



# Staff Report

## Operations

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**Report To:** Council Meeting  
**Meeting Date:** May 8, 2023  
**Report Number:** CSOPS.23.028  
**Title:** Amendment to the Administrative Monetary Penalties By-Law 2021-71  
**Prepared by:** Shawn Carey, Director of Operations

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### A. Recommendations

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THAT Council receive Staff Report CSOPS.23.028, entitled "Amendment to the Administrative Monetary Penalties By-Law 2021-71";

AND THAT Council directs Staff to schedule a Public Meeting on May 30, 2023, to consider the proposed updates to the Administrative Monetary Penalties By-Law 2021-71.

### B. Overview

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Staff are seeking to amend the [Administrative Monetary Penalties By-Law 2021-71](#) to reference the inclusion of Administrative Monetary Penalties (AMPs) in the following designated by-laws: Cross Connection and Backflow Prevention By-law 2013-31; Sewer Use By-Law 2019-62; and the Regulation of Water Supply By-law 2008-02.

### C. Background

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The By-law to Establish a Comprehensive System of Administrative Monetary Penalties for the Town of The Blue Mountains (AMP By-law) is a robust system of administering and imposing AMPs. AMPs are a means to impose penalties on offenders without having to pursue the timely, complex and more serious Provincial Offences process. Provincial Offences still apply to the By-law but no person can be charged with an Offence under the Provincial Offences Act for a contravention dealt with under the AMP By-law.

The AMP regime (as laid out in the AMP By-law) establishes a robust hearing system which includes a Screening Officer who reviews penalties issued under the AMP system and a formal Hearing Officer program.

Hearing Officers are not employees of the Town or Councillors, they are independent adjudicators who hear appeals and objections to penalties under the AMP and the decisions of Screening Officers. This is a quasi-judicial tribunal with independent members who are paid a per-diem by the Town for their service in this role.

## **D. Analysis**

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The AMP By-Law sets out a process for all regulatory by-laws to which an AMP may apply. These regulatory by-laws are referred to in the by-law as designated by-laws. An amendment to the AMP By-Law is required in order to designate the following by-laws and thereby include AMPs: Cross Connection and Backflow Prevention By-law 2013-31; Sewer Use By-Law 2012-71; and the Regulation of Water Supply By-law 2008-02. Schedule A of the proposed amendment to the By-law (Attachment 2) lists the amendments to the appropriate by-laws listed above. The specific amendments and/or updates to these by-laws will be addressed under a separate Staff Report.

### **Next Steps**

Staff are recommending a Public Meeting be held on May 30, 2023, including a follow up Staff Report for Council to a future Committee of the Whole meeting.

## **E. Strategic Priorities**

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### **1. Communication and Engagement**

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

### **2. Organizational Excellence**

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

### **3. Community**

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

### **4. Quality of Life**

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

## **F. Environmental Impacts**

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The proposed additions to the AMPs By-Law will aid in achieving compliance, reduce the risk to the environment and to the operation, maintenance and quality of the Town's drinking water and wastewater system.

## **G. Financial Impacts**

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N/A

## **H. In Consultation With**

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Corrina Giles, Town Clerk

Debbie Young, Interim Manager of Bylaw & Licensing

Wayne DeWitt, Supervisor, By-Law Services

## **I. Public Engagement**

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The topic of this Staff Report will be the subject of a Public Meeting in accordance with the following schedule:

- May 8, 2023, Council –considered by Council
- May 9, 2023, Public Meeting Notice posted on Town Website
- May 11 & May 18, 2023, Public Meeting advertised in the Collingwood Connection;
- May 30, 2023, Public Meeting
- June 6, 2023, Committee of the Whole – Follow-up report to the Public Meeting, attaching comments received in response to the Public Meeting
- June 19, 2023, Council – recommendation from Committee of the Whole considered by Council, and related By-law.

Any comments regarding this report should be submitted to Shawn Carey, Director of Operations [directorops@thebluemountains.ca](mailto:directorops@thebluemountains.ca).

## **J. Attached**

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1. Notice of Public Meeting
2. Draft By-Law Amendment

Respectfully submitted,

Shawn Carey  
Director of Operations

For more information, please contact:  
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**Report Approval Details**

Document Title:	CSOPS.23.028 Amendment to the Administrative Monetary Penalties By-Law 2021-71.docx
Attachments:	- Attachment 1 Notice of Public Meeting.pdf - Attachment 2 Draft By-Law Amendment.pdf
Final Approval Date:	Apr 28, 2023

This report and all of its attachments were approved and signed as outlined below:

**Shawn Carey - Apr 28, 2023 - 1:09 PM**