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<b>EMERGENCY AND PROTECTIVE SERVICES DEPARTMENT</b>	<b>POLICY</b>	<b>ENFORCEMENT SERVICES DIVISION</b>
APS financial reporting policy	#APS-2024-03	Effective Date: September 16, 2024
		Revision Date:

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**GENERAL DESCRIPTION**

This policy is to affirm the County of Brant’s (“County”) commitment to ensuring accurate financial management and reporting responsibilities in relation to the Administrative Penalty System (“APS”).

**PURPOSE**

Ontario Regulation 333/07 under the Municipal Act, 2001, requires a municipality to establish a policy and procedure relating to financial management and reporting with respect to the administration of the APS program.

This policy will provide the financial management, reporting and tracking of administrative penalties and fees under the APS program.

**APPLICATION**

This policy applies to all financial management and reporting responsibilities and accountabilities regarding the APS program. All County employees and other persons responsible for the administration of the APS program shall comply with this policy.

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

**PROCEDURES**

Overall Financial Management and Reporting:

Preparation of the County budget revolves around priority setting that reflects the County’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 the APS program shall be the responsibility of the Enforcement Services Division. Through the process of current and financial management and reporting for the APS program, Enforcement Services shall:

1. Review and monitor current year actual, budgeted, and projected financial performance and operating results.
2. Proactively compare program financial activity with past performance to identify trends, issues, and opportunities.
3. Determine priorities for maintaining and improving APS program service levels.
4. Identify and mitigate factors impacting the APS budget and financial performance, such as inflation, fixed costs and legislative requirements that are beyond the control of County decision-makers.
5. Comply with all corporate reporting standards and requirements as part of the County's financial management and reporting processes.
6. Ensure all necessary financial signing authorities are in place and followed by all staff involved in the APS program administration.
7. Comply with the County purchasing policy and procedures regarding the APS program.

### **PAYMENT OF PENALTY NOTICES**

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 an administrative penalty.

If a person has paid any administrative fees in respect of an administrative penalty and the penalty is subsequently cancelled by a Screening Officer or Hearing Officer, the County shall refund in full such administrative fees to the person.

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

### **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:

- In Person – Using cash, cheque, debit card or credit card (Visa or Mastercard)
- On-line using Visa or Mastercard
- Overnight Drop box using a cheque (located at the Burford and Paris CSO)

- By Mail - Payable to the County of Brant by Personal Cheques/Certified Cheques/Money Order (include Penalty Notice number)

#### APS Program Administrative Fees:

Various administrative fees may be payable by a person with a Penalty Notice and administrative penalty due and payable, as set out in the County of Brant Fees and charges By-law and APS By-law as amended.

#### Reporting and Tracking Administrative Penalties and Administrative Fees:

Upon receipt of a Penalty Notice payment, a County employee will apply the payment to a specific Penalty Notice in the appropriate database. The Penalty Notice will reflect "paid" status.

The County employee will process the various methods of payment as follows:  
In Person: Apply the various methods of payments to the Penalty Notice. Provide a person with a receipt of payment for their records.

By Mail: Apply the cheque payment to the Penalty Notice Mail receipt if requested.

### **ACCOUNTABILITY**

All persons responsible for administering the APS program shall be responsible for implementation of this policy. Any person shall bring to the attention of the Director of Enforcement and Regulatory Services or General Manager of Emergency and Protective Services any contravention of this policy. This policy shall be administered by the Emergency and Protective Services Department - Enforcement Services Division.

### **REFERENCES AND RELATED POLICIES**

Municipal Act, 2001  
Ontario Regulation 333/07 (Administrative Penalties)  
Applicable County financial policies and procedures

### **CONSEQUENCES OF NON-COMPLIANCE**

In accordance with the Municipal Act.

### **REVIEW CYCLE**

In conjunction with the review of the Administrative Penalties By-law.