

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2025-XX

A By-law to amend Administrative Monetary Penalty System By-law 2024-086, with respect to the establishment of 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;

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.

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;

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;

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;

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*;

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 X1V.2 of the *Highway Traffic Act*;

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;

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;

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;

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;

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;

WHEREAS the Council for the Town of Caledon considers it desirable and necessary to amend By-law 2024-086, to update its effective date;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

1. Administrative Monetary Penalty By-law 2024-086, as amended, is hereby further amended by:
 - 1) Deleting and replacing Section 5.3 and 5.4 with the following:
 - 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 thirty (30) 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 after 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 sixty (60) days after the Effective 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.

- 2) Repealing existing Schedule A and replacing it with Schedule A attached to this by-law.
 - 3) Updating section 11.2 by deleting the previously amended effective date of September 30, 2025 through By-law 2025-027, and replacing this date with November 1, 2025.
2. Subject to the amendments made in this By-law, in all other respects, By-law 2024- 086, as amended, is hereby confirmed unchanged.

Enactment

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 23rd day of September 2025.

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk