

## CORPORATION OF THE TOWN OF HAWKESBURY

### BY-LAW N° 8-2024

#### A by-law to establish an Administrative Monetary Penalty System in the Town of Hawkesbury

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**WHEREAS** Section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the "*Municipal Act, 2001*") as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Subsection 11(1) of the *Municipal Act, 2001*, as amended, provides that a lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS** Sections 102.1 (1) of the *Municipal Act 2001*, as amended, provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

**AND WHEREAS** Section 434.1 (1) of the *Municipal Act, 2001*, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law passed under the *Municipal Act, 2001*;

**AND WHEREAS** Sections 23.2, 23.3 and 23.5 of the *Municipal Act, 2001* provides that a municipality may delegate its administrative and hearing powers;

**AND WHEREAS** Section 15.4.1(1) of the *Ontario Building Code Act, 1992*, S.O. 1992, c. 23 as amended, authorizes the municipality to require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality;

**AND WHEREAS** Section 15 of the *Police Services Act, R.S.O.1990*, c.P15 of the police services Act, R.S.O.1990, c.P.15 as amended (or any successor thereof), the Council of the municipality may appoint Municipal By-law Enforcement Officers who shall be Peace Officers for the purpose

of enforcing by-laws of the municipality;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001* authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** the Council for the Town of Hawkesbury deems expedient and necessary to provide for a system of Administrative Monetary Penalties System and administrative fees for its designated by-laws, or portions of its designated by-laws;

**THEREFORE**, the Council of the Corporation of the Town of Hawkesbury hereby enacts as follows:

## 1. Definitions

In this By-law:

- a) “**Administrative Fee**” means any administrative fee specified in this By-law or set out in schedule B of this By-law;
- b) “**Administrative Penalty**” means an administrative penalty established by this By-law or set out in Schedule A of this By-law;
- c) “**AMPS**” means Administrative Monetary Penalty System;
- d) “**Authorized Representative**” means someone appearing on behalf of a Person in accordance with a written authorization provided upon request to the Director of Municipal By-law Enforcement Services, and who is not required to be licensed by any professional body;
- e) “**Director**” means the Town’s Director responsible of the By-law Enforcement Officers, or any person delegated by them;
- f) “**Town**” means The Corporation of the Town of Hawkesbury;
- g) “**Clerk**” means the Town Clerk and Deputy Clerk, or any person delegated by them;
- h) “**Council**” means the Council of the Corporation of the Town of Hawkesbury;
- i) “**Day**” means any calendar day;
- j) “**Designated By-law**” means a by-law, or a part or provision of a by-law, that is designated under this or any other by-law, and is listed in

the attached schedules;

- k) **"Hearing Non-appearance Fee"** means an Administrative Fee established by Council from time to time in respect of a Person's failure to appear at the date, the time and the place scheduled for a review before a Hearing Officer and listed in the attached schedules;
- l) **"Hearing Decision"** means a notice that contains a decision made by a Hearing Officer;
- m) **"Hearing Officer"** means a person who performs the functions of a Hearing Officer in accordance with Section 6 of this By-law, and pursuant to the Town's Hearing Officer By-law, as amended from time to time;
- n) **"Holiday"** means a Saturday, Sunday, any statutory holiday in the Province of Ontario or any Day the offices of the Town are officially closed for business;
- o) **"Late Payment Fee"** means an Administrative Fee established by Council from time to time in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this By-law and listed in the attached schedules;
- p) **"MTO Fee"** or **"SAAQ Fee"** means an Administrative Fee established by Council from time to time for any search of the records of, or any inquiry to, the Ontario Ministry of Transportation (MTO), or Société de l'assurance automobile du Québec (SAAQ), or related authority, and listed in Schedule B;
- q) **"NSF Fee"** means an Administrative Fee established by Council from time to time in respect of payment by negotiable instrument or credit card received by the Town from a Person for payment of any Administrative Penalty or Administrative Fee, for which there are insufficient funds available in the account on which the instrument was drawn, as listed in the Town's By-law to impose fees for services or activities rendered by the Town of Hawkesbury ;
- r) **"Officer"** means a By-law Enforcement Officer of the Town of Hawkesbury or other person appointed by or under the authority of a by-law to enforce municipal by-laws;
- s) **"Penalty Notice"** means a notice given to a Person pursuant to section 3.0 of this By-law;
- t) **"Penalty Notice Date"** means the date of the contravention

specified on the Penalty Notice, in accordance with section 3.3 of this By-law;

- u) **“Penalty Notice Number”** means the reference number specified on the Penalty Notice that is unique to that Penalty Notice, in accordance with section 3.3 of this By-law;
- v) **“Person”** includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, and, in relation to vehicle, parking or traffic-related contraventions, whose name appears on the vehicle permit as provided by the MTO or the SAAQ. 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 MTO or the SAAQ, is the Person for the purposes of this By-law;
- w) **“Plate Denial”** means a provincial legislation that allows municipalities to collect unpaid parking infractions through the Ministry of Transportation by requesting plate denial. The Town of Hawkesbury is connected to such system and your license plate may not be issued by the Ministry of Transportation if there are outstanding fines. Also, at such time, an additional \$25.00 is levied to each outstanding ticket in addition to already imposed fees and fines.
- x) **“Plate Denial Fee”** means an Administrative Fee established by Council from time to time in respect of a Person’s failure to pay within the time prescribed prior to a request for plate denial and listed in the attached schedule;
- y) **“Regulation”** means Ontario Regulation 333/07 *Administrative Penalties* under the *Municipal Act, 2001*, as amended;
- z) **“Request for Review by a Hearing Officer (review of Screening decision)”** means a request which may be made in accordance with section 6 of this By-law for the review of a Screening Decision;
- aa) **“Request for Review by a Screening Officer (review of Administrative Penalty)”** means a request made in accordance with section 5 of this By-law for the review of a Penalty Notice;
- bb) **“Review by a Hearing Officer”** means the process set out in section 6 of this By-law;
- cc) **“Review by Screening Officer”** means the process set out in

section 5 of this By-law;

- dd) **“Screening Decision”** means a notice which contains the decision of a Screening Officer, delivered in accordance with Section 5.13 of this By-law;
- ee) **“Screening Non-appearance Fee”** means an Administrative Fee established by Council from time to time in respect of a Person’s failure to appear at the date, time and place scheduled for a review before a Screening Officer and listed in the attached schedule; and,
- ff) **“Screening Officer”** means any person who performs the functions of a Screening Officer in accordance with section 5 of this By-law, as designated by the Director appointed as per definition 1.e).

## 2. Application of this By-law

- 2.1 The Town by-laws, or portions of by-laws, listed in the attached Schedule A of this By-law shall be Designated By-laws for the purposes of sections 102.1 and 151 of the *Municipal Act*, 2001 and paragraph 3(1)(b) of the Regulation. The attached Schedule A sets out the short form language to be used on Penalty Notices, for the contraventions of Designated By-laws.
- 2.2 The *Provincial Offences Act*, R.S.O. 1990, c.P.33, as amended, does not apply to a contravention of a Designated By-law.

## 3. Penalty Notice

- 3.1 Every Person who contravenes a provision of a Designated By-law shall, upon issuance of a Penalty Notice, be liable to pay the Town an Administrative Penalty in the amount specified in the attached schedules. Where the contravention is in relation to property that is jointly owned, all registered property owners shall be jointly liable for the Penalty.
- 3.2 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.
- 3.3 A Penalty Notice shall include the following information, as applicable:
  - i. The Penalty Notice Date;
  - ii. A Penalty Notice Number;

- iii. The date on which the Administrative Penalty is due and payable, fifteen (15) days from service of the Penalty Notice;
- iv. The identification number and signature of the Officer;
- v. The contravention wording as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
- vi. The amount of the Administrative Penalty;
- vii. 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
- viii. A statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Town unless cancelled pursuant to Screening Review or Hearing process.

3.4 In addition to the service methods provided in section 7 "Service of Documents" of this By-law, an Officer may serve the Penalty Notice on a Person by:

- i. Affixing it to the vehicle in an obvious place at the time of a parking or traffic-related contravention; or
- ii. Delivering it personally to the Person; or
- iii. When relating to a parking or traffic-related contravention, to the person having care and control of the vehicle at the time of the contravention, within seven (7) days of the contravention; or
- iv. For all other contraventions, within thirty (30) days of the contravention.

3.5 No Officer may accept payment of an Administrative Penalty or Administrative Fee.

3.6 A Person who is served with a Penalty Notice and who does not pay the amount of the Administrative Penalty on or before the date on which the Administrative Notice is due and payable, shall also pay the Town any applicable Administrative Fee(s).

#### **4. 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 amount and all fees prescribed in the attached schedule have been paid.

## **5. Review by Screening Officer (review of Administrative Penalty)**

- 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, and in accordance with the process set out in Section 5.4.
- 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 make a request to the Screening Officer or Director to extend the time to request a Screening Review to a date that is no later than forty-five (45) days after the Penalty Notice Date, in accordance with the process set out in Section 5.4.
- 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 forty-five (45) days after the Penalty Notice Date, at which time:
- a) The Person shall be deemed to have waived the right to request a Screening Review or request an extension of time for a Screening Review;
  - b) The Administrative Penalty shall be deemed to be confirmed; and
  - c) 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 Screening Officer or request for an extension of time to request a Screening Review are exercised by a submission in writing, in the prescribed form (as per Schedule C) and in accordance with the directions on the prescribed form.
- 5.5 A Request for Review by Screening Officer or request for an extension of time to request a Screening Review shall be served in accordance with the provisions of Section 7 of this By-law.
- 5.6 A Request for Review by Screening Officer or a request for an extension of time to request a Screening Review shall only be scheduled by the Director of the Municipal By-law Enforcement Services or the Screening Officer if the Person makes the request on or before the dates established by Sections 5.1 or 5.2 of this By-law.
- 5.7 The Director or the Screening Officer may grant a request to extend the time to request a Screening Review where the person demonstrates that the existence of extenuating circumstances

prevented the filing of the request within the prescribed timeline.

- 5.8 Where an extension of time to request a Screening Review is not granted, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed. Notice of this decision will be provided by the Screening Officer to the Person in accordance with Section 7.
- 5.9 Where an extension of time to request a Screening Review is granted by the Director or Screening Officer, or when a Screening Review has been requested in accordance with this Section, a Notice of an extension for Screening Review will be provided in accordance with Section 7.
- 5.10 On a Screening Review of an Administrative Penalty, the Screening Review shall proceed by way of written screening unless, at the discretion of the Director or the Screening Officer, an in-person or telephone appointment is required.
- 5.11 Where a Person fails to attend at the date, time and place scheduled for a Screening Review of an Administrative Penalty, or fails to provide requested documentation in accordance with a request by a Screening Officer:
  - i. The Person shall be deemed to have abandoned the request for a Screening Review of the Administrative Penalty;
  - ii. The Administrative Penalty as set out in the Penalty Notice shall be deemed to be confirmed;
  - iii. The Administrative Penalty shall not be subject to any further review, including a review by any Court; and
  - iv. The Person shall pay to the Town a Screening Non-appearance Fee, MTO or SAAQ fee, if applicable, and any other applicable Administrative Fee(s).
- 5.12 Upon a review of an Administrative Penalty, the Screening Officer may:
  - a) Affirm the Administrative Penalty if the Person has not established on a balance of probabilities that Designated By-law(s) was not contravened as described in the Penalty Notice; or
  - b) Cancel, reduce the penalty, and/or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), where, in the sole discretion of the Screening Officer that doing so would maintain the general intent and purpose of the Designated By-law,



and/or any of the following circumstances exist:

- i. Defective form or substance on the Penalty Notice;
- ii. Service of the Penalty Notice did not occur in accordance with Section 7;
- iii. Undue financial hardship;

5.13 After a Review by Screening Officer, the Screening Officer shall issue a Screening Decision to the Person, delivered in accordance with Section 7 of this By-law.

5.14 A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law, or the constitutional applicability or operability of any statute, regulation or by-law.

## **6. Review by Hearing Officer (review of Screening Decision)**

6.1 A Person may Request a Review by a Hearing Officer within thirty (30) days of issuance of a Screening Decision in accordance with the Hearings Officer By-law, as amended from time to time.

6.2 If a Person has not requested a Review by a Hearing Officer on or before the date on which the Administrative Penalty is due and payable, the Person may make a request to the Director, or Screening Officer to extend the time to request a Review by a Hearing Officer to a date that is no later than forty-five (45) days after the Screening Decision date, in accordance with the process set out in Section 6.4.

6.3 A Person's right to request an extension of time for a Hearing Review expires, if it has not been exercised, on or before forty-five (45) days after the Screening Decision date, at which time:

- a) The Person shall be deemed to have waived the right to request a Review by a Hearing Officer or request an extension of time for a Review by a Hearing Officer;
- b) the Screening Decision is confirmed; and
- c) The Administrative Penalty shall not be subject to any further review, including a review by any Court.

6.4 A Person's Request for Review by a Hearing Officer or request for an extension of time to request a Review by a Hearing Officer are exercised by a submission in writing, in the prescribed form (as per Schedule D) and in accordance with the directions on the prescribed form.

- 6.5 A Request for Review by Hearing Officer or request for an extension of time to request a Screening Decision Review shall be served in accordance with the provisions of Section 7 of this By-law.
- 6.6 A Request for Review by a Hearing Officer or a request for an extension of time to request a Review by a Hearing Officer shall only be scheduled by the Director, or Screening Officer if the Person makes the request on or before the dates established by Sections 6.1 or 6.2 of this By-law.
- 6.7 The Director or Screening Officer, may grant a request to extend the time to request a Review by a Hearing Officer only where the Person demonstrates, to the satisfaction of the Director, in their sole discretion that they were not served in accordance with Section 7.
- 6.8 Where an extension of time to request a Review by a Hearing Officer is granted by the Director, or Screening Officer when a Review by a Hearing Officer has been requested in accordance with this Section, Notice of a Hearing will be provided in accordance with Section 7.
- 6.9 Where a Person fails to appear at the date, time and place scheduled for a Hearing:
- a) The Person shall be deemed to have abandoned the Request for review of a Hearing;
  - b) The Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall be deemed to be confirmed;
  - c) The Screening Decision and the Administrative Penalty and any Administrative Fee(s) shall not be subject to any further review, including a review by any Court; and
  - d) The Person shall pay to the Town a Hearing Non-appearance Fee, Late Payment Fee, MTO or SAAQ Fee, if applicable and any other applicable Administrative Fee(s).
- 6.10 A Hearing Officer shall conduct a Hearing in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended, and the Hearings Officer By-law, as amended-from time to time.
- 6.11 The Parties to a Hearing shall be the Person seeking review and the Town, who may attend through the Director, the Screening Officer, the Hearing Officer, the Officer, the Town Solicitor, or a

delegate of any of the above persons.

6.12 Any information contained in the Penalty Notice is admissible in evidence as proof of the facts certified in it, in the absence of evidence to the contrary. If a Person wishes to challenge the facts contained in the Penalty Notice, they will be required to mark the prescribed form accordingly.

6.13 Upon the conclusion of a Hearing, the Hearing Officer may:

- a) Affirm the Administrative Penalty if the Person has not established on a balance of probabilities that the Designated By-law(s) was not contravened as described in the Penalty Notice; or
- b) Cancel, reduce the penalty and/or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds:
  - i. where the Person establishes on a balance of probabilities that the Designated By-law(s) as described in the Penalty Notice was not contravened; or
  - ii. where the Person establishes on a balance of probabilities that the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve any undue financial hardship.

6.14 A Hearing Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

6.15 After a Hearing is completed, the Hearing Officer shall issue a Hearing Decision to the Person and deliver in accordance with section 7.

6.16 The decision of a Hearing Officer is final.

## **7. Service of documents**

7.1 The service of any document, notice or decision, including a Penalty Notice, pursuant to this By-law, when served in any of the following ways, is deemed effective:

- a) Immediately, when a copy is delivered by personal service to the Person to whom it is addressed or, in the case of a Penalty Notice relating to a parking or traffic-related contravention, by affixing it to the vehicle in an

- obvious place at the time of the contravention;
  - b) On the seventh (7) Day following the date a copy is sent by registered mail or by regular mail to the Person's last known address;
  - c) Immediately upon sending a copy by electronic mail (i.e. email) to the Person's last known electronic mail address.
- 7.2 For the purposes of subsections 7.1. b), c) and d) of this By-law, a Person's last known address, and electronic mail address includes an address, and electronic mail address provided by the Person to the Town as may be required by a form, practice or policy under this By-law.
- 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 Town as part of a proceeding under this By-law, or sent electronically to an email address that was provided by the Person, there is a rebuttable 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, or electronic mail address to the Director, immediately. Failure to comply with this section will negate consideration for an extension of time to Request a Review by a Hearing Officer pursuant to Section 6.4.
- 7.5 Where this By-law requires delivery of documents to the Town, the documents shall be addressed to the Director, or Screening Officer, and shall be deemed effective:
- a) Immediately, when a copy is delivered by personal courier to the Director or Screening Officer at the location prescribed on the applicable form or notice;
  - b) On the seventh (7) Day following the date a copy is sent by registered mail or by regular mail to the location prescribed on the applicable form or notice;
  - c) Immediately with respect to electronic mail listed on the applicable form or notice.

## **8. Administration**

- 8.1 The Director administers this By-law and establishes 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 the Director deems necessary, without amendment to this By-law.

- 8.2 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 the Director deems necessary, without amendment to this By-law.
- 8.3 Any Administrative Fee(s) prescribed in the attached schedules shall be added to and be deemed part of the penalty amount unless otherwise rescinded by the Hearing Officer.
- 8.4 Where an Administrative Penalty is not paid by the date on which the Administrative Penalty is due and payable, the Person shall pay to the Town a Late Payment Fee, in addition to the Administrative Penalty and any applicable Administrative Fee(s) listed in Schedule B.
- 8.5 Where a Person makes payments to the Town of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), by negotiable instrument or credit card, for which there are insufficient funds available in the account on which the instrument was drawn, the Person shall pay to the Town the NSF Fee set out in the Town's Fees and Charges By-law.
- 8.6 An Administrative Penalty, including any Administrative Fee(s), that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Town owed by the Person.
- 8.7 Where an Administrative Penalty, and any applicable Administrative Fee(s) or Late Payment Fee(s), are not paid by the date on which they are due and payable, the Town shall enforce the payment of such fees in accordance with the applicable legislation and regulations, including but not limited to the ability to notify the Registrar of Motor Vehicles, resulting in plate denial. At the time that plate denial is requested a Plate Denial Fee will be added in accordance with the attached schedule and shall be added to the total debt owed to the Town.
- 8.8 Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any Administrative Fee(s) shall also be cancelled.
- 8.9 An Authorized Representative is permitted to appear on behalf of a Person at a Screening Review or Review by a Hearing Officer, or to communicate with the Town on behalf of a Person in accordance with a written authorization that is satisfactory to the

Director or Screening Officer.

- 8.10 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 8.11 A Person claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Director, or the Screening Officer, or the Hearing Officer, as applicable.
- 8.12 Any schedule attached to this By-law forms part of this By-law.

## 9. Severability

- 9.1 Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

## 10. Interpretation

- 10.1 Where words and phrases used in this By-law are defined in the *Highway Traffic Act* R.S.O, 1990, c. H. 8, but not defined in this By-law, the definitions in the *Highway Traffic Act* shall apply to such words and phrases.
- 10.2 The provisions in Part VI of the *Legislation Act*, 2006, S.O. 2006, c.21, Schedule "F", shall apply to this By-law.

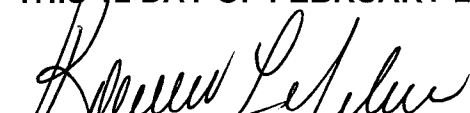
## 11. Short Title

- 11.1 This By-law may be referred to as the Administrative Monetary Penalties System or AMPS By-law.

## 12. Effective date

- 12.1 This By-law shall come into force and effect on May 1<sup>st</sup>, 2024.

**READ, A FIRST, SECOND, AND ADOPTED UPON THIRD READING  
THIS 12 DAY OF FEBRUARY 2024.**

  
Robert Lefebvre, Mayor

  
Sonia Girard, Clerk

## By-law N° 8-2024

### Schedule A

The following by-laws shall be considered Designated by-laws as defined in the AMPS by-law N° 8-2024:

<b>Designated By-law</b>	<b>Schedule</b>	<b>By-law Number</b>
Traffic By-law	A-1	28-2005
Parking By-law	A-1	27-2005

<b><u>Column 1</u></b> Item#	<b><u>Column 2</u></b> Short form wording	<b><u>Column 3</u></b> Provision creating or defining offence	<b><u>Column 4</u></b> Set fines
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For the purposes of all of Schedule A of this By-law, the tables will be set out as follows:

Column 1 sets out the item number.

Column 2 sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.

Column 3 lists the sections where the provisions can be found in the designated by-law, as amended.

Column 4 sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

## Schedule "A-1"

### By-law N° 27-2005 (Parking) as amended

Item#	Parking Infractions	BY-LAW No. 27 -2005	Penalty Amount
1.	Two-way street - parked facing wrong way	Sec 8.1	85.00
2.	Park more than 15 cm from the edge of the highway	Sec 8.3	85.00
3.	Park in angled parking space - improper angle	Sec 8.4	85.00
4.	One way street - parked facing wrong way	Sec 8.5 a)	85.00
5.	One way street – Park on left-hand side on any street or highway	Sec 8.5 b)	85.00
6.	Park or leave standing an abandoned vehicle on any street or highway	Sec 9 a)	150.00
7.	Double park	Sec 9 b)	85.00
8.	Park on or over sidewalk	Sec 9.1	85.00
9.	Park in front of public or private driveway	Sec 9.2	85.00
10.	Park within 15 meters of an intersection	Sec 9.3	85.00
11.	Park within 3 meters of a fire hydrant	Sec 9.4	100.00
12.	Park within 9 meters of a crosswalk	Sec 9.5	85.00
13.	Park on or over a crosswalk	Sec 9.6	100.00
14.	Park on any bridge or the approaches thereto	Sec 9.7	100.00
15.	Park so as to obstruct the free flow of traffic	Sec 9.8	200.00
16.	Park - prevent removal of previously parked vehicle	Sec 9.9	100.00
17.	Park in front of entrance to hotel	Sec 9.10	85.00
18.	Park in front of entrance to office building	Sec 9.11	85.00
19.	Park in front of entrance to any merchant store	Sec 9.12	85.00
20.	Park in front of entrance to an hospital	Sec 9.13	300.00
21.	Park in front of entrance to theatre or auditorium	Sec 9.14	85.00
22.	Park in front of entrance to any church	Sec 9.15	85.00
23.	Park in front of entrance to any arena	Sec 9.16	85.00
24.	Park in front of entrance to a place of amusement	Sec 9.17	85.00
25.	Park on private property without consent of owner or occupant	Sec 9.18	200.00
26.	Obstruct the visibility or safe egress to or from private or public driveway or highway	Sec. 9.19	85.00
27.	Park within 24 meters of any point designated bus or coach stop	Sec 10.1	85.00
28.	Stop within 30 meters of a school crossing zone	Sec 10.2	85.00
29.	Stop at signalized intersection within 20 meters of the intersecting street lines	Sec 10.3	85.00
30.	Park in NO parking area	Sec 10.4	150.00



31.	Park in excess of posted time limits	Sec 10.4	85.00
32.	Stop in a school bus loading zone	Sec 10.5	150.00
33.	No parking - Parking Pass not displayed	Sec. 10.6	150.00
34.	Park between 00:00 / 07:00 local time between Nov.15 to April 15	Sec 12	150.00
35.	Stand illegally in a designated disabled person parking space	Sec 13.1	400.00
36.	Park, stop or leave standing a vehicle in a designated disabled person parking space	Sec 13.4	400.00
37.	Park or leave standing a vehicle on a Fire Route (except if loading or unloading)	Sec 14.2	200.00
38.	Stand in a designated taxicab parking space	Sec 15.1	85.00
39.	Parking meter - failure to use	Sec 16.1	85.00
40.	Park in space where the time allotted in the parking meter has expired	Sec 16.2 a)	40.00
41.	Park in space where parking meter is covered	Sec 16.2 b)	40.00
42.	Park in a space where meter is defective	Sec 16.2 c)	40.00
43.	Park in space where meter is removed from its standard	Sec 16.2 d)	40.00
44.	Parallel park in metered space - front wheels of vehicle not opposite meter - single meter standard	Sec 16.4 a)	40.00
45.	Parallel park in metered space - vehicle rear not close to forward meter - double meter standard	Sec 16.4 b)	40.00
46.	Park in metered space - vehicle front not opposite or close to parking meter	Sec 16.4 c)	40.00
47.	Park - not wholly within metered parking space	Sec 16.5	85.00
48.	Park oversize vehicle in more than one parking space - insufficient coin deposited for meters used	Sec 16.6	85.00
49.	Park in a loading zone	Sec 18	100.00
50.	Stop in a loading zone	Sec 18	75.00
51.	Park on sidewalk during loading or unloading of goods, wares or merchandise	Sec 20	150.00
52.	Park a vehicle that interferes with snow or ice removal	Sec 23	150.00
53.	Park a heavy truck on any streets	Sec 24.1	150.00
54.	Storing of a recreational vehicle including boats in a residential area	Sec 24.4	150.00
55.	Park a trailer without being attached to a motor vehicle	Sec 25	100.00
56.	Stop in no stopping area	Sec 25 A.1	150.00

## Schedule "A-1"

### By-law N° 28-2005 (Traffic) as amended

Item#	TRAFFIC	BY-LAW 28-2005	Penalty Amount
1.	Drive a heavy truck on a highway where prohibited	Sec 17.1	250.00
2.	Drive a heavy truck not respecting the reduced load period	Sec 17.3 (1)	250.00
3.	Drive vehicle transporting dangerous material	Sec 18	400.00
4.	Drive a heavy load in excess of lawful limits without a special permit issued by the Director of Technical Services	Sec 19	300.00
5.	Drive a vehicle using Jake brakes	Sec 20	300.00
6.	Fail to yield right-of-way to pedestrian upon sidewalk	Sec 21	200.00
7.	Drive vehicle within 90 m of a fire, fire apparatus, or fire fighting equipment	Sec 23.1	150.00
8.	Drive vehicle over fire hose on highway	Sec 23.2	400.00
9.	Drive a vehicle in a race	Sec 24	400.00
10.	Drive a vehicle on a bet or a wager	Sec 24	400.00
11.	Drive vehicle – fail to clear intersection	Sec 25.1	200.00
12.	Drive or operate vehicle in contravention of sign or signal – special regulations	Sec 26	100.00
13.	Drive or operate vehicle – interrupt funeral procession/cortege while in motion	Sec 27.1	300.00
14.	Fail to drive near right-hand edge of roadway while in a funeral procession/cortege	Sec 27.2	90.00
15.	Fail to follow vehicle ahead close as practicable – while in a funeral procession/cortege	Sec 27.2	90.00
16.	Fail to safely follow vehicle ahead while in funeral procession/cortege	Sec 27.2	90.00
17.	Drive a vehicle on a sidewalk	Sec 28.1	300.00
18.	Ride a skateboard on a sidewalk	Sec 28.1	30.00
19.	Roller-skate on a sidewalk	Sec 28.1	30.00
20.	Ride a scooter on sidewalk	Sec 28.1	100.00
21.	Drive vehicle over raised curb or over a sidewalk	Sec 28.2	100.00
22.	Drive bicycle on a sidewalk – fail to yield to pedestrian	Sec 28.4	100.00
23.	Drive bicycle on sidewalk – fail to give audible signal before overtaking or passing pedestrian	Sec 28.4	100.00
24.	Board vehicle in motion	Sec 29	90.00
25.	Alight from vehicle in motion	Sec 29	90.00
26.	Disobey traffic control signal or device	Sec 30	100.00

27.	Disobey authorized sign	Sec 30	100.00
28.	Disobey official sign	Sec 30	100.00
29.	Disobey directions by police officer	Sec 30	300.00
30.	Disobey directions by a regulating traffic officer	Sec 30	300.00
31.	Pedestrian fail to yield to vehicle on roadway	Sec 33	150.00
32.	Walk on the roadway	Sec 34	100.00
33.	Disobey pedestrian barrier	Sec 35	200.00
34.	Play on a roadway	Sec 36.1	50.00
35.	Take part in a game/sport on a roadway	Sec 36.1	50.00
36.	Ride on a children's wagon or toboggan on a roadway	Sec 36.2	150.00
37.	Drive bicycle – fail to drive near right-hand side of roadway	Sec 38.1 a)	150.00
38.	Drive bicycle – pass parked or stopped vehicle – unsafely	Sec 38.1 b)	150.00
39.	Drive bicycle – pass standing vehicle – unsafely	Sec 38.1 b)	150.00
40.	Drive bicycle -unsafely overtake moving vehicle	Sec 38.1 b)	150.00
41.	Drive bicycle – fail to drive near side of roadway – one way traffic	Sec 38.2 a)	150.00
42.	Drive bicycle – pass parked or stopped vehicle – not in safety – one way traffic	Sec 38.2 b)	150.00
43.	Drive bicycle – pass standing vehicle – not in safety – one way traffic	Sec 38.2 b)	150.00
44.	Drive bicycle - overtake moving vehicle - unsafely - one way traffic	Sec 38.2 b)	150.00
45.	Drive bicycle on roadway – not in single file	Sec 38.3	150.00
46.	Drive bicycle – fail to keep both hands on handlebars	Sec 38.4	150.00
47.	Ride bicycle – fail to keep feet on pedals while in motion	Sec 38.5	150.00
48.	Place bicycle on a highway - obstruct pedestrian traffic	Sec 38.6	150.00
49.	Place bicycle on a highway – obstruct vehicular traffic	Sec 38.6	150.00
50.	Move authorized sign or official sign	Sec 43	150.00
51.	Move traffic control signal, marking control device, or traffic control device	Sec 43	150.00
52.	Remove authorized sign or official sign	Sec 43	150.00
53.	Remove traffic control signal, marking control device, or traffic control device	Sec 43	150.00
54.	Interfere with authorized sign or official sign	Sec 43	150.00
55.	Interfere with traffic control signal, marking control device, or traffic control device	Sec 43	150.00
56.	Drive over freshly applied roadway marking material	Sec 44.1	150.00
57.	Drive over or into roadway marker	Sec 44.2	150.00

## Schedule B

### By-law N° 8-2024

The following Administrative Fees shall be considered Administrative Fees as defined in the Administrative Monetary Penalty System By-Law (AMPS):

<b>Administrative Fee Description</b>	<b>Fee Amount</b>
Adjournment Fee	15.00
Late Payment Fee	15.00
Adjudication Fee	25.00
Hearing Non-Appearance Fee	100.00
MTO fee or SAAQ Fee	20.00
Plate Denial Request Fee	25.00
Screening Non-Appearance Fee	50.00
Service by Mail Fee	15.00
Property Search	40.00



<b>Statement of Penalty Notice Recipient</b>	
I represent and warrant that:	
<input type="checkbox"/> -I am the registered owner of the vehicle bearing the numbered plate specified in the Penalty Notice (for Parking Penalty Notices only); or <input type="checkbox"/> -I am the person named on the Penalty Notice (for Non-Parking Penalty Notices only); or <input type="checkbox"/> -I am a third-party agent authorized in writing to act on behalf of the vehicle owner named in the penalty notice and I will provide written authorization of such to the Screening Officer. <u>Consent Form</u> (only if using a third-party agent)	
I acknowledge that if I fail to appear and to remain at my scheduled In-Person Screening until my matter has been determined by the Screening Officer, I will be deemed to have abandoned my request for a Screening, the Administrative Penalty will be affirmed, and I will be liable for an additional non-appearance fee as per the AMPS By-Law, and Personal information obtained through use of this form is collected and used for the purpose of administering legal process pursuant to the <i>Municipal Act</i> .	
<b>Signature mandatory for a Screening Review</b>	
Signature	Date

<b>Instructions for Submitting In-Person Screening Request Form</b>
Please submit your completed form to the Town of Hawkesbury by:
a) In person at Town Hall, Door 1, 600 Higginson Street, Hawkesbury, ON K6A 1H1
b) Emailed scanned copy to: <a href="mailto:infobylaw@hawkesbury.ca">infobylaw@hawkesbury.ca</a>
c) By fillable form available online at <a href="http://www.hawkesbury.ca/en/amps/">www.hawkesbury.ca/en/amps/</a>

Screenings will be held every Tuesday, Thursday, and Friday at the times specified below.

<b>Complete this section to attend an In-Person Screening</b>	
<ul style="list-style-type: none"> <li>Please check your preferred Screening appointment day and time below. (please choose at least 2) Screenings will be scheduled for the next available day selected.</li> <li>Your preference for a date and time will be considered but cannot be guaranteed.</li> <li>If submitting your request by email, a notice will be sent to you confirming the date and time of your Screening appointment.</li> <li>In-Person Screening appointments cannot be rescheduled or adjourned.</li> <li>If you fail to attend your Screening Review, an administration fee will be added to the Penalty amount.</li> </ul>	
<b>Please check off your desired day and time</b>	
Tuesday	<input type="checkbox"/> 11:30 a.m. <input type="checkbox"/> 11:45 a.m. <input type="checkbox"/> 12:00 p.m. <input type="checkbox"/> 12:15 p.m. <input type="checkbox"/> 12:30 p.m. <input type="checkbox"/> 12:45 p.m.
Thursday	<input type="checkbox"/> 1:30 p.m. <input type="checkbox"/> 1:45 p.m. <input type="checkbox"/> 2:00 p.m. <input type="checkbox"/> 2:15 p.m. <input type="checkbox"/> 2:30 p.m. <input type="checkbox"/> 2:45 p.m.
Friday	<input type="checkbox"/> 9:00 a.m. <input type="checkbox"/> 9:15 a.m. <input type="checkbox"/> 9:30 a.m. <input type="checkbox"/> 9:45 a.m. <input type="checkbox"/> 10:00 a.m. <input type="checkbox"/> 10:15 a.m.

<b>FOR INTERNAL USE ONLY</b>		
<b>Application Received</b>		<b>Appointment Information</b>
Date Stamp:	Appointment Date	Appointment Time
	Notified by:	Date Notified
	<input type="checkbox"/> Email <input type="checkbox"/> Phone <input type="checkbox"/> In Person	
<b>Screening Decision</b>		
Screening Officer's Signature	Date	

Personal information contained on this form is collected and will be used for the purpose of administering the Town's Administrative Penalty process. Questions about this collection should be directed to the Town of Hawkesbury at 613-632-1105 or emailed to: [infobylaw@hawkesbury.ca](mailto:infobylaw@hawkesbury.ca)



<b>Statement of Penalty Notice Recipient</b>	
I represent and warrant that:	
<input type="checkbox"/>	I am the registered owner of the vehicle bearing the numbered plate specified in the Penalty Notice (for Parking Penalty Notices only); or
<input type="checkbox"/>	I am the person named on the Penalty Notice (for Non-Parking Penalty Notices only); or
<input type="checkbox"/>	I am a third-party agent authorized in writing to act on behalf of the vehicle owner named in the penalty notice and I will provide written authorization of such to the Hearing Officer. <u>Consent Form</u> (only if using a third-party agent)
I acknowledge that if I fail to appear and to remain at my scheduled In-Person Hearing until my matter has been determined by the Hearing Officer, I will be deemed to have abandoned my request for a Hearing, the Administrative Penalty will be affirmed, and I will be liable for an additional nonappearance fee as per the AMPS By-Law, and Personal information obtained through use of this form is collected and used for the purpose of administering legal process pursuant to the <i>Municipal Act</i> .	
<b>SIGNATURE MANDATORY FOR HEARING REVIEW</b>	
Signature	Date

<b>Instructions for Submitting In-Person Hearing Request Form</b>
Please submit your completed form to the Town of Hawkesbury by:
a) In person at Town Hall, Door 1, 600 Higginson Street, Hawkesbury, ON K6A 1H1
b) Emailed scanned copy to: <a href="mailto:infobylaw@hawkesbury.ca">infobylaw@hawkesbury.ca</a>
c) By fillable form available online at <a href="http://www.hawkesbury.ca/en/amps/">www.hawkesbury.ca/en/amps/</a>

<b>Hearings will be held with the availability of the Hearing Officer</b>
<ul style="list-style-type: none"> <li>Hearings will be scheduled for the next available date.</li> <li>A Notice will be sent to you confirming the date and time of your Hearing appointment.</li> <li>If submitting your request by mail, or an email scanned copy, a notice will be sent to you confirming the date and time of your Hearing appointment.</li> <li>In-Person Hearing appointments cannot be rescheduled or adjourned.</li> <li>If you fail to attend your Hearing Review, additional administrative fees will be added to the Penalty amount.</li> </ul>

<b>FOR INTERNAL USE ONLY</b>		
<b>Application Received</b>		<b>Appointment Information</b>
Date Stamp:	Appointment Date	Appointment Time
	Notified by:	Date Notified
	<input type="checkbox"/> Email	
	<input type="checkbox"/> Phone <input type="checkbox"/> In Person	
<b>Hearing Decision</b>		
Hearing Officer's Signature	Date	

Personal information contained on this form is collected and will be used for the purpose of administering the Town's Administrative Penalty process. Questions about this collection should be directed to the Town of Hawkesbury at 613-632-1105 or emailed to: [infobylaw@hawkesbury.ca](mailto:infobylaw@hawkesbury.ca)