecting the contravention;
- c) a statement of an Officer that he or she served a document, with the date and method of service indicated.

6.9 If certified evidence referred to in section 6.8 is being submitted as evidence at an appeal, the Hearing Officer shall not adjourn the appeal for the purpose of having the Officer attend to give evidence unless the Hearing Officer is satisfied that the oral evidence of the Officer is necessary to ensure a fair appeal.

6.10 A Hearing Officer shall not make any decision respecting a Review of a Screening Decision unless the Hearing Officer has given the Person and a representative of the Township an opportunity to be heard at the time and place scheduled for the Hearing.

6.11 The Hearing Officer may request such information from a Person as the Hearing Officer considers relevant to a request to appeal.

6.12 After considering an appeal, including hearing from the parties, a Hearing Officer may decide to:

- a) confirm the Screening Decision; or
- b) cancel, reduce or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds:
 - (i) there is reason to doubt the Person contravened the Designated By-law;
 - (ii) the Person took all reasonable steps to prevent the contravention; or
 - (iii) the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve undue financial hardship.

6.13 A Hearing Officer shall give the written decision to the Person at the conclusion of the Hearing.

6.14 The decision of a Hearing Officer is final and not subject to review.

6.15 Every Person who receives an upheld decision in an appeal by the Hearing Officer in relation to a Penalty Notice issued through the Administrative Monetary Penalty System established by this By-law shall be responsible for any additional Administrative Fee(s) for the purpose of the Township recovering administrative cost associated to the Hearing Appeal Review.

7.0 Service of Documents

7.1 A document, notice, or decision, including a Penalty Notice shall be served using one of the following methods with respect to a contravening vehicle, is deemed effective by:

- a) affixing it to the vehicle in a conspicuous place at the time of the contravention;
- b) delivering it personally to the operator of the vehicle or the person having care and control of the vehicle at the time of the contravention;
- c) on the fifth (5th) day following the date a copy is sent by registered mail or regular mail to the Owner of the vehicle at the address as set out on the ownership as soon as reasonably practicable after the contravention; or
- d) delivering it to an occupant at the address of the Owner of the vehicle as set out on the ownership, who appears to be at least sixteen (16) years of age, as soon as reasonably practicable after the contravention.

7.2 A document, notice, or decision, including a Penalty Notice shall be served using one of the following methods and is deemed effective:

- a) immediately, when a copy is delivered to the Person(s) to whom it is addressed;
- b) on the fifth (5th) day following the date a copy is sent by registered mail or regular mail to the Person(s) last known address;
- c) immediately upon delivering it to an occupant, who appears to be at least sixteen (16) years of age, at the last known address of the Person named in the Penalty Notice, as soon as reasonably practicable after the contravention;
- d) immediately upon the conclusion and sent confirmation of a copy by facsimile transmission to the Person(s) last known facsimile transmission number; or
- e) immediately upon sending a copy by electronic mail (e-mail) to the Person(s) last known electronic mail (e-mail) address.

7.3 If a notice document that is to be given or delivered to a Person under this By-law is mailed to the Person at the Person's last known address appearing on the records of the Township as part of a proceeding under this By-law, or sent electronically to an email address that was provided by the Person, there is an irrebuttable presumption that the notice or document is given or delivered to the Person.

7.4 A Person shall keep their contact information for service current by providing any change in address, facsimile, or electronic mail address to the Township, immediately. Failure to comply with this section will negate consideration for an Extension of time to Request a Review by Hearing Officer pursuant to Section 6.0

8.0 Administration

8.1 The Director, their delegate, or anyone designated by the Director shall administer this By-law and establish any additional practices, policies and procedures necessary to implement this By-law and may amend such practices, policies and procedures from time to time as they deem necessary, without an amendment to this By-law.

8.2 The Director, their delegate, or anyone designated by the Director shall prescribe all forms and notices, including the Penalty Notice, necessary to implement this By-law and may amend such forms and notices from time to time as they deem necessary, without an amendment to this By-law.

8.3 An Administrative Penalty, including any Administrative Fee(s), that is confirmed or reduced, or in respect of which time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Township owed by that Person.

8.4 Where an Administrative Penalty, or any applicable Administrative Fee(s), are not paid by the Person to whom the Penalty Notice was issued on the date to which they are due and payable, the Township may:

- a) add the Administrative Penalty, and any applicable Administrative Fee(s) to the tax roll and collect it in the same manner as municipal taxes;
- b) notify the Ministry of Transportation (MTO) of the default which shall result in plate denial;
- c) pursue any other collection mechanisms available to the Township.

- 8.5 Where the Township notifies the Ministry of a default under the By-law, the Person to whom the Penalty Notice was issued shall pay any applicable Administrative Fee(s) imposed by the Ministry.
- 8.6 Where an Administrative Penalty is not paid by the date on which the Administrative Penalty becomes due and payable, the Person to whom the Penalty Notice was issued to, shall pay the Township a Late Payment Fee.
- 8.7 A Person shall pay an NSF Fee to the Township where payment of an Administrative Penalty or Administrative Fee(s) was unable to be processed, and payment was not received by the Township.
- 8.8 Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.
- 8.9 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 8.10 A Person claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Director, their delegate, the Screening Officer or the Hearing Officer, as applicable.
- 8.11 Once a Penalty Notice had been paid there is no further option for dispute.
- 8.12 Any Schedule attached to this By-law forms part of this By-law, which may be amended from time to time.

9.0 Offences

- 9.1 No Person shall:
 - a) makes a false, misleading, or fraudulent statement in relation to a Penalty Notice, or on any form submitted to the Township in relation to a Penalty Notice; or
 - b) hinder or obstruct an Officer exercising any authority under this By-law.
- 9.2 No Person shall attempt, directly or indirectly, to communicate with a Screening Officer or Hearing Officer for the purpose of influencing or interfering, financially, politically, or otherwise with, the Screening Officer or Hearing Officer respecting a Penalty Notice and/or respecting a power of decision in a proceeding that is or will be pending before a Screening Officer or Hearing Officer, except:
 - a) a Person who is entitled to be heard in the proceeding or the Person's lawyer, licensed paralegal, or authorized representative; and
 - b) only by that Person or the Person's lawyer, licensed paralegal or authorized representative during the screening or hearing of the proceeding in which the issues arises.

Nothing in this Section prevents a Screening Officer or a Hearing Officer from seeking or receiving legal advice.

10.0 Penalty Provisions

- 10.1 Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction be liable to fines as provided for in the Provincial Offences Act R.S.O. 1990, c. P. 33, as amended.

10.2 If this By-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

11.0 Validity and Severability

11.1 If a court of competent jurisdiction declares any provision or provisions of this By-law invalid, such provision or provisions are deemed severable, and it is the intention of Council that the remainder of the By-law remain in full force and effect.

11.2 Where a provision of this By-law conflicts with the provision of another By-law in force within the Township, the provisions that establish the higher standards to protect the health, safety and welfare of the public shall prevail.

12.0 Schedules

12.1 The following schedules attached hereto for part of this By-law:

- a) Schedule 'A' – Designated By-laws and Administrative Penalties (Parking)
- b) Schedule 'B' - Designated By-laws and Administrative Penalties (Non-Parking Related By-laws)
- c) Schedule 'C' – Administrative Fees

13.0 Short Title

13.1 This By-law may be referred to as the "AMPS By-law" for Designated By-laws and approved Administrative Penalties.

14.0 Transitional Rules

14.1 Any notice or order issued, proceeding being conducted, or other action being carried out under any Designated By-law listed in Schedule 'A' and/or Schedule 'B' is deemed to continue under this By-law.

14.2 This By-law shall come into force and take effect on the date of its final passing.

READ a First, Second and Third time and finally passed this 20th day of March 2025.



Mayor Liz Danielsen


Clerk/Deputy CAO Dawn Newhook



Schedule 'A'

Designated By-laws and Administrative Penalties

Parking By-law 2022-76

Item	Short Form Wording	Designated Provision	Early Penalty Option (within 7 days)	Set Penalty Amount
1.	Park vehicle on highway or part of a highway in disobedience of authorized sign	4.1	\$30	\$40
2.	Park longer than permitted maximum hours – authorized sign	4.1	\$30	\$40
3.	Park vehicle on sidewalk, crosswalk or pedestrian crossover	5.1 (a)	\$30	\$40
4.	Park vehicle within 10m of stop sign	5.1 (b)	\$30	\$40
5.	Park within 3m of an intersection	5.1 (c)	\$30	\$40
6.	Park on bridge or approach thereto	5.1 (d)	\$50	\$65
7.	Park within 3m of a fire hydrant	5.1 (e)	\$50	\$65
8.	Park on wrong side of highway	5.1 (f)	\$30	\$40
9.	Park vehicle on a highway or portion thereof in a manner to obstruct traffic	5.1 (g)	\$50	\$65
10.	Park vehicle to prevent convenient removal of vehicle left previously parked	5.1 (h)	\$30	\$40
11.	Park in front of or within 3m of any public or private driveway	5.1 (i)	\$30	\$40
12.	Park outside of designated parking space	5.1 (j)	\$30	\$40
13.	Park vehicle on a highway closed by order	5.1 (k)	\$50	\$65
14.	Park Nov. 15 - Apr. 15 inclusive between 12:00 a.m. to 7:00 a.m.	7.1	\$50	\$65
15.	Park vehicle in a manner likely to interfere highway maintenance or snow clearing operations	7.2	\$150	\$200
16.	Park in accessible space without permit	8.5	—	\$300
17.	Park vehicle in accessible space - fail to display valid permit	8.5	—	\$300
18.	Park/stand vehicle in fire route - signed	9.1 (a)	\$50	\$65
19.	Park/stand in front of or within 8m of fire hall	9.1 (b)	\$50	\$65
20.	Park/stand on same side of highway as fire hall	9.1 (c)	\$50	\$65
21.	Park trailer/motorized snow vehicle longer than maximum time permitted - sign erected	10.1	\$30	\$40
22.	Park on municipal property without consent	10.2	\$30	\$40



Schedule 'B' (Non-Parking Related)
Designated By-laws and Administrative Penalties

Clean and Clear By-law 2023-11

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Owner/occupant fail to keep property clear of refuse/garbage/rubbish/litter/waste/debris	4.1 (a)	\$150	\$300	\$450
2.	Owner/occupant fail to keep property clear of dead/decayed/damaged tree/hedges/branches/limbs which create unsafe condition	4.1 (b)	\$150	\$300	\$450
3.	Owner/occupant fail to keep property clear of any objects/holes or condition which create a health, fire or accident hazard	4.1 (c)	\$150	\$300	\$450
4.	Owner/occupant fail to keep property clear of insects/vermin/pests which may promote infestation	4.1 (d)	\$150	\$300	\$450
5.	Owner/occupant fail to keep property clear of noxious weeds	4.1 (e)	\$150	\$300	\$450
6.	Owner/occupant fail to keep garden refuse/weeds/compost/ brush/tree cuttings appropriately contained	4.1 (f)	\$150	\$300	\$450
7.	Owner/occupant fail to keep turfgrass/lawn/ground cover less than 20 centimeters (8 inches) in height	4.1 (g)	\$150	\$300	\$450
8.	Owner/occupant fail to keep property clear of accumulation of animal excrement	4.1 (h)	\$150	\$300	\$450
9.	Owner/occupant fail to keep property clear of wrecked/dismantled/abandoned/ inoperable vehicle or vehicle parts	4.1 (i)	\$150	\$300	\$450
10.	Owner/occupant fail to keep property clear of a wrecked/dismantled/abandoned/ inoperable machinery or machinery parts	4.1 (i)	\$150	\$300	\$450



**The Corporation of the Township of
Algonquin Highlands
AMPS By-law 2025 – 23**

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
11.	Owner/occupant fail to keep property clear of dilapidated/ collapsed portable garage shelter	4.1 (j)	\$150	\$300	\$450
12.	Owner/occupant fail to keep property free from exterior use furniture/appliances that become dilapidated	4.1 (k)	\$150	\$300	\$450
13.	Owner/occupant fail to keep property free from interior use furniture/appliances	4.1 (l)	\$150	\$300	\$450
14.	Owner/occupant permit composting to emit odours which disturbs inhabitants	4.2.1 (a)	\$150	\$300	\$450
15.	Owner/occupant permit composting to attract animals, rodents, vermin	4.2.1 (b)	\$150	\$300	\$450
16.	Owner/occupant fail to ensure naturalized area does not encroach over or onto adjacent property	4.3.1	\$150	\$300	\$450
17.	Owner/occupant fail to keep land free from excessive/recurrent ponding of storm/surface water	5.1	\$150	\$300	\$450
18.	Owner/occupant fail to keep land free from containers/debris which would cause standing water	5.2	\$150	\$300	\$450
19.	Owner/occupant fail to maintain artificial body of water	5.3	\$150	\$300	\$450
20.	Owner fails to maintain surface conditions of vacant land	6.2	\$150	\$300	\$450
21.	Owner leave/store vehicle/part of vehicle/machinery/trailer/boat on vacant land where prohibited	6.3	\$150	\$300	\$450
22.	Owner/occupant fail to comply with an order	8.5	\$300	\$600	\$900
23.	Obstruct officer/employee/agent performing duty under by-law	10.1	\$300	\$600	\$900



**The Corporation of the Township of
Algonquin Highlands
AMPS By-law 2025 – 23**

Schedule 'B' (continued)

Designated By-laws and Administrative Penalties

Parking By-law 2022-76

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Deposit /push snow on a highway or road allowance	6.1	\$90	\$180	\$270
2.	Deposit any object(s) on the highway or road allowance	6.2	\$90	\$180	\$270
3.	Leave vehicle on township property, boat launch, township dock without consent – signs posted	10.3	\$50	\$100	\$150
4.	Obstruct/hinder or attempt to obstruct officer	12.1	\$300	\$600	\$900



**The Corporation of the Township of
Algonquin Highlands
AMPS By-law 2025 – 23**

Schedule 'B' (continued)

Designated By-laws and Administrative Penalties

Dog Control By-law 2024-18

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Fail to obtain a Licence	3.1	\$150	\$300	\$450
2.	Fail to remove excrement	4.1	\$150	\$300	\$450
3.	Fail to exercise reasonable precaution to prevent bite/attack	4.2	\$300	\$600	\$900
4.	Allow dog to run at large	4.4	\$150	\$300	\$450
5.	Allow dog to trespass on private property	4.5	\$150	\$300	\$450
6.	Allow dog on public property – not leashed	4.6	\$150	\$300	\$450
7.	Allow dog into a Township facility or building without approval	4.7	\$150	\$300	\$450
8.	Kennel owner – fail to pay annual fee	4.8	\$200	\$400	\$600
9.	Fail to comply with Muzzle Order	6.2	\$150	\$300	\$450
10.	Hinder or obstruct an officer performing a duty under this by-law	8.2	\$300	\$600	\$900



**The Corporation of the Township of
Algonquin Highlands
AMPS By-law 2025 – 23**

Schedule 'B' (continued)

Designated By-laws and Administrative Penalties

Discharge of Firearms By-law 2009-31

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Discharge any class of firearm or bow for the purpose of target practice, where prohibited	1	\$300	\$600	\$900



Schedule 'B' (continued)
Designated By-laws and Administrative Penalties

Noise By-law 2023-88

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Emit, cause or permit unreasonable noise	3.1	\$300	\$600	\$900
2.	Cause or permit noise from construction during prohibited times	3.2.1	\$300	\$600	\$900
3.	Cause or permit noise from electronic devices during prohibited times	3.2.2	\$300	\$600	\$900
4.	Cause or permit noise from yelling, shouting or hooting during prohibited times	3.2.3	\$300	\$600	\$900
5.	Permit dog to emit noise	3.2.4	\$300	\$600	\$900
6.	Obstruct/hinder or attempt to obstruct officer	8.1	\$500	\$1000	\$1500



Schedule 'B' (continued)
Designated By-laws and Administrative Penalties

Fireworks By-law 2025-17

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Offer for sale, ignite, release or set off an ignited Flying Lantern	3.1	\$500	\$1000	\$1500
2.	Cause or permit Fireworks to be set off during a Fire Ban	3.3	\$500	\$1000	\$1500
3.	Cause or permit Consumer Fireworks, Display Fireworks to be set off during prohibited days	4.1	\$500	\$1000	\$1500
4.	Cause or permit Display Fireworks to be set off without a valid Permit	4.5	\$500	\$1000	\$1500
5.	Vendor failed to post Notice of Regulations	5.1	\$500	\$1000	\$1500
6.	Obstruct or hinder an Officer	10.2	\$500	\$1000	\$1500



Schedule 'B' (continued)

Designated By-laws and Administrative Penalties

Docking and Mooring at Public Docks By-law 2012-38

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Remove or deface signage in township owned/maintained docking area	2 (a)	\$300	\$600	\$900
2.	Interfere with or misuse emergency/lifesaving/fire prevention equipment in township owned/maintained docking area	2 (b)	\$300	\$600	\$900
3.	Interfere with emergency vehicle/personnel engage in duties in township owned/maintained docking area	2 (c)	\$300	\$600	\$900
4.	Fail to obey posted signage in township owned/maintained docking area	2 (d)	\$300	\$600	\$900
5.	Use township owned/maintained docking facilities, structures or property for commercial use without consent	3 (a)	\$300	\$600	\$900
6.	Dock/moor a boat in municipally owned/maintained docking area more than 12 hours	3 (b)	\$300	\$600	\$900
7.	Service or wash boat in township owned/maintained docking area	3 (c)	\$300	\$600	\$900
8.	Use township owned/maintained docking area for other than intended purpose	3 (d)	\$300	\$600	\$900
9.	Operate boat from/leave boat on any beach in township owned/maintained docking area	3 (e)	\$300	\$600	\$900



Schedule 'B' (continued)

Designated By-laws and Administrative Penalties

Short-Term Rental By-law 2024-81

Item	Short Form Wording	Designated Provision	Set Penalty Amount	Penalty Amount for Second Contravention	Penalty Amount for Subsequent Contraventions
1.	Offer, operate or permit STR without a Licence	2.1(a)	\$1000	\$2000	\$3000
2.	Market, operate STR without a Licence	2.2	\$1000	\$2000	\$3000
3.	Provide false information on STR Application	2.3(b)	\$1000	\$2000	\$3000
4.	Operate STR for Special Event	2.5	\$300	\$600	\$900
5.	Operate STR contrary to STR By-law or Issued Licence	2.6	\$300	\$600	\$900
6.	Operate STR contrary to approved Site Plan	2.7	\$300	\$600	\$900
7.	Renting Rooms contrary to approved Licence	2.8	\$300	\$600	\$900
8.	Violation of Renter's or Licensee Code of Conduct	2.9	\$300	\$600	\$900
9.	Failure to pay Fees and Municipal Accommodation Tax (MAT) funds as required	5.1(d)	\$300	\$600	\$900
10.	Exceed Permitted Occupancy	6.2	\$300	\$600	\$900
11.	Parking Contrary to Approved Licence	6.5	\$300	\$600	\$900
12.	Failure to Post Required Documentation	6.7	\$300	\$600	\$900
13.	Failure to Post Fire Extinguisher as required	6.8	\$300	\$600	\$900
14.	Failure to respond within 60 minutes	6.9	\$500	\$1000	\$1500
15.	Failure to attend Premises within 24 hours	6.10	\$300	\$600	\$900
16.	Failure to notify Director of Licence Changes	6.16(b)	\$300	\$600	\$900
17.	Remove STR Placard/Order without Consent	9.5	\$300	\$600	\$900
18.	Hinder/Obstruct Officer	12.1	\$1000	\$2000	\$3000
19.	Fail to Comply with an Order	13.1	\$300	\$600	\$900
20.	Corporation – Fail to Comply with an Order	13.2	\$300	\$600	\$900



**The Corporation of the Township
of Algonquin Highlands**

AMPS By-law No. 2025-23

Schedule 'C'

Administrative Monetary Penalty By-law

Administrative Fees

Administrative Fees	Administrative Fee Amount
Late Payment Fee	\$15.00
MTO Search Fee	\$10.00
MTO Plate Denial Fee	\$22.00
Hearing No Show Fee	\$100.00
Upheled Decision of Hearing Officer Fee	\$250.00

Note: Fee listed in Schedule 'C' to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.