



Town of Newmarket
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Continued Transition of Regulatory By-laws to the Administrative Monetary Penalty System Staff Report to Council

Report Number: 2020-65

Department(s): Legislative Services

Author(s): Flynn Scott, Manager of Regulatory Services

Meeting Date: September 14, 2020

Recommendations

1. That the report entitled Continued Transition of Regulatory By-laws to the Administrative Monetary Penalty System dated September 14, 2020 be received; and,
2. That Council amend the AMPS By-law 2019-62; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Purpose

The purpose of this report is to present Council with next steps regarding the implementation of existing Town by-laws being transitioned under the Administrative Monetary Penalty System (AMPS) By-law.

Background

In June 2018, Council directed staff to move forward with the implementation of the Administrative Monetary Penalty System (AMPS) for parking matters in Q1/Q2 of 2020. Since initial implementation, the Town has moved forward with integrating 15 regulatory by-laws under the AMPS model as follows:

- Accessory Dwelling Units By-law;
- Animal Control By-law;
- Business Licence By-law;
- Clean Yards By-law;
- Clothing Donation Bins By-law;
- Fireworks By-law;
- Mobile Business Licence By-law;
- Noise By-law;
- Outdoor Serving Areas By-law;
- Parking By-law;
- Property Standards By-law;
- Second Hand Goods Shops By-law;
- Sign By-law;
- Waste Collection By-law; and
- Emergency Measures By-law.

As Town by-laws are amended or new by-laws are proposed, Town staff will continue to recommend their alignment under the AMPS model.

Discussion

Through the AMPS model, the Town of Newmarket has governance over ticket dispute processes. This model has been highly effective for the public receiving an enhanced response to disputes and increased customer service via Town processes that have been established in-house to replace the current process available through the Provincial court system.

Proposed Changes to Schedule A of AMPS By-law 2019-62

In order to maintain continuity with transitioning Town by-laws under the AMPS model, an amendment to Schedule A is required to establish set fines for existing regulations. Town staff are recommending that the following by-laws be added to the AMPS By-law:

Fence By-law 2019-20;

Loitering By-law 1997-113;

Parks By-law; and

Smoking By-law 2019-31.

This will allow staff to establish set fines for violations and any charges laid under the established regulations will be processed outside of the provincial court system.

Conclusion

Town staff is recommending the adoption of the amended AMPS By-law 2019-62 in order to continue moving forward with transitioning Town by-laws under the AMPS model. In Q1 2021, Town staff will report to Council with a review of the AMPS model, which will include the successes the municipality has realized since reducing its reliance on the provincial court system for adjudicating all regulatory matters.

Business Plan and Strategic Plan Linkages

This report aligns with the Rev-It-Up recommendations for improving administration and service levels within the Town of Newmarket.

Consultation

None.

Human Resource Considerations

None.

Budget Impact

Revenue is anticipated through any enforcement action taken using the AMPS model for the issuance of tickets.

Attachments

Attachment #1 – Amended AMPS By-law 2019-62, Schedule A

Approval

Esther Armchuk, Commissioner, Corporate Services

Contact

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