




Oshawa® THE CORPORATION OF THE
CITY OF OSHAWA
 MUNICIPAL LAW
 ENFORCEMENT SERVICES

PENALTY NOTICE
Municipal Act 2001

7000812

I, believe on reasonable and probable grounds that on the Penalty Date described below the owner of the vehicle upon which was displayed either the Plate Number or Vehicle Identification Number described below committed the following Offence:

Penalty Date: Feb 28, 2011 Time: 10:29 AM
 Location: TEST

Within the City of Oshawa
 Plate No.: TEST Province: ON
 Expiry Date: 03-2011
 Make of Vehicle: TEST

Offence: Parked Without Depositing Fee In Control Device

OSHAWA ByLaw 79-99 as may be amended
 Section: 9.4-6
 Penalty: \$150
 Remarks:

IF by Mar 15, 2011, you have not paid the Penalty or requested to not dispute the Penalty, you will be deemed to not dispute the Penalty, you will be subject to additional administrative fees, and your Ontario Vehicle Permit application may be denied.



 Signature of Issuing Officer

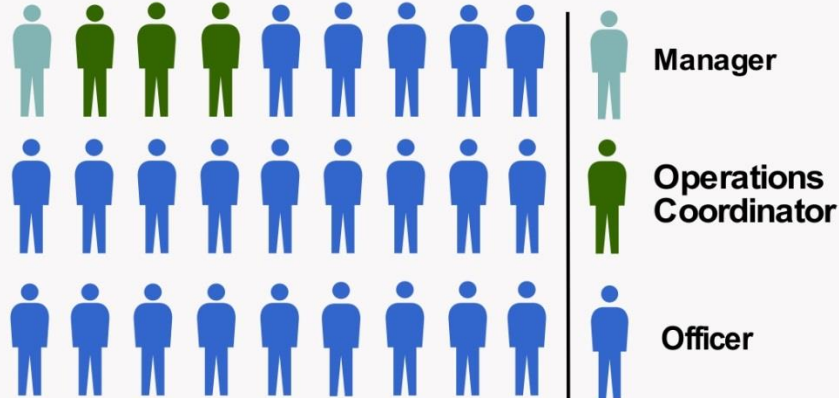
9900
 Badge No.

Administrative Penalties (A.M.P.s)



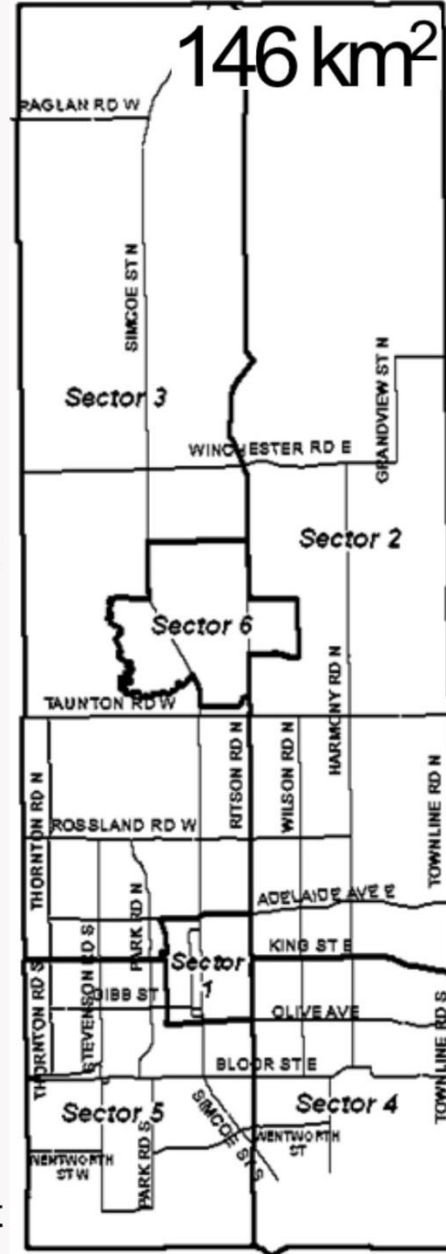
Municipal
Law
Enforcement
Services

27 M.L.E. Staff



6 Sectors

146 km²



Hours of Operation

Mon to Sun

8 A.M. to 12 A.M.

Injured Animals:
-On call 12 A.M. to 8 A.M.
-On call 24 hours on
Statutory Holidays

Fleet



Staff Daytime Deployment (Mon to Fri)*



Property

11
Officers



Parking
(Foot Patrol)

2
Officers



Animal

3
Officers

*Typical Deployment

By-laws Enforced by M.L.E.

M.L.E. enforces 34 City By-laws and 1 Provincial Law

“A”



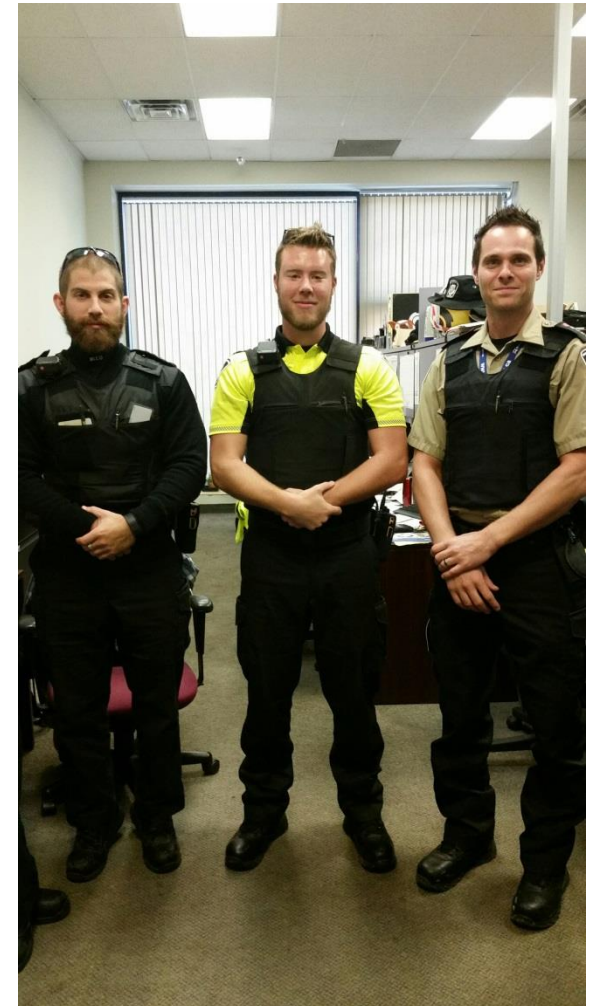
“Z”

-
- | | | |
|---|--|---|
| <ul style="list-style-type: none">• Adequate Heat By-law• Bicycle Skateboard By-law• Boulevard By-law• Election Sign By-law• Fireworks By-law• Fence and Sight Triangle By-law• Fortification By-law• Group Home Registration By-law• Highway Vending By-law• Licensing By-law (various classes) | <ul style="list-style-type: none">• Lodging House By-law• Lot Maintenance By-law• Lottery Licensing By-law• No Smoking By-law (City Hall)• Noise By-law• Nuisance By-law• Open Air Burning By-law• Parks and Facilities By-law• Pool Enclosure By-law• Property Standards By-law• Responsible Pet Owners By-law• Sign By-law• Site Alteration By-law | <ul style="list-style-type: none">• Snow and Ice Removal By-law• Storm Sewer Connection By-law• Taxicab Licensing By-law• Traffic By-law• Trespass By-law• Tow Truck By-law• Two Unit House Registration By-law• Unauthorized Parking By-law• Vehicle Idling By-law• Waste Collection By-law• Weed Control Act (Province)• Zoning By-law |
|---|--|---|



M.L.E. and Legislative Framework

Appointment	• Police Services Act, 1990 • Building Code Act, 1992 • Planning Act, 1990 • Delegation By-law 29-2009
Inspection Authorities	• Municipal Act, 2001 • Building Code Act, 1992 • Planning Act, 1990 • Inspection By-law 64-2008
Tools for Compliance	• Provincial Offences Act, 1990 • Planning Act, 1990 • Building Code Act, 1992 • Municipal Act, 2001 • Dog Owner Liability Act, 1990 • Administrative Penalties By-law 63-2013 and 24-2011
Provincial Legislation Municipal By-law	



Core Areas of Enforcement

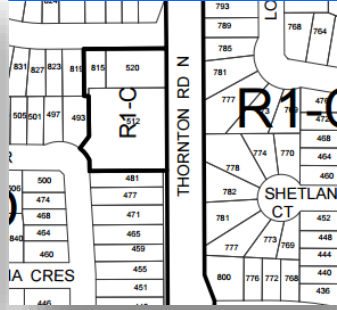
Parking Enforcement



Property Standards



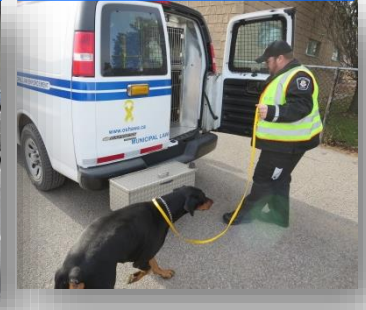
Zoning Enforcement



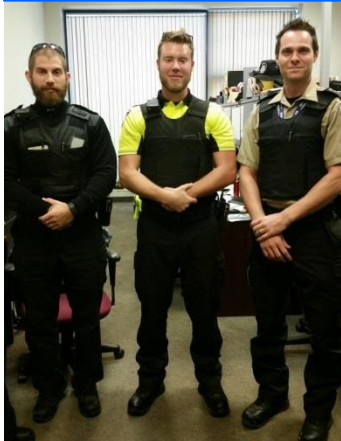
Licensing Enforcement



Animal Services



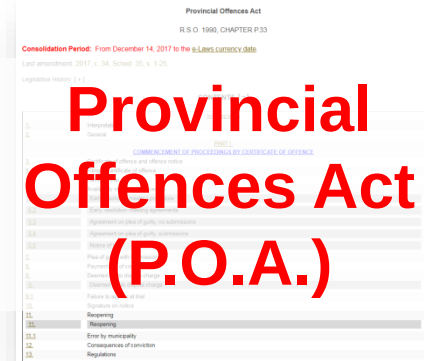
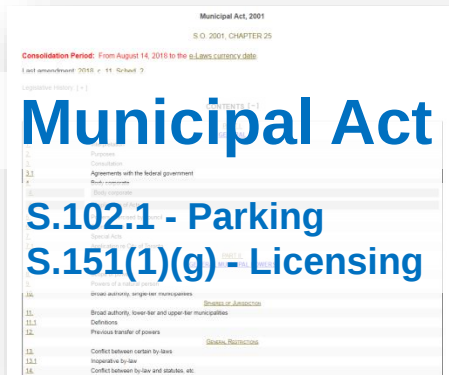
Oshawa M.L.E.O



- M.L.E. Officers enforce 34 City by-laws
- The by-laws can be grouped into three core areas:
 - a) Property related (Private property and Boulevards)
 - b) Parking/Traffic
 - c) Animal



Main Penalty Streams



Administrative Penalties

Penalty Notice
Municipal Act 2001
7000812

1. Vehicle an automobile and probable grounds that on the Penalty Notice described below the owner of the vehicle upon which was displayed either the "Prohibited" or "Prohibited" sign for parking violations.

Penalty Notice: Feb 24, 2011 Time: 10:29 AM
Location: TEST

2. Section 102.1 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the owner of a vehicle upon which was displayed either the "Prohibited" or "Prohibited" sign for parking violations is liable for a penalty of \$15.00.

Penalty: \$15.00
Payment Due Date: Mar 15, 2011

Remarks:

If by Mar 15, 2011 you have not paid the penalty or requested a review of the penalty, you will be deemed to not dispute the penalty. You will be subject to additional administrative fees, and your vehicle will be subject to impoundment.

Offence Notice (P.O.A.)

Offence Notice
Municipal Act 2001
7000812

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Summons (P.O.A.)

Summons
Municipal Act 2001
7000812

1. Vehicle an automobile and probable grounds that on the Summons described below the owner of the vehicle upon which was displayed either the "Prohibited" or "Prohibited" sign for parking violations.

Summons: Feb 24, 2011 Time: 10:29 AM
Location: TEST

2. Section 102.1 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the owner of a vehicle upon which was displayed either the "Prohibited" or "Prohibited" sign for parking violations is liable for a penalty of \$15.00.

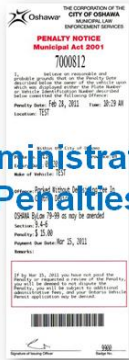
Penalty: \$15.00
Payment Due Date: Mar 15, 2011

Remarks:

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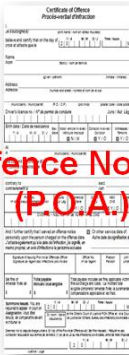
A.M.P.s v. Fines

Administrative Penalties



Penalties – intended to encourage compliance without the threat of more serious administrative action, prosecution or Superior Court Proceeding

Offence Notice (P.O.A.)



Fines – intended to be used for more serious contraventions. Includes administrative action, prosecution or Superior Court Proceeding

A.M.P.s and Applicable By-laws

By-law	A.M.P. Penalty Amounts
Boulevard	\$125
Carbon Monoxide	\$250
City Trees	\$250
Fence and Sight Triangle	\$125
Licensing	\$250 \$500
Lot Maintenance	\$125
No Smoking	\$125
Noise	\$125
Nuisance	\$250
Open Air Burning	\$250
Responsible Pet Owners	\$125 – 1 st offence \$250 – 2 nd offence
Snow and Ice	\$125
Traffic	\$20 \$30 \$45 \$60 \$100
Unauthorized Parking	\$45 – 1 st offence \$90 – 2 nd offence \$250 – 3 ⁺ offence






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 Signature of Issuing Officer

9900
 Badge No.

Implementation of A.M.P.s

Timeline: A.M.P.s in Oshawa

- **Bill 130 (2006)** - Amends Municipal Act, authorizing A.M.P.s
- **[Pending] 2008** – A.M.P.s in Licensing By-law
- **March 2011** - Parking A.M.P. established
- **June 2012** – Written Screenings introduced
- **June 2013** - Non-parking A.M.P.s established (ex. Licensing By-law)
- **August 2018** – Online Screening Form



A.M.P.s Benefits

- ✓ Resolve by-law infraction matters in more convenient and citizen-friendly environment
- ✓ The City is more capable in dealing with minor by-law infractions in a timely manner
- ✓ Citizens may request an extension of time in which to request a review by a Screening or Hearings Officer
- ✓ Citizens may request an extension of time to pay a fine from a Screening or Hearings Officer
- ✓ Reduces congestion in provincial courts
- ✓ Better use of court time and other resources for more serious matters
- ✓ Greater cost recovery for municipality (don't pay courts for administration)



A.M.P. Detractors

- ❌ Individuals want their “day in court” - perception issue
- ❌ Administrative overhead (significant)
- ❌ Victim fine surcharge (less revenue for support groups)
- ❌ Political interference



Business Case: A.M.P.

- Business Case completed for transitioning to Handheld Ticketing Technology (2007)
- Business Case identified numerous benefits (increased accuracy, efficiencies, revenue)
- Bill 130, authorizing A.M.P.s received Royal Assent in December 2006
- Many similarities between A.M.P.s and Handheld Ticketing Technology
- Council endorsed new A.M.P. initiative



Implementation: Change Management

Internal Staff:

- Customer service – significant administrative burden
- “Patch work” implementation – Oshawa was one of the first municipalities to implement A.M.P.s
- Minimal change for Enforcement staff
- Transitioning staff in to new roles (Municipal Prosecutor to take on role as Screenings Officer)
- Handheld Technology (learning curve)
- In some cases, A.M.P.s were “punitive”

External:

- Some initial criticism of system and process
- Others in favour of expedited process and written screening option
- Needed to get politicians on board (ex. hearings)



Implementation: Staffing and Facilities

Staffing:

- **Screenings Officer:** Staff Position (Municipal Prosecutor)
- **Hearings Officer:** Contract Position

Facilities:

- City Hall meeting rooms to conduct Screenings and Hearings






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 Penalty: \$ 15.00
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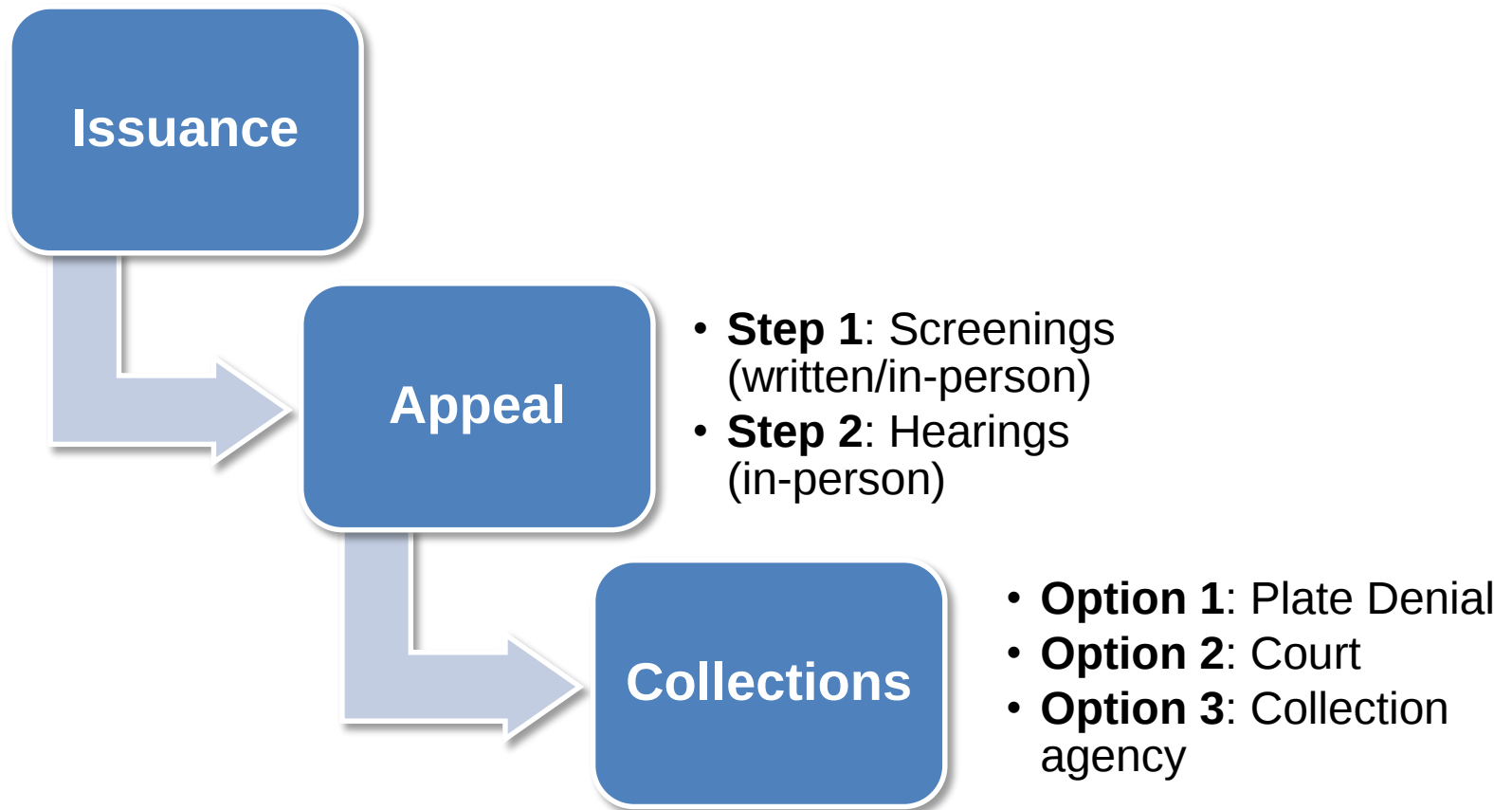



 Signature of Issuing Officer

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 Badge No.

A.M.P. Processes

A.M.P. Processes



Appeals Process: Step 1 Screenings

Step 1: Screening

- 21 days to request screening (written or in-person)
- Must submit application including the grounds for requesting
- Officer does not attend
- Written or in-person
- No-show fee (\$50)
- Screening Officer may cancel, reduce or extend the time for payment



Appeals Process: Step 2 Hearing

Step 2: Hearing

- Appeal of Screening decision
- 21 days to request hearing following Screening (in-person only)
- Officer may or may not attend
- Application must include the particulars of the appeal of the Screening Officer's decision (only evidence presented at Screening will be considered)
- In-person only
- No-show fee (\$100)
- Hearings Officer may cancel, reduce or extend the time for payment
- Decision is final and not subject to review including review by any Court

Appeal Statistics

Step 1: Screenings

- 75% = written; 25% = in-person
 - Written screenings 75 per week
 - In-Person Half day per week (Tuesdays)

Step 2: Hearings

- Approximately 100/year



Appeal Statistics: Parking

Year	Total A.M.P.s Issued	Screening Requested	%	Hearing Requested	%
2015	30544	1888	6%	50	3%
2016	29134	2398	8%	34	1%
2017	31441	2807	9%	41	1%
2018	21,595	2,003	9%	52	2%



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I, believe on reasonable and
probable grounds that on the penalty notice
described below the owner of the vehicle upon
which was displayed either the plate number
or vehicle identification number described
below committed the following offence:

Penalty Date: Feb 25, 2011 Time: 10:29 AM
Location: TEST

Within the City of Oshawa

Plate No.: TEST Province: ON
Expiry Date: 03-2011
Make of Vehicle: TEST

offence: Parked Without Depositing Fee In
Control Device

OSHAWA By-Law 79-99 as may be amended
Section: 3.4-6
Penalty: \$ 25.00
Payment Due Date: Mar 15, 2011

Notes:

If by Mar 15, 2011 you have not paid the
penalty or requested a review of the penalty,
you will be deemed to accept the penalty.
Penalty fees will be added to any future
administrative fees, and your future vehicle
permit application may be denied.

Signature of Hearing Officer

9900
Date:

Appeal Statistics: Other By-laws

Year	Total	Screening Requested	%	Hearing Requested	%
2015	1759	219	12%	14	6%
2016	1662	344	21%	24	7%
2017	1361	309	23%	17	6%
2018	1,603	424	26%	51	12%



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Section: 3.4-6
Penalty: \$ 25.00
Payment Due Date: Mar 15, 2011

Remarks:

If by Mar 15, 2011 you have not paid the penalty or requested a review of the penalty, you will be deemed to accept the offence, administrative fees, and your vehicle's permit application may be denied.

Signature of Hearing Officer

Collections Process

Parking A.M.P.	Non-Parking A.M.P.
• Through Ministry of Transportation • N1 – Past due notice mailed on Day 22 after issuance (\$10 admin fee) • N2 – Penalty affirmation notice mailed on Day 43 (\$15 late payment fee) • Plate denial – Day 73 (\$22 notification to Registrar of Motor Vehicles) • Similar process after Screening result • Plate Denial after day 31 following Hearing Result	• <\$1000: collections process • >\$1000: small claims court • Similar timeline as plate denial



Municipal Act

Debt

434.2 (1) An administrative penalty imposed by a municipality on a person under section 434.1 constitutes a debt of the person to the municipality. 2017, c. 10, Sched. 1, s. 75.

Amount owing added to tax roll

(2) If an administrative penalty imposed under section 434.1 is not paid within 15 days after the day that it becomes due and payable, the treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, shall, add the administrative penalty to the tax roll for any property in the local municipality for which all of the owners are responsible for paying the administrative penalty, and collect it in the same manner as municipal taxes. 2017, c. 10, Sched. 1, s. 75.






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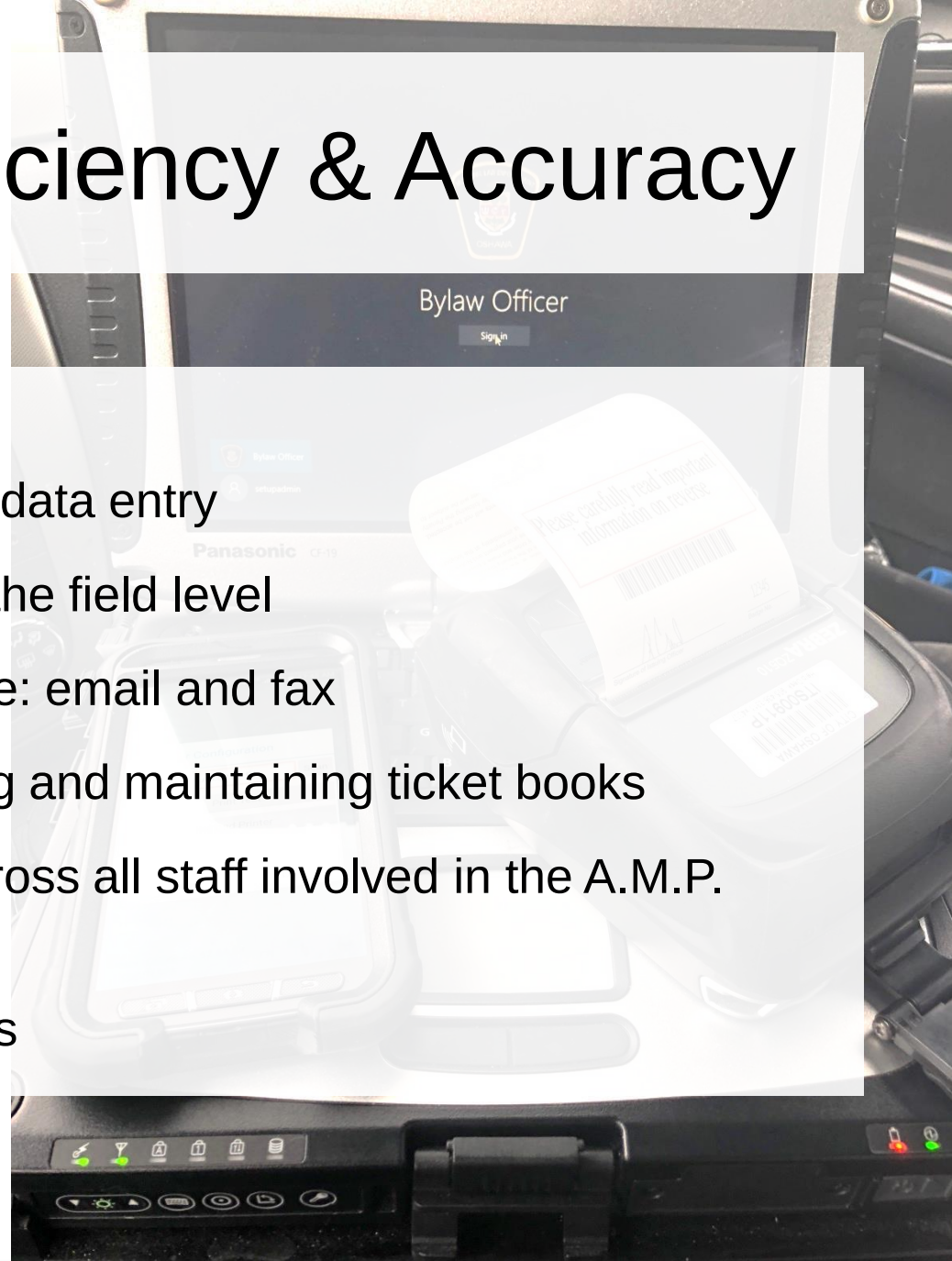
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Evaluation: Qualitative and Quantitative

Qualitative: Efficiency & Accuracy

- Speedier issuance of tickets
- Reduced staff time spent on data entry
- Reduces mistakes/errors at the field level
- Additional methods of service: email and fax
- Eliminates cost of purchasing and maintaining ticket books
- Increased access to data across all staff involved in the A.M.P. process
- Accelerate payment of tickets



Qualitative: Resolution Timeframe

Pre A.M.P.:

- 3 hours (Court)

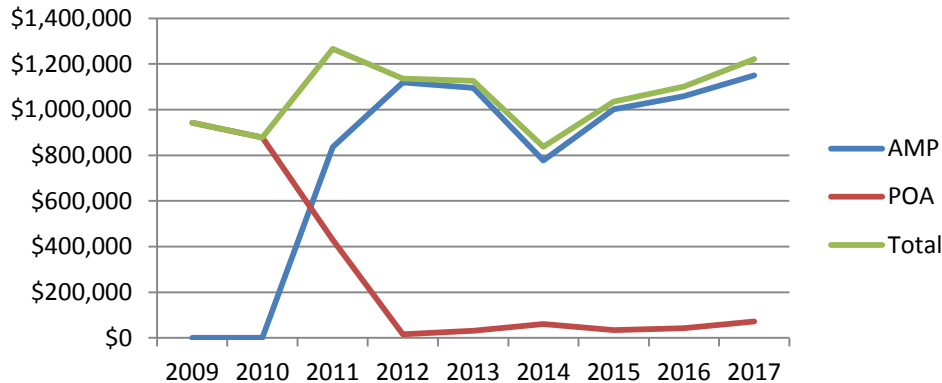
Post A.M.P.:

- 30 min (Hearings)
- Officers rarely attend Court
- Court mostly for Part 3



Quantitative: Penalty Revenue

General Trend: noticeable increase in revenue



Main Considerations:

- Specialist to Generalist Officer Transition (2010)
- Enforcement Approach (2014)
- A.M.P.s and Application to By-laws

	Pre AMP		Post AMP						
	2009	2010	2011	2012	2013	2014	2015	2016	2017
AMP	\$0	\$0	\$836,583	\$1,119,917	\$1,095,321	\$777,627	\$1,001,346	\$1,059,158	\$1,150,000
POA	\$942,326	\$878,891	\$429,689	\$16,170	\$31,353	\$60,439	\$33,799	\$42,098	\$72,314
Total	\$942,326	\$878,891	\$1,266,272	\$1,136,087	\$1,126,674	\$838,066	\$1,035,145	\$1,101,256	\$1,222,314

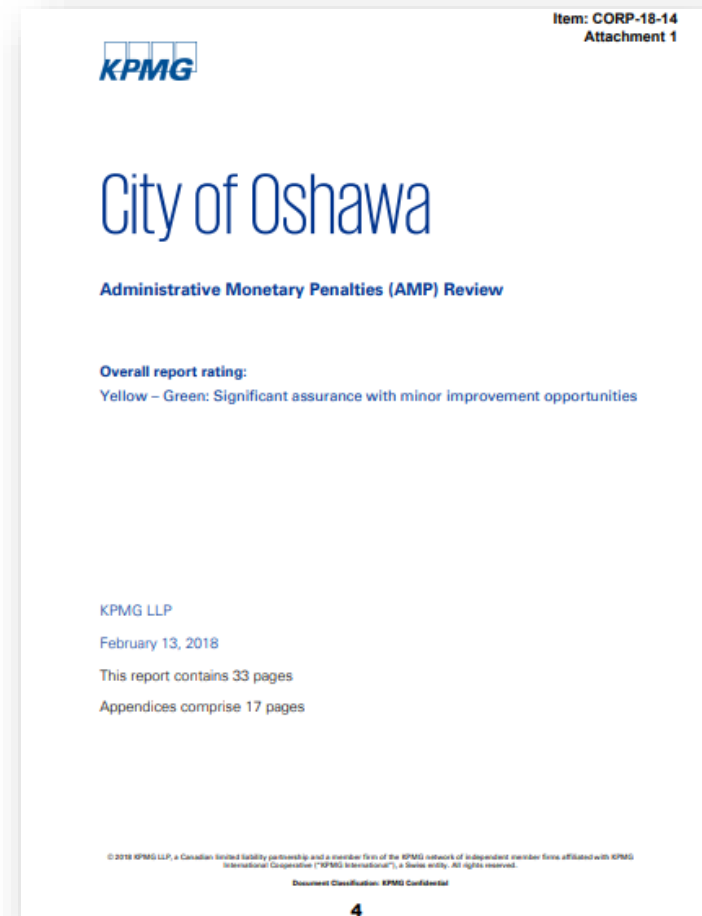
External Evaluation

K.P.M.G. Finding: A.M.P. system and process is functioning well

Result: “Significant Assurances with minor improvement opportunities”

Examples of Areas of improvement:

- Further integration with other applications
ex. General Ledger
- More robust tracking of customer’s complaints for trend analysis
- More documentation of A.M.P. processes





Future of A.M.P.s. in Oshawa


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Future of A.M.P.s

- Establish in other By-laws as they are reviewed
- Expand on tiered and escalating fines
- Application of A.M.P.s to non-Municipal Act By-laws ex. Property Standards By-law under the Building Code Act
- Improve Officer application to accept data from Collections agency financial reporting
- Improve reports, financial accounting, and tracing of written screenings

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Payment Due Date: Mar 15, 2011

Thank You

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 administrative fees, and your Ontario Vehicle
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