



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number:	131. c
Effective Date:	Click here to enter a date.
Supersedes:	N/A
Approval:	Click or tap here to enter text.
Subject:	Draft Policy - AMPS Political Interference

1. Purpose

- 1.1 This Policy shall provide standardized guidelines to define what constitutes political interference in relation to the carrying out of the duties of the Screening and Hearing Officers.
- 1.2 In accordance with Ontario Regulation 333/07 under the Municipal Act requires a municipality to establish a policy to prevent political interference of any kind in the administration of the Administrative Monetary Penalty System (“AMPS”).

2. Policy Statement

The Town of Tecumseh is committed to ensuring the AMPS is conducted in a fair and independent manner without any political interference whether intentional or unintentional.

3. Scope

- 3.1 This Policy applies to all members of Council, Screening Officers, Hearing Officers, and Town employees involved in the enforcement and administration of AMPS.
- 3.2 In regard to members of Council, this Policy should be read and interpreted within the context of provincial legislation (including the

Municipal Conflict of Interest Act) and the Code of Conduct for Members of Council including its related policies, procedures and guidelines.

- 3.3 In regard to Screening and Hearing Officers, any agreement made with the Town of Tecumseh shall apply to the activities of the Screening and Hearing Officer in the administration of the AMPS.
- 3.4 In regard to Town employees involved in the enforcement and administration of AMPS, the Employee Code of Conduct shall apply to the activities of the employee in the administration of the AMPS.

4. Policy

4.1 Principles of Preventing Political Interference

- 4.1.1 No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with employees or other persons who are performing duties related to the administration of the AMPS.
- 4.1.2 The positions of Screening Officers and Hearing Officers are established for the purpose of exercising Delegated Powers of Decision in regard to the AMPS. Delegated Power of Decision means a power or right, conferred by a Town By-Law, to prescribe the legal rights, privileges, immunities, duties and/or liabilities of any person or party.
- 4.1.3 No person shall attempt, directly or indirectly, to communicate for the purpose of influencing or interfering, financially, politically or otherwise, with a Screening or Hearing Officer respecting a Penalty Notice and/or respecting a decision in a proceeding that is or will be pending before a Screening or Hearing Officer, except a person entitled to be heard in a Screening or Hearing Review.
- 4.1.4 All persons involved with the enforcement and administrative functions of the AMPS shall carry out such duties in a way which upholds the integrity of the administration of justice.

4.2 Accountability

- 4.2.1 If an attempt is made to influence a Screening or Hearing Officer or Town employee in relation to the administration of the AMPS, a written report shall be made to the Director Legislative Services & Clerk advising of the incident as soon as possible who may decide to investigate further and/or report the incident to the appropriate authorities.
- 4.2.2 No action shall be taken against the employee, Screening or Hearing Officer for making any such report in good faith.
- 4.2.3 Cases involving members of Council will be referred to the Integrity Commissioner for their review and report.
- 4.2.4 Any interference with or attempt to interfere with the AMPS by any person may result in charges under the Criminal Code of Canada, provincial statute, or other disciplinary action in accordance with applicable legislation and policies including the Employee Code of Conduct and/or the Code of Conduct for Members of Council.

5. Responsibilities

The Director Legislative Services & Clerk is responsible for this policy.

6. Policy Review

This policy will be periodically reviewed and updated as required.

7. References and Related Documents

Municipal Act, 2001
Ontario Regulation 333/07 (Administrative Penalties)
By-law Establishing System of Administrative Penalties
By-law for Appointment of Screening & Hearing Officers
Council Code of Conduct Policy No. 63
Rules of Employee Conduct