



Financial Management And Reporting For The Administrative Monetary Penalty System (AMPS)

Policy Category: Governance

Policy No.: GR-AMPS-003

Implementing Procedure No.:

- GR-AMPS-PR01
- GR-AMPS-PR02

Approving Authority:

City Clerk

Effective Date:

July 1,2024

Last Reviewed Date:

Next Review Year:

Annually

Area(s) this Policy applies to:

Administrative Monetary Penalty System

Owner Department:

Legislative Services

Reference Authorities:

- Municipal Act, 2001
- Ontario Regulation 333/07 (Administrative Penalties)
- City of Markham AMPS By-law 2024-137
- City of Markham Screening and Hearing Officer By-law 2015-94

1. Purpose Statement

The purpose of this document is to provide a Policy regarding financial management and the reporting and tracking of administrative penalties and fees. This Policy affirms that the **City** of Markham's Administrative Monetary Penalty System (**AMPS**) shall follow the existing Corporate policies and procedures related to financial management and reporting.

In accordance with Ontario Regulation 333/07, the **City** is required to develop a Policy to address financial management and reporting of **AMPS**.

This Policy is to ensure that all financial management and reporting responsibilities related to **AMPS** conform to current Corporate policies and procedures for financial management and reporting.

2. Applicability

This Policy applies to all financial management and reporting responsibilities and accountabilities regarding **AMPS**. All **City** employees and other individuals responsible for the administration of **AMPS** shall comply with this Policy.

The **City** has established a number of financial management policies and procedures which, along with proactive financial planning processes, provide a framework for the **City's** overall fiscal planning and management. The **City** continues to display financial accountability through regular, thorough and transparent financial performance reporting and analysis. This will be reflected in routine reporting on **AMPS** financial results, as well as efficiency and effectiveness measures of the **AMPS** program and services.



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3. Definitions

For the purposes of this Policy, the following definitions are defined in accordance with By-laws 2024-137 and 2015-94.

“**Administrative Fee**” means any fee specified in By-law 2024-137;

“**AMPS**” means Administrative Monetary Penalty System;

“**City**” means The Corporation of the City of Markham;

“**Clerk**” means the City Clerk, her or his delegate, or anyone designated by the Clerk to perform duties pursuant to the Administrative Monetary Penalty System;

“**Council**” means the Council of the **City**;

“**Hearing Officer**” means a person who performs the functions of a Hearing Officer in accordance with Section 6 of By-law 2024-137, and pursuant to the **City’s** Screening and Hearing Officer By-law 2015-94;

“**Penalty Notice**” means a notice given to a **Person** pursuant to Section 2 of By-law 202-137;

“**Person**” includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation. If the vehicle permit consists of a vehicle portion and licence plate portion, and different **Persons** are named on each portion, the **Person** whose name appears on the licence plate portion, as provided by the Ontario Ministry of Transportation, is the Person for the purposes of this Policy;

“**Screening Officer**” means a person who performs the functions of a **Screening Officer** in accordance with Section 3 of By-law 2024-137, and pursuant to the **City’s** Screening and Hearing Officer By-law 2015-94.



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4. Policy

4.1 General Financial Management and Reporting

Preparation of the **City's** budget revolves around priority setting that reflects the **City's** Strategic Plan, **Council** priorities, service delivery objectives and standards and historical financial performance; all balanced with the need for prudent financial management. Priority setting and budgeting with respect to **AMPS** shall be the responsibility of the **Clerk's** Office.

Through the process of current and capital financial management and reporting for **AMPS**, the **Clerk's** Office shall:

- Review and monitor current year actual, budgeted and projected financial performance and operating results;
- Proactively compare program financial activity with past performance to identify trends, issues and opportunities;
- Determine priorities for maintaining and improving **AMPS** program service levels. These priorities are set out in the **City's** service plans that translate key Legislative Services Departmental initiatives into specific action plans and funding requirements;
- Review and develop long-term plans for **AMPS** including a multi-year operating and capital budget analysis and projections;
- Identify and mitigate factors impacting the **AMPS** budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of **City** decision-makers;
- Comply with all Corporate reporting standards and requirements as part of the **City's** financial management and reporting processes;
- Ensure all necessary financial signing authorities are in place and followed by all staff involved in **AMPS** administration; and
- Comply with all **City** procurement policies and procedures in regard to **AMPS**.

4.2 Payment of a Penalty Notice

Any person issuing a **Penalty Notice** for an infraction of a designated by-law is not permitted to accept payment for an administrative penalty. **Screening Officers** and **Hearing Officers** are prohibited from directly accepting any payment from any **Person** in respect of a **Penalty Notice**.



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City employees shall ensure compliance with corporate and/or departmental cash/payment handling procedures for financial stewardship.

4.2.1 Methods of Payment

Following the issue of a **Penalty Notice**, the **Person** is permitted to make a voluntary payment by using one of the following methods:

- Online using VISA, MasterCard or American Express at www.markham.ca/amps (subject to a nominal processing fee)
- By calling the toll free number 1-877-678-8465 using VISA, MasterCard or American Express within Canada and the U.S.A. or the local number 905-678-8465 (subject to a nominal processing fee)
- In person at the Cashiers' Office - Markham Civic Centre, 101 Town Centre Boulevard, Markham, Ontario L3R 9W3 Monday to Friday from 8:00 am to 5:00 pm
- By mail using cheque or money order only. The Penalty Notice number must be written on the front of the cheque or money order and shall be made payable to The City of Markham. Mail to: City of Markham AMPS Division, 101 Town Centre Boulevard, Markham, Ontario L3R 9W3.

Payment is not considered made until received by the **City**. **Persons** must allow sufficient mailing time for payments and should not send cash by mail. Post-dated cheques or payment by installments are not accepted. A fee will be applied for any Non-Sufficient Funds, cancelled or reversed payment.

4.2.2 Processing Payments

Payments will be processed as follows:

- Online
The **Person** enters their **Penalty Notice** and related information into the system and makes a payment with their credit card information. The **Person** may print a receipt of payment as proof of payment for their records.



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- (b) By Phone
The **Person** enters their **Penalty Notice** and related information into the system and makes a payment with their credit card information. The **Person** is provided with a confirmation number as proof of payment for their records.
- (c) In Person
Apply the appropriate method of payment to the **Penalty Notice**. The **Person** is provided with a receipt of payment for their records.
- (d) By Mail
Apply the cheque or money order payment to the **Penalty Notice**.

Upon receipt of a Penalty Notice payment, a **City** employee will apply the payment to a specific **Penalty Notice** in the AutoProcess system connected to the **City's** Point-of-Sale terminals. The **Penalty Notice** will reflect "paid" status. A **Person's** credit card information is not kept by the City's system, in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

4.2.3 Refund of Payment

If a person has paid any **Administrative Fees** in respect of a **Penalty Notice**, which is subsequently cancelled by a **Screening Officer** or **Hearing Officer**, the **City** shall refund in full such **Administrative Fees** to the person.

4.3 Administrative Fees

Various **Administrative Fees** may be payable by a **Person** with a **Penalty Notice** as set out in **AMPS** By-law 2024-137.

4.4 Accountability

All persons responsible for administering the **AMPS** program shall be responsible for adherence to this Policy. Any individual shall bring any contravention of this Policy to the attention of the **Clerk**.



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5. Administration and Contact

This Policy shall be administered by the **Clerk's** Office, Legislative Services Department. Procedures may be defined, and amended from time to time, by the **Clerk** to address specific implementation of this Policy.

City of Markham
Attention: Manager, AMPS
Legislative Services Department
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Telephone: 905-475-4744
Email: amps@markham.ca
www.markham.ca/amps
