

**The Corporation of the Town of Caledon By-law Number \_\_\_\_\_**

**Being a By-law to establish an Administrative Monetary Penalty System in the Town of Caledon**

**WHEREAS** sections 8, 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (the "*Municipal Act, 2001*") authorize The Corporation of the Town of Caledon to pass by-laws necessary or desirable for municipal purposes;

**AND WHEREAS** section 102.1 of the *Municipal Act, 2001* 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** the Province adopted the "Administrative Penalties" regulation, O.Reg. 333/07 pursuant to the *Municipal Act, 2001* which applies to administrative penalties in respect of the parking, standing or stopping of vehicles;

**AND WHEREAS** section 434.1 of the *Municipal Act, 2001* authorizes the Town 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 21.1 of the *Highway Traffic Act*, R.S.O. 1990, c.H.8 (the "Highway Traffic Act") and O. Reg. 355/22, as amended, authorizes a municipality to establish an administrative penalty system for vehicle-based contraventions detected using red-light cameras and automated speed enforcement cameras to promote compliance with the *Highway Traffic Act* and its regulations;

**AND WHEREAS** section 21.1 of the *Highway Traffic Act* authorizes a municipality to impose an administrative penalty in order to promote compliance with this Act and its regulations, when it is satisfied that a person is contravening or not complying with or has contravened or failed to comply with a prescribed provision of this Act or of the regulations; and impose penalty orders, including for the vehicle-based contraventions captured by the Automated Speed Enforcement System under Part XIV.1 and Red Light Camera enforcement system under Part XIV.2, of the *Highway Traffic Act*;

**AND WHEREAS** section 144(18) of the *Highway Traffic Act* requires drivers to stop their vehicles when approaching and facing, a traffic control signal showing a circular red indication and not proceeded until a green indication is shown, and O.Reg. 355/22, as amended, authorizes penalty orders to be imposed for contraventions of subsection 144(18) where the evidence is obtained through the use of a red light camera system under Part XIV.2 of the *Highway Traffic Act*;

**AND WHEREAS** the purpose of the system of administrative monetary penalties established by the municipality shall be to assist the municipality by promoting compliance with its by-laws and other applicable laws and regulations;

**AND WHEREAS** sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act, 2001* authorize the Town to delegate its administrative and hearing powers;

**AND WHEREAS** pursuant to section 391 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws imposing fees or charges for costs payable by it for services or activities, and services or activities provided or done by or on behalf of the municipality;

**AND WHEREAS** Section 398 of the *Municipal Act, 2001* authorizes the Town to impose a fee or charge as a debt owing to the Town and can be added to the tax rolls and collected in the same manner as taxes;

**AND WHEREAS** the Council for the Town of Caledon considers it desirable and necessary to provide for a system of administrative penalties and administrative fees for the purpose of assisting the Town in promoting compliance with the designated by-laws;

**NOW THEREFORE** the Council of The Corporation of the Town of Caledon hereby enacts as follows:

### **PART 1 – SHORT TITLE**

1. This By-law shall be known and cited as the “Administrative Monetary Penalty By-law”.

### **PART 2 – DEFINITIONS**

- 2.1 Where words and phrases used in this By-law are not defined herein but are defined in the *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended, the definition in the *Highway Traffic Act* shall apply.

- 2.3 In this by-law, the following words have the following meanings:

“**Administrative Fee**” means any fees specified in Schedule “C” of this By-law, as may be amended from time to time, and fees specified in Ontario Regulation 355/22 under the *Highway Traffic Act*;

“**Administrative Penalty**” means a monetary penalty issued by means of a Penalty Order or Penalty Notice, as set out in this By-law for a Contravention of a Designated By-law or the *Highway Traffic Act*;

“**Appeal**” means either a screening review or hearing review of a Penalty Order requested within the prescribed period of time and issued in accordance with this By-law or the *Highway Traffic Act*;

“**Appear**” means to attend in-person, remotely by telephone, or virtually through video conference at the time, place, telephone number or video conference link scheduled for the review or appeal by a Screening or Hearing Officer;

“**Appellant**” means a Person that has received a Penalty Order imposed by the Town and chooses to Appeal the Administrative Penalty by having it reviewed by a Screening Officer or a Hearing Officer;

“**By-law**” means this by-law and any schedule to this by-law as they may be amended from time to time;

**“Commissioner”** means the Person or designate or successor with decision making authority and overall responsibility for the Administrative Monetary Penalty System at the Town;

**“Contravener”** means a Person or Owner that has received a Penalty Notice imposed by the Town and chooses to challenge the Administrative Penalty by having it reviewed by a Screening Officer or a Hearing Officer;

**“Contravention”** means a failure to comply with a provision listed in a Designated By-law, outlined in the Schedules of this By-law or the *Highway Traffic Act*.

**“Day”** means calendar day;

**“Designated By-law”** means a Town by-law, or a part or provision of a Town by-law, to which this Administrative Penalty By-law applies, as designated under this By-law and listed in the attached Schedule “A” and “B”;

**“Early Payment Rate”** means a twenty five percent (25%) reduction in the Set Fine Amount for early payment in accordance with Section 4.6(a) of this By-law that is payable for Contraventions listed in Schedule “A” of this By-law;

**“Effective Date of Service”** means the date on which service of a Penalty Notice or a Penalty Order is deemed to be effective in accordance with this By-law;

**“Hearing Decision”** means the decision of a Hearing Officer;

**“Hearing Officer”** means a Person appointed by the Town pursuant to the Screening and Hearing Officer By-law, to perform the duties of a Hearing Officer in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*, Ontario Regulation 333/07 under the *Municipal Act, 2001*, and pursuant to the Town’s Hearing policies;

**“Holiday”** means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day on which the offices of the Town are officially closed for business;

**“Issuing Officer”** means each of:

- (a) A Municipal Law Enforcement Officer appointed by the Town to enforce its by-laws, and pursuant to Section 55(2) of the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1;
- (b) A police officer employed by a Police Service; and
- (c) A person prescribed as an authorized person for the purposes of subsection 21.1(2) of the *Highway Traffic Act*;

**“Late Payment Fee”** means an Administrative Fee authorized under the *Highway Traffic Act*, and established by Council in respect of a Person’s failure to pay an Administrative Penalty within the time prescribed in this By-law and listed in Schedule “C”;

**“MTO Search Fee”** means an Administrative Fee authorized under the *Highway Traffic Act*, and established by Council for any search of the records of or any inquiry to the Ontario Ministry of Transportation, or related authority for the purposes of this By-law, as listed in Schedule “C”;

**“Non-Appearance Fee”** means an Administrative Fee authorized under the *Highway Traffic Act*, and established by the Town in cases where a Person fails to appear, electronically or by other means, at the scheduled time and place for a screening or a hearing before a Screening or Hearing Officer, as listed in Schedule “C”;

**“Penalty Notice”** means a notice detailing an Administrative Penalty given to a Person pursuant to section 4 of this By-law;

**“Penalty Notice Date”** means the date of the contravention specified on the Penalty Notice;

**“Penalty Order”** means an administrative penalty given pursuant to Section 6 of this By-law in accordance with subsection 21.1(2) of the *Highway Traffic Act*, for Contraventions detected using automated camera systems;

**“Penalty Order Date”** means the date of the contravention specified on the Penalty Order;

**“Person”** includes an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in his or her capacity as a trustee, executor, administrator or other authorized agent;

**“Set Penalty Amount”** means the amount that is payable in respect of a Contravention of a By-law as identified in Schedule “A” or Schedule “B” of this By-law, or a Contravention of the *Highway Traffic Act*;

**“Screening Decision”** means a notice which contains the decision made by a Screening Officer;

**“Screening and Hearing Officer By-law”** means the Screening and Hearing Officer By-law of the Town, as amended from time to time, or any successor thereof;

**“Screening Officer”** means a Person appointed by the Town pursuant to the Screening and Hearing Officer By-law, to perform the duties of a Screening Officer in accordance with this By-law, Ontario Regulation 355/22 under the *Highway Traffic Act*, Ontario Regulation 333/07 under the *Municipal Act, 2001*, and pursuant to the Town’s Screening policies;

**“Town”** means The Corporation of the Town of Caledon and the geographical limits of the Town of Caledon;

**“Vary”** means the reduction of an Administrative Penalty amount or extension of time for payment of an Administrative Penalty amount; and

**“Victim Component Fee”** means a fee collected under Ontario's Victims' Bill of Rights to help support victims of criminal offences and is required to be collected on behalf of the Province to the Victims’ Justice Fund Account, pursuant to Ontario Regulation 355/22 under the *Highway Traffic Act*.

### **PART 3 – APPLICATION, ADMINISTRATION, AND INTERPRETATION**

3.1 The Town’s Commissioner, Corporate Services/Chief Legal Officer shall administer this By-law and is delegated the power to:

- (a) Designate locations within the Town and times, for conducting reviews and hearings under this By-law;
  - (b) Prescribe all forms, notices, guidelines, practices, processes and procedures, necessary to implement this By-law and the administrative penalty system, and to amend the same from time to time as deemed necessary without amendment to this By-law; and
  - (c) Appoint Screening Officers for the purposes of this By-law, including to review Appeals.
- 3.2 Town By-laws or portions of Town By-laws which are listed in Schedules to this By-law shall be Designated By-laws for the purposes of Section 102.1 of the *Municipal Act, 2001*, and Section 3(1)(b) of the Regulation; and the provisions of this By-law shall apply to any contravention of a Designated By-law. The schedule shall set out the short form wording to be used for the contraventions of Designated By-laws and set out the Administrative Penalties imposed for the contraventions. The *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, does not apply to a contravention of a Designated By-law under this section.
- 3.3 Town By-laws or portion of Town By-laws which are listed in Schedule “B” to this By-law shall be Designated By-laws for the purposes of Section 434.1 of the *Municipal Act, 2001*; and the provisions of this By-law shall apply to any contravention of a Designated By-law. The schedule shall set out the short form wording to be used for the contraventions of Designated By-laws and also set out the Administrative Penalties imposed for the contraventions.
- 3.4 This By-law applies to those contraventions included in *Highway Traffic Act Regulation 355/22*, to impose administrative penalties for contraventions detected using camera systems.
- 3.5 The Administrative Penalties designated in Schedules “A” and “B” to this By-law shall be dealt with by Penalty Notice.
- 3.6 The Administrative Penalties issued under the *Highway Traffic Act* shall be dealt with by Penalty Order.
- 3.7 The attached Schedule “C” of this by-law sets out the Administrative Fees imposed for purposes of this By-law.
- 3.9 Issuing an Administrative Penalty does not restrict the Town from starting other proceedings or seeking additional remedies to prevent ongoing or repeated violation(s) of a Designated By-law including but not limited to information in accordance with Part III of the *Provincial Offences Act*.
- 3.12 Where the contravention of a Designated By-law is continuous, each day the Contravention continues shall constitute a new and separate offence.
- 3.13 Neither a Screening Officer nor a Hearing Officer has jurisdiction 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.

- 3.14 Where an Administrative Penalty is either partially or fully paid, any right to request a review or to request an extension of time to pay is automatically waived.
- 3.15 The Commissioner may cancel the Administrative Penalty at any time prior to a review by a Screening Officer.
- 3.16 A screening review is to be conducted by phone, email or virtually and the Screening Officer shall ensure that the Contravener or Appellant is informed of the determination.
- 3.17 A hearing review is to be conducted virtually or in-person, and a Hearing Officer shall ensure that the Contravener or Appellant is informed of the determination.
- 3.18 No Issuing Officer may accept payment of an Administrative Penalty.

### **Interpretation**

- 3.19 Nothing in this by-law prevents a Screening Officer or a Hearing Officer from seeking or receiving legal advice.
- 3.20 Reference(s) to any Provincial or Federal statute or legislation contained in this By-law shall include reference to any amendments to, modification, or re-enactment thereof and any successor statute or legislation.

### **Severability**

- 3.22 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, 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.

## **PART 4 – PENALTY NOTICES**

- 4.1 Every Person who contravenes a Designated By-law, or who is the Owner of a vehicle parked, stopped, or standing in contravention of a Designated By-law, shall upon issuance of a Penalty Notice, be liable to pay to the Town an Administrative Penalty in the amount specified in Schedule “A” or Schedule “B” of this By-law.
- 4.2 An Issuing Officer who has reason to believe that a Person has contravened a Designated By-law, or that a vehicle has been left parked, standing, or stopped in contravention of a Designated By-law, may issue a Penalty Notice addressed to the Person or Owner of a vehicle as soon as reasonably practicable.
- 4.3 A Penalty Notice shall include the following information:
  - (a) the Penalty Notice Date;
  - (b) a number that is unique to the Penalty Notice;
  - (c) the contravention wording listed in Schedule “A” or “Schedule “B” which describes the particulars of the contravention;

- (d) the amount of the Administrative Penalty;
- (e) the date on which the Penalty Notice is due payable;
- (f) such information as the Commissioner determines is appropriate respecting the process by which the Contravener may exercise their right to request a review of the Administrative Penalty;
- (g) a statement advising that an Administrative Penalty, including any Administrative Fee, will, unless cancelled or reduced pursuant to a review, constitute a debt of the Contravener to the Town;
- (h) the name of the issuing Officer; and
- (i) In instances where a vehicle has been left parked, standing, or stopped in contravention of a Designated By-law, the vehicle licence plate number or vehicle identification number.

4.4 Service of any document or notice, including a Penalty Notice, respecting this By-law may be given in any of the following ways and is effective:

- (a) when a copy is delivered to the Person to whom it is addressed;
- (b) on the seventh (7<sup>th</sup>) day after a copy is sent by registered mail or by regular mail to the Person's last known address;
- (c) upon sending a copy by e-mail transmission to the Person's last known e-mail address;
- (d) delivering it personally to an occupant at the last known address of the Person named in the Penalty Notice, who appears to be at least 16 years of age, as soon as reasonably practicable after the contravention.
- (e) in instances where a vehicle has been left parked, standing, or stopped in contravention of Schedule "A" of this By-law:
  - i) affixed to the vehicle in a conspicuous place at the time of the alleged infraction, or;
  - ii) delivered to the Person having care and control of the vehicle at the time of the alleged infraction.

4.5 For the purposes of subsections 4.4 (b), (c) and (d), a Person's last known address, and e-mail address may include an address, e-mail address provided by the Person to the Town as may be required by a form, practice or policy developed under this By-law.

4.6 The amount due for a Penalty Notice issued pursuant to Schedule "A" of this By-law is:

- (a) the Early Payment Rate for the related Contravention as set out in Schedule “A” if payment is received by the Town within fifteen (15) calendar days from the date of the Penalty Notice being deemed served in accordance with Section 4.4; or
- (b) the Set Penalty Amount set out in Schedule “A” of this By-law for the related Contravention if payment is received by the Town on and following sixteen (16) calendar days and before the thirtieth (30th) day from the date of the Penalty Notice being deemed served in accordance with Section 4.4; or
- (c) the Set Penalty Amount set out in Schedule “A” of this By-law, plus the Late Payment Fee, and MTO Search Fee, for the related Contravention as set out in Schedule “C” if payment is received by the Town on and following thirty-one (31) calendar days from the date of the Penalty Notice being deemed served in accordance with Section 4.4; and
- (d) any applicable administrative fees as set out in Schedule “C” of this By-law.

4.7 The amount due for a Penalty Notice issued pursuant to Schedule “B” to this By-law:

- (a) On a First Offence, the Set Penalty amount as set out in Schedule “B” for the related contraventions, if payment is received within thirty (30) days from the date of the Penalty Notice being deemed served in accordance with Section 4.4;
- (b) On a Second Offence, the Second Offence Penalty amount as set out in Schedule “B”, if payment is received within thirty (30) days from the date of the Penalty Notice being deemed served for the related Contravention if the same violation is repeated by the same Person within three-hundred and sixty-five (365) days of the previous Penalty Notice being deemed served in accordance with Section 4.4; or
- (c) On a Third Offence, the Set Penalty amount as set out in Schedule “B”, if payment is received within thirty (30) days from the date of the Penalty Notice being deemed served for the related Contravention if the same violation is repeated by the same Person three (3) or more times, within three-hundred and sixty-five (365) days of the previous Penalty Notice being deemed served in accordance with Section 4.4; or
- (d) The Set Penalty Amount as set out in Schedule “B” to this By-law, whether on a first, second or third offence plus the Late Payment Fee for the related Contravention as set out in Schedule “C” if payment is received by the Town on and following thirty-one (31) calendar days from the date of the Penalty Notice being deemed served in accordance with Section 4.4;
- (e) any applicable administrative fees as set out in Schedule “C” of this By-law.



## **PART 5 – PENALTY NOTICE REVIEWS**

- 5.1 A Person or Owner may, on their behalf, have a representative appear at a review by the Screening Officer, or have such representative communicate with the Town on their behalf in accordance with written authorization satisfactory to the Commissioner.
- 5.2 Person's right to request a review or an extension of a review is exercised by:
- (a) electronically submitting a request form available at the Town's website listed in the Penalty Notice; or
  - (b) attending in person at the location listed in the Penalty Notice to complete a request form;

### **Review by a Screening Officer**

- 5.3 A Person or Owner who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so within fifteen (15) days after the Effective Date of Service in accordance with section 5.2.
- 5.4 The Person or Owner served with the Penalty Notice may request that the Screening Officer extend the time to request a review within thirty (30) days after the Effective Date of Service in accordance with section 5.2. The Owner's right to request an extension of time expires if it has not been exercised within thirty (30) days after the date of service at which time:
- (a) The Person or Owner shall be deemed to have waived the right to request a review;
  - (b) the Administrative Penalty shall be deemed to be affirmed; and
  - (c) the Administrative Penalty shall not be subject to any further review, including review by any Court.
- 5.5 A review or a request for an extension of time to request a review shall only be scheduled by the Town if the Person or Owner has exercised his or her right to request a review or an extension of time to request a review within the provisions set out in sections 5.1, 5.2, 5.3 and 5.4.
- 5.6 Where the Contravener, or their representative fails to attend at the time and place scheduled for a review:
- (a) the Person or Owner shall be deemed to have abandoned the request for a review of the Administrative Penalty; and
  - (b) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be affirmed and is not subject to any further review, including by any Court; and
  - (c) the Person or Owner shall pay to the Town a Non-appearance Fee, and any applicable fees as set out in Schedule "C".
- 5.7 For the purposes of section 5.2, the Screening Officer may only extend the time to request a review of an Administrative Penalty where the Person or Owner demonstrates, on a

balance of probabilities, the existence of extenuating circumstances that warrant the extension of time. Where an extension of time is not granted by the Screening Officer, and no request for Screening nor payment is made by the options detailed on the Penalty Notice, the Administrative Penalty is deemed to be affirmed.

- 5.8 On a review of the Administrative Penalty, the Screening Officer may confirm the Administrative Penalty, or the Screening Officer may cancel, Vary, or extend the time for payment of the Administrative Penalty, including any Administrative Fee, in accordance with the following rules:
- (a) Where the Person or Owner establishes on a balance of probabilities, that the Owner did not contravene the designated by-law as described in the Penalty Notice; or
  - (b) Where the Person or Owner establishes on a balance of probabilities that the reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee, is necessary to relieve any undue financial hardship.
  - (c) In respect to considerations for undue financial hardship, the Person shall provide documented proof of financial assistance such as: (i) Old Age Security; (ii) Canada Pension; (iii) Guaranteed Income Supplement; (iv) Disability Pension; (v) Ontario Student Assistance Program; or (vi) any other form of social assistance.
  - (d) A reduction of an Administrative Penalty amount by a Screening Officer or Hearing Officer shall be limited to the Early Payment amount, except when unique or exceptional circumstances exist as determined by a Screening Officer.
  - (e) The amount of the Penalty Notice shall not be increased other than in accordance this By-law.

- 5.9 After a review has been held, the Screening Officer shall deliver a Screening Decision to the Owner or representative.

#### **Review by a Hearing Officer**

- 5.10 A Person or an Owner who receives a Screening Decision may request a review of the Screening Decision by a Hearing Officer and shall do so within 15 days after the Screening Decision has been delivered to the Person.
- 5.11 If a Person or Owner has not requested a review within the time limit set out in section 5.10, a Person may request that the Hearing Officer extend the time to request a review within 30 days of the Screening Decision being delivered to the Person. A Person's right to request an extension of time expires if it has not been exercised within 30 days after the Screening Decision has been delivered at which time:
- (a) the Person or Owner shall be deemed to have waived the right to request a hearing;
  - (b) the Screening Decision, Administrative Penalty, and any Administrative Fees, if applicable as modified in the Screening Decision, shall be deemed to be affirmed; and

- (c) the Screening Decision, Administrative Penalty, and any Administrative Fees shall not be subject to any further review, including review by any Court.
- 5.12 Where the Person or Owner fails to attend at the time and place scheduled for a review:
  - (a) the Person or Owner shall be deemed to have abandoned the request for a review of the Screening Decision; and
  - (b) the Person or Owner shall pay to the Town a Non-Appearance Fee, and any applicable fees as set out in Schedule "C"; and
  - (c) the Screening Decision, Administrative Penalty, and any Administrative Fees shall not be subject to any further review, including review by any Court.
- 5.13 A review or a request for an extension of time to request a review shall only be scheduled by the Town if the Person or Owner has exercised his or her right to request a review or an extension of time to request a review within the time limits set out in sections 5.10 or 5.11.
- 5.14 Where a Person or Owner fails to attend at the time and place scheduled for a review by the Hearing Officer:
  - (a) the Person or Owner shall be deemed to have abandoned the request for a review of the Screening Decision;
  - (b) the Screening Decision, Administrative Penalty, and any Administrative Fees, if applicable as modified in the Screening Decision, shall be deemed to be final and are not subject to any further review, including by any Court;
  - (c) the Administrative Penalty, and any Administrative Fees, if applicable as modified in the Screening Decision, is deemed to be affirmed on the date the Screening Decision was delivered to the Person; and
  - (d) the Person or Owner shall pay to the Town a Hearing Non-Appearance Fee.
- 5.15 For the purposes of section 5.11, the Hearing Officer may only extend the time to request a review of a Screening Decision where the Person or Owner demonstrates, on a balance of probabilities, the existence of extenuating circumstances that warrant the extension of time.
- 5.16 Where an extension of time is not granted by the Hearing Officer the Screening Decision, Administrative Penalty, and any Administrative Fees, if applicable as modified in the Screening Decision, are deemed to be affirmed.
- 5.17 On a review of a Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel, Vary or extend the time for payment of the Administrative Penalty, including any Administrative Fee, in accordance with the following rules:

- (a) Where the Person or Owner establishes a balance of probabilities, that the Person or Owner did not contravene the Designated By-law as described in the Penalty Notice; or
  - (b) Where the Person or Owner establishes on a balance of probabilities, that the reduction or extension of time for payment of the Administrative Penalty including any Administrative Fee, is necessary to relieve any undue hardship.
  - (c) In respect to considerations for undue financial hardship, the Person shall provide documented proof of financial assistance such as: (i) Old Age Security; (ii) Canada Pension; (iii) Guaranteed Income Supplement; (iv) Disability Pension; (v) Ontario Student Assistance Program; or (vi) any other form of social assistance.
  - (d) A reduction of an Administrative Penalty amount by a Hearing Officer shall be limited to the Early Payment amount, except when unique or exceptional circumstances exist as determined by a Hearing Officer.
  - (e) The amount of the Penalty Notice shall not be increased other than in accordance this By-law.
- 5.18 All hearings conducted by the Hearing Officer shall be in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
- 5.19 After a hearing is complete, the Hearing Officer shall issue to the Person a Hearing Decision.
- 5.20 Any decision by a Hearing Officer is final.
- 5.21 Neither a Screening Officer nor a Hearing Officer has jurisdiction 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.

## **PART 6 – PENALTY ORDERS**

- 6.1 Where an Issuing Officer is satisfied that a person is contravening or not complying with or has contravened or failed to comply with a prescribed provision of the *Highway Traffic Act* or its regulations, an Issuing Officer may, by Penalty Order, impose an administrative penalty on the person in accordance with section 21.1 of the *Highway Traffic Act* and its regulations.
- 6.2 Where a Person is served a Penalty Order, the Person shall be liable to pay the Town an Administrative Penalty as set out in Ontario *Regulation 355/22* under the *Highway Traffic Act* and any related Administrative Fees as set out in Schedule “C”.
- 6.3 If a Penalty Order is imposed in respect of a motor vehicle involved in a contravention of a provision mentioned in this section, the Penalty Order shall be imposed on the Owner of the motor vehicle whether or not the Owner was the driver of the vehicle.
- 6.4 The Penalty Order shall include the following information:
- a) a unique file number;

- b) the provision of the *Highway Traffic Act* contravened;
- c) the date and location of the contravention;
- d) an identification of the motor vehicle that is involved in the contravention as required under Ontario Regulation 355/22 only;
- e) the amount of the Administrative Penalty and associated Administrative Fees;
- f) a statement that the Person in ownership of the vehicle must, no later than thirty (30) days after the day the order is served on them, pay the administrative penalty unless they commence an Appeal in accordance with this By-law;
- g) a statement that the Person in ownership of the vehicle may, no later than thirty (30) days after the day the order is served on them, appeal the Penalty Order in accordance with O. Reg. 355/22.
- h) information regarding the Appeal process including the manner in which to commence an Appeal;
- i) a copy of a photograph or image of the motor vehicle involved in the contravention;
- j) a statement by the Officer that the information contained within the Penalty Order is certified to be true in respect of the contravention.

6.5 The amount of the Administrative Penalty shall be calculated pursuant to Ontario *Regulation 355/22*.

6.6 A Penalty Order may be served on the person who is subject to the order by sending the Penalty Order by mail or by courier to the most recent address that appears on the Ministry's records in respect of the holder of the plate portion of the permit for the motor vehicle involved in the contravention.

6.7 If the Issuing Officer who imposed the Penalty Order believes that the Person who is subject to the order resides outside Ontario or, in the case of a corporation, has its principal place of business outside Ontario, the Penalty Order may be served by sending the order by mail or by courier to the address outside Ontario at which the Issuing Officer believes the person resides or has its principal place of business.

6.8 The address mentioned in section 6.7 may be determined from a document obtained from the government of any province or territory of Canada or from the government of a state of the United States of America, or from a person or entity authorized by any such government to keep records of vehicle permits, number plates or other evidence of vehicle ownership in that jurisdiction.

- 6.9 Service of a Penalty Order mailed or couriered in accordance with this section is deemed to be affected on the seventh (7<sup>th</sup>) day following the day on which it was mailed or couriered.

## **PART 7 – PENALTY ORDER APPEALS**

### **Screening and Review**

- 7.1 An Appeal of a Penalty Order shall be commenced within 30 days after the Effective Date of Service is deemed to have been effected under section 6.9 and shall be conducted as follows:
- (a) A Person who is subject to a Penalty Order may commence the first stage of an Appeal by requesting, in the manner set out in the order, a review of the Penalty Order by a Screening Officer.
  - (b) The Screening Officer may confirm, Vary or set aside the Penalty Order and shall do so as soon as practical after the review is complete.
  - (c) The Screening Officer shall send a copy of the decision to the Appellant by mail, courier or electronic means as soon as practical after the decision is made.
  - (d) An Appellant may commence the second stage of an Appeal by requesting a review of the Screening Officer's decision by a Hearing Officer.
  - (e) A request under section 7.1(d) shall be made within 30 days after the date of the decision of the Screening Officer.
  - (f) The Hearing Officer may confirm, Vary or set aside the decision of the Screening Officer and shall do so as soon as practical after the review is complete.
  - (g) The Hearing Officer shall send a copy of the decision to the Appellant by mail, courier or electronic means as soon as practical after the decision is made.
  - (h) A Person's right to request a Screening or to request an extension of time to request a Screening Officer are exercised by:
    - (a) Submitting a Screening Request as prescribed by the Commissioner; and
    - (b) Where a request is made by a Person other than the Owner named on the Penalty Order, the requestor must be designated as an authorized agent/representative by the Person named on the Penalty Order.
  - (i) A Person's right to request a Hearing or to request an extension of time to request a Hearing are exercised by:
    - (a) Submitting a Hearing Request as prescribed by the Commissioner; and

(b) Where a request is made by a Person other than the Owner named on the Penalty Order, the requestor must be designated as an authorized agent/representative by the Person named on the Penalty Order.

7.2 If a Screening Officer considers it fair and appropriate in the circumstances, the Screening Officer may extend the 30-day period to commence an Appeal and the extension may be made even after the 30-day period has expired.

7.3 If a Hearing Officer considers it fair and appropriate in the circumstances, the Hearing Officer may extend the 30-day period mentioned in paragraph 7.1(e) to request a review and the extension may be made even after the 30-day period has expired.

### **Conduct of an Appeal**

7.4 A Screening Officer or Hearing Officer shall determine whether the stage of the Appeal for which they are responsible is to be conducted orally, electronically or in writing and shall ensure that the Appellant is informed of the determination.

7.5 If a date and time is set for an Appellant to make submissions in respect of any stage of an Appeal, the Appellant shall attend at the set date and time.

7.6 A Screening Officer or Hearing Officer, as the case may be, shall not decide whether to confirm, Vary or set aside a Penalty Order unless the Appellant has been given an opportunity to make submissions in the same manner in which the Appeal is to be conducted.

7.7 A Hearing Officer shall not decide whether to confirm, Vary or set aside a Penalty Order unless a representative of the municipality in which the Contravention that is the subject of a Penalty Order occurred has been given an opportunity to make submissions in the same manner in which the Appeal is to be conducted.

7.8 No witnesses shall be called in an Appeal.

### **Determination of an Appeal**

7.9 In deciding whether to confirm, Vary or set aside a Penalty Order, a Screening Officer shall determine whether it was reasonable for the Issuing Officer to impose the Penalty Order.

7.10 In deciding whether to confirm, Vary or set aside a Penalty Order, a Hearing Officer shall determine whether the decision of the Screening Officer was reasonable.

7.11 In making a determination mentioned in sections 7.9 or 7.10, the Screening Officer or Hearing Officer, as the case may be, may consider the following information, if available:

(a) Photographs or images taken by the camera system or enforcement system, as applicable.

(b) Statements, including certified statements, made by the Issuing Officer who imposed the Penalty Order.

- (c) Documents, including certified documents, setting out the name and address of the person who is subject to the order, a description of the permit and the number plate of the motor vehicle.
- (d) Statements by the Appellant made either in writing or in the manner in which the Appeal is conducted.
- (e) Statements by or on behalf of the Town in which the contravention that is the subject of the Penalty Order occurred, made either in writing or in the manner in which the appeal is conducted.
- (f) Any other information, materials or submissions that the Screening Officer or Hearing Officer considers to be credible or trustworthy in the circumstances.

## **Decisions**

- 7.12 A Screening Officer or Hearing Officer, as the case may be, does not have jurisdiction 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.
- 7.13 If a Screening Officer or Hearing Officer, as the case may be, decides to Vary the amount of a Penalty Order, they shall do so in accordance with the following rules:
- (a) The Appellant establishes, on a balance of probabilities, that the offence did not occur as alleged on the Penalty Order.
  - (b) The cancellation, reduction, or extension of time for payment of an Administrative Penalty, is necessary to reduce undue hardship.
  - (c) In respect to considerations for undue financial hardship, the Appellant shall provide documented proof of financial assistance such as: (i) Old Age Security; (ii) Canada Pension; (iii) Guaranteed Income Supplement; (iv) Disability Pension; (v) Ontario Student Assistance Program; or (vi) any other form of social assistance.
  - (d) If the total amount of a Penalty Order is decreased, the Victim Component Fee shall be reduced proportionally to the decrease in the Set Penalty Amount.
  - (e) The amount of the Penalty Order shall not be increased other than in accordance with Ontario Regulation 355/22 under the *Highway Traffic Act*.
- 7.14 The decision of a Hearing Officer is final.

## **PART 8 – PENALTY ORDER PAYMENTS**

### **Payment, no appeal**

- 8.1 The person who is subject to a Penalty Order shall pay the administrative penalty within 30 days after the Effective Date of Service unless an Appeal has been commenced under Section 7 of this By-law.



## **Payment, post-appeal**

- 8.2 Subject to Section 8.3, if an Appeal of a Penalty Order does not result in the Penalty Order being set aside, the Person who is subject to the order shall pay the administrative penalty within 30 days after,
- (a) the date of the decision by the Screening Officer, if no request for a review of the decision was made under 7.1(d); or
  - (b) the date of the decision by the Hearing Officer, if a request for review was made under 7.1(d).

## **Extension of payment deadline, plan of periodic payments**

- 8.3 If a Screening Officer or Hearing Officer, as the case may be, considers it fair and appropriate in the circumstances, the person may approve a plan of periodic payments that extends beyond the deadline set out in section 8.2.
- 8.4 An approval mentioned in section 8.3 may be conditional on the payment of a specified amount of the administrative penalty being made on or before a specified date.
- 8.5 A plan of periodic payments may be approved even after the 30-day period set out in section 8.2 has expired.

## **PART 9 – PENALTY NOTICE PAYMENT AND ADMINISTRATIVE FEES**

- 9.1 A Person who has been issued a Penalty Notice or a Penalty Order shall:
- (a) Pay the Administrative Penalty within 30 days after the Effective Date of Service;
  - (b) Request that the Administrative Penalty be reviewed by a Screening Officer pursuant to this By-law.
- 9.2 Where an Administrative Penalty, including any Administrative Fees have been affirmed, or reduced by a Screening Officer or a Hearing Officer. The Administrative Penalty and any Administrative Fees shall be due and payable on the date specified in the Screening Decision or Hearing Decision, as the case may be, or if no such date is specified, thirty (30) days after service of the Screening Decision or the Hearing Decision.
- 9.3 Where a Person makes a request for an extension of time for payment, and the request is granted, the date on which the Administrative Penalty is due and payable shall be the date established in accordance with such extension of time.
- 9.4 Where an Administrative Penalty, with respect to a Penalty Notice issued pursuant to Part 4 of this By-law, is not paid on or before the date it is due and payable, in addition to the Administrative Penalty and any Administrative Fees that may be payable pursuant to this By-law, the Person in ownership of the vehicle subject to the Administrative Penalty shall be liable to pay to the Town the MTO Search Fee.

- 9.5 Where an Administrative Penalty is not paid after it becomes due and payable, in addition to the Administrative Penalty and any other Administrative Fees that may be payable pursuant to this by-law, the Person subject to the Administrative Penalty shall be liable to pay a Late Payment Fee.
- 9.6 Where a Penalty Notice issued pursuant to Part 4 of this By-law and any Administrative Fees are not paid within thirty (30) calendar days after they become due and payable, the Town may:
- (a) Notify the Ontario Ministry of Transportation or the Ministry of the Attorney General of the default at which time the Ministry shall not validate the vehicle permit of the Person named in the Penalty Notice nor issue a new vehicle permit to the Person until the Administrative Penalty and any applicable Administrative Fees are paid to the Town; and
  - (b) Deem the amount of unpaid Administrative Penalties, including any Administrative Fees and any associated costs as unpaid taxes and collect in the same manner as municipal taxes, in addition to any Administrative Fees set out in the Town's Fee By-law; and
  - (c) Pursue any other collection mechanisms available to the Town pursuant to the Regulation or at law.
- 9.7 Where a Person provides a method of payment to the Town for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, the Person shall, in addition to the Administrative Penalty and any other fees that may be payable pursuant to this by-law, be liable to pay to the Town an NSF Fee.
- 9.8 All amounts due and payable to the Town pursuant to this by-law constitute a debt to the Town.
- 9.9 Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any related Administrative Fee is also cancelled.
- 9.10 Payment of any Administrative Penalty or Administrative Fee must be received on or before the date on which it is due and payable, or any extended due date in accordance with this By-law, and will not be credited until received by the Town.
- 9.11 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.

## **PART 10 - OFFENCES**

- 10.1 Any Person who:
- (a) makes a false, misleading, or fraudulent statement in relation to a Penalty Notice or Penalty Order, or on any form submitted to the Town in relation to a Penalty Notice or Penalty Order; or
  - (b) obstructs an Issuing Officer exercising any authority under this By-law,

is guilty of an offence and, upon conviction, is subject to a penalty in accordance with the *Provincial Offences Act*.

- 10.2 No Person shall attempt, directly or indirectly, to communicate with a Screening Officer or Hearing Officer for the purpose of influencing or interfering, financially, politically or otherwise with, the Screening Officer or Hearing Officer respecting a Penalty Notice, Penalty Order, and/or respecting a power of decision in a proceeding that is or will be pending before a Screening Officer or Hearing Officer, except:
- (a) A Person who is entitled to be heard in the proceeding or the Person's lawyer, licensed paralegal, or authorized representative; and
  - (b) Only by that Person or the Person's lawyer, licensed paralegal, or authorized representative during the hearing of the proceeding in which the issues arise.
- 10.3 Any Person who has contravened Section 10.2 of this By-law is guilty of an offence and, upon conviction, is liable to a fine as provided for in the *Provincial Offence Act*.
- 10.4 If a corporation has contravened any Designated By-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence.

#### **PART 11 - SCHEDULES AND EFFECTIVE DATE**

- 11.1 The following schedules form part of this By-law:
- (a) Schedule A – Traffic By-law 2024-048
  - (b) Schedule B – Town's Additional Designated By-laws
  - (c) Schedule C – Penalty Order Administrative Penalty
  - (d) Schedule D – Administrative Fees
- 11.2 This By-law shall come into force and effect on the 23rd day of October, 2024 or on such later date that the Town and the Province have fully executed agreement(s) required to implement an Administrative Monetary Penalty System.

## SCHEDULE “A”

### TOWN OF CALEDON ADMINISTRATIVE PENALTY BY-LAW

#### DESIGNATED BY-LAW PROVISIONS

#### TRAFFIC BY-LAW 2024-048

1. For the purposes of section 3.2 of this By-law, Column 2 in the following table lists the provisions in the Town Traffic By-law 2024-048, as amended that are hereby designated for the purposes of 3(1)(b) of the MA Regulation.
2. Column 3 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
3. Column 5 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 2.
4. Column 4 in the following table sets out the Early Payment Rate for the Administrative Penalty amounts (include a twenty five percent (25%) discount for Early Payment in accordance with Section 4.6(a) of this By-law) that are payable for contraventions of the designated provisions listed in Column 2.

Column 1 Item	Column 2 Designated Provision	Column 3 Short Form Wording	Column 4 Early Payment	Column 5 Set Penalty Amount
1.	2.1	Operate vehicle on sidewalk	150.00	200.00
2.	2.2	Drive bicycle with wheels greater than 50 cm	45.00	60.00
3.	2.3	Park vehicle on sidewalk	75.00	100.00
4.	2.4	Proceed over or under barrier on sidewalk	45.00	60.00
5.	2.5	Reckless operation of bicycle, skateboard, roller skates, scooter or similar vehicle on sidewalk	75.00	100.00
6.	2.8 (a)	Operating vehicle on bicycle track	150.00	200.00
7.	2.8 (b)	Operating vehicle on multi-use path	150.00	200.00
8.	2.9	Pedestrian travel on bicycle track	45.00	60.00
9.	2.1	Parking vehicle on bicycle track or multi-use path	150.00	200.00
10.	2.11	Crossing or going under barrier on bicycle track or multi-use path	45.00	60.00
11.	3.1	Pedestrian failing to yield right-of-way	45.00	60.00
12.	3.2	Playing sport or game on roadway	45.00	60.00

<b>Column 1</b> Item	<b>Column 2</b> Designated Provision	<b>Column 3</b> Short Form Wording	<b>Column 4</b> Early Payment	<b>Column 5</b> Set Penalty Amount
13.	3.3	Using non-motorized vehicles on roadway	45.00	60.00
14.	3.4	Failing to obey no entry or no crossing sign	45.00	60.00
15.	3.5	Failing to ride on right-hand side of roadway	45.00	60.00
16.	3.6	Failing to ride bicycle/e-scooter in single file	45.00	60.00
17.	3.7	Failing to keep hands on handlebars or feet on pedals	45.00	60.00
18.	3.8 (a)	Carrying items preventing control of bicycle/e-scooter	75.00	100.00
19.	3.8 (b)	Operating e-scooter or power-assisted bicycle on roadway with posted speed limit over 50 km/h	150.00	200.00
20.	3.9	Failing to stop before entering sidewalk/bicycle lane/MUP	45.00	60.00
21.	3.1	Driving over a raised curb	45.00	60.00
22.	3.11	Entering intersection without clearing traffic	75.00	100.00
24.	3.13	Operating or parking heavy truck where prohibited	150.00	200.00
25.	3.15	Operating a commercial vehicle or trailer with an axle weight exceeding 5,000 kilograms on prohibited highways	225.00	300.00
26.	3.17	Operating commercial vehicle without a special permit	225.00	300.00
27.	3.18	Operating vehicle over weight limit on bridge	225.00	300.00
32.	3.25	Driving in wrong direction on one-way street	225.00	300.00
33.	3.26	Driving wrong way in roundabout	225.00	300.00
34.	3.27	Making a prohibited turn at an intersection	150.00	200.00
35.	3.28	Improper use of center lanes for left turns	150.00	200.00
36.	3.29	Improper use of bicycle lane	150.00	200.00
37.	3.3	Vehicle in bicycle lane	300.00	400.00
38.	3.31	Vehicle exceeding 45 metres in bicycle lane	150.00	200.00
39.	3.32	Stopping vehicle in bicycle lane	300.00	400.00
40.	3.33	Bicycle passing bus too close	300.00	400.00
41.	3.34	Driving motorized snow vehicle on highway	150.00	200.00
42.	3.39	Moving oversized load without permit	225.00	300.00

<b>Column 1</b> Item	<b>Column 2</b> Designated Provision	<b>Column 3</b> Short Form Wording	<b>Column 4</b> Early Payment	<b>Column 5</b> Set Penalty Amount
43.	3.40	Failure to obtain permit for moving excess dimensional loads	225.00	300.00
44.	3.41 (a)	Parking vehicle more than 30 centimetres from a raised curb	45.00	60.00
45.	3.41 (b)	Park vehicle improperly where no curb or rolled curb exists	45.00	60.00
46.	3.42	Improper parking or stopping on left side of one-way highway	45.00	60.00
47.	3.44	Improper parking within marked spaces	45.00	60.00
48.	3.45 (a)	Stopping on or over a sidewalk or crosswalk	75.00	100.00
49.	3.45 (b)	Stopping within an intersection	75.00	100.00
50.	3.45 (c)	Stopping within a pedestrian crossover	150.00	200.00
51.	3.45 (d)	Stopping within 30 meters of a pedestrian crossover or 15 meters beyond	112.50	150.00
52.	3.45 (e)	Stopping alongside or across from an obstruction impeding traffic	150.00	200.00
53.	3.45 (f)	Stopping alongside a stopped or parked vehicle	150.00	200.00
54.	3.45 (g)	Stopping upon a bridge, tunnel, or underpass	150.00	200.00
55.	3.45 (h)	Stopping on a boulevard or median strip	150.00	200.00
56.	3.45 (i)	Stopping within 30 meters of a school crossing	150.00	200.00
57.	3.46 (a)	Parking for longer than 3 hours	45.00	60.00
58.	3.46 (b)	Parking between 2:00 a.m. and 6:00 a.m.	45.00	60.00
59.	3.46 (c)	Park within 6 metres of driveway or laneway- speed greater than 50km/hr	45.00	60.00
60.	3.46 (d)	Parking so as to obstruct use of a driveway or laneway	45.00	60.00
61.	3.46 (e)	Parking within 9 meters of an intersection	45.00	60.00
62.	3.46 (f)	Parking within 3 meters of a fire hydrant	150.00	200.00
63.	3.46 (g)	Parking within 15 meters of a railway level crossing	150.00	200.00
64.	3.46 (h)	Parking on a roadway less than 6 meters wide	45.00	60.00
65.	3.46 (i)	Parking blocking removal of another vehicle	112.50	150.00
66.	3.46 (j)	Parking for washing, greasing, or repairing vehicle	75.00	100.00

<b>Column 1</b> Item	<b>Column 2</b> Designated Provision	<b>Column 3</b> Short Form Wording	<b>Column 4</b> Early Payment	<b>Column 5</b> Set Penalty Amount
67.	3.46 (k)	Parking for displaying vehicle for sale	45.00	60.00
68.	3.46 (l)	Parking an immobile or unlicensed vehicle	45.00	60.00
69.	3.46 (m)	Parking obstructing traffic or snow removal operations	112.50	150.00
70.	3.46 (n)	Parking directly opposite a vehicle on the other side of a roadway, where width is less than 9 metres	112.50	150.00
71.	3.46 (o)	Parking on a boulevard	45.00	60.00
72.	3.46 (p)	Parking in a designated bicycle lane	45.00	60.00
73.	3.46 (q) (1)	Overhanging a sidewalk or obstructing pedestrian access to a sidewalk	75.00	100.00
74.	3.46 (q) (2)	Overhanging a crosswalk or obstructing pedestrian access to a crosswalk	75.00	100.00
75.	3.46 (q) (3)	Overhanging or being on a curb line	45.00	60.00
76.	3.48 (a)	Park within 15 metres of an unsignalized intersection	75.00	100.00
77.	3.48 (b)	Park within 30 metres of a signalized inter	75.00	100.00
78.	3.48 (c)	Park within 45 metres of bus stop	45.00	60.00
79.	3.48 (c)	Park within 25 metres of bus stop	45.00	60.00
80.	3.48 (d)	Park within 7.5 metres of a fire hall	45.00	60.00
81.	3.48 (d)	Park within 30.5 metres of a fire hall	45.00	60.00
82.	3.48 (e)	Park across from or adjacent to a school property during prohibited times	45.00	60.00
83.	3.48 (f)(1)	Park within 30 metres of a crosswalk/pedestrian crossover (same direction of travel)	45.00	60.00
84.	3.48 (f)(2)	Park within 15 metres of a crosswalk/pedestrian crossover (opposite direction of travel)	45.00	60.00
85.	3.48 (g)	Park along a road with Emergency No Parking prohibition	75.00	100.00
86.	3.48 (h)	Park within a cul-de-sac	45.00	60.00
87.	3.48 (i)	Park In front of delivery entrances	45.00	60.00
88.	3.48 (j)	Park within 30 metres of a trail or pedestrian pathway access	45.00	60.00
89.	3.48 (k)	Park across from or adjacent to a playground or park during prohibited times	45.00	60.00

<b>Column 1</b> Item	<b>Column 2</b> Designated Provision	<b>Column 3</b> Short Form Wording	<b>Column 4</b> Early Payment	<b>Column 5</b> Set Penalty Amount
90.	3.48 (l)	Park In a public lane	45.00	60.00
91.	3.48 (m)	Park within 15 metres of the inside portion of a road elbow curve	45.00	60.00
92.	3.48 (n)	Park within 15 metres of a traffic calming measure	45.00	60.00
93.	3.49 (a)	Stop or park vehicle at incorrect angle	45.00	60.00
94.	3.49 (b)	Park motorcycle at incorrect angle	45.00	60.00
95.	3.5	Park where prohibited	45.00	60.00
96.	3.51	Park contrary to posted times	45.00	60.00
97.	3.52	Stop in prohibited area	45.00	60.00
98.	3.53	Park contrary to posted signs in designated special enforcement area	75.00	100.00
99.	3.54	Park, Stand or Stop in a designated special enforcement area	75.00	100.00
100.	3.57	Park, Stop, Stand heavy truck in residential or institutional area	75.00	100.00
101.	3.62	Park in accessible space without valid permit	400.00	533.33
102.	3.63	Park on or behind access aisle with accessible permit	400.00	533.33
103.	3.64	Accessible parking sign not maintained/installed	150.00	200.00
104.	3.65	Relocated/removed accessible parking space without approval	225.00	300.00
105.	3.66	Obstruct designated accessible parking space	225.00	300.00
106.	3.67	Failed to clear snow/ice from accessible parking space	225.00	300.00
107.	3.68	Failed to maintain accessible parking space	225.00	300.00
108.	3.69	Charged excess fee for accessible parking space	225.00	300.00
109.	3.7	Failed to provide designated accessible parking spaces per AODA	225.00	300.00
110.	4.3 (a)	Fail to construct fire route	225.00	300.00
111.	4.3 (b)	Fail to install fire route signs	22.50	30.00
112.	4.5 (a)	Fail to keep fire route in good repair	225.00	300.00
113.	4.5 (b)	Fail to clear ice or and snow from fire route	225.00	300.00
114.	4.5 (c)	Fail to keep fire route free of barriers or obstructions	225.00	300.00



<b>Column 1</b> Item	<b>Column 2</b> Designated Provision	<b>Column 3</b> Short Form Wording	<b>Column 4</b> Early Payment	<b>Column 5</b> Set Penalty Amount
115.	4.6	Fail to keep fire route signs visible	150.00	200.00
116.	4.6	Fail to keep fire route signs in good repair	150.00	200.00
117.	4.7	Unauthorized Alteration or Obstruction of Fire Route Sign	150.00	200.00
118.	4.1	Park in a designated fire route	150.00	200.00
119.	5.1	Obstruct, encumber, or damage highway	150.00	200.00
120.	5.2 (a)	Built/maintained fence on highway	150.00	200.00
121.	5.2 (b)	Deposit snow or ice on highway	75.00	100.00
122.	5.2 (c)	Deposit refuse or bulk containers on highway	75.00	100.00
123.	5.2 (d)	Deposit construction or landscaping material on highway	150.00	200.00
124.	5.2 (e)	Deposit firewood on highway	75.00	100.00
125.	5.3	Obstruct ditch or culvert on highway	150.00	200.00
127.	5.5	Failed to remove earth, rubbish, material from highway	150.00	200.00
128.	5.7	Fail to comply with notice	150.00	200.00
129.	5.8 (b)(1)	Fail to repair damages on highway as directed	225.00	300.00
130.	5.8 (b)(2)	Fail to restore highway to original state	225.00	300.00
131.	5.9	Deposit snow, sand, salt on highway	75.00	100.00
132.	5.1	Display or sell good on highway without permit	45.00	60.00
133.	5.15	Obstruct sightline triangle	45.00	60.00
134.	5.28	Fail to comply with conditions of permit	150.00	200.00
135.	6.15	Fail to comply with an order	150.00	200.00
136.	6.19	Hinder or obstruct Officer	150.00	200.00

**SCHEDULE “B”**

**TOWN OF CALEDON ADMINISTRATIVE PENALTY BY-LAW**

**DESIGNATED BY-LAW PROVISIONS**

1. For the purposes of section 3.3 of this By-law, Column 1 in the following table lists the provisions in the Town Bylaws, as amended that are hereby designated.
2. Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
3. Column 3 in the following table sets out the Administrative Penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.

<b>ITEM</b>	<b>COLUMN 1 Designated Provisions</b>	<b>COLUMN 2 Short Form Wording</b>	<b>COLUMN 3 Administrative Penalty</b>
1			
2			
3			
4			
5			

**SCHEDULE "C"**

**TOWN OF CALEDON ADMINISTRATIVE PENALTY BY-LAW**

**ADMINISTRATIVE FEES**

<b>ITEM</b>	<b>FEE</b>
Non-Appearance Fee	\$60.00
Late Payment Fee	\$20.00
MTO Search Fee	\$8.25
NSF Fee	\$40.00

Note: The fees and charges as listed in this Schedule "C" to this By-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.