



The County
PRINCE EDWARD COUNTY • ONTARIO

Title:	Appointment of Screening and Hearing Officers	
Policy Group: Your Government and People	Policy Administrator: Finance	
Resolution No. 2026-92	Policy Number: FIN-13	
Approval Date: February 24, 2026	Revision Date:	

1. Policy Statement

- a) The Corporation of the County of Prince Edward (the "County") is committed to an Administrative Monetary Penalty system that provides a fair, flexible, and efficient mechanism to challenge penalties issued for contraventions of municipal by-laws.
- b) The County values a clear and transparent process for the selection of screening officers and hearing officers in a fair and equitable manner and in accordance with applicable legislation and by-laws approved by County Council.

2. Purpose

- a) The purpose of the policy is to provide a consistent and transparent framework for the selection and appointment of screening officers and hearing officers and to act as a guide for appointees.

3. Scope

- a) This policy applies to the selection and appointment of screening officers and hearing officers for the purposes of the Administrative Monetary Penalties (AMP) System.

4. Legislative Authority

- c) Sections 102.1 and 434.1 of the Municipal Act authorizes a municipality to impose administrative penalties if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under the Municipal Act.
- d) The purpose of a system of administrative penalties established by a municipality shall be to assist the municipality in promoting compliance with its by-laws.
- e) The amount of an administrative penalty established by a municipality, (a) shall not be punitive in nature; and (b) shall not exceed the amount reasonably required to promote compliance with a by-law of the municipality.

5. Definitions

- a) **Administrative Penalty By-Law** means a by-law passed by Council to establish administrative penalties for parking, as amended from time to time, or any successor thereof;
- b) **CAO** means the chief administrative officer of the County, or designate;
- c) **Clerk** means the County Clerk, or designate;
- d) **Council** means the Council for the Corporation of the County of Prince Edward;
- e) **Director** means the Director of Finance and Information Technology, or designate, or in the event of organizational changes, such employee of the County with similar responsibilities;
- f) **Hearing Officer** means any person appointed from time to time pursuant to the Screening and Hearing Officer By-Law, to perform the functions of a hearing officer in accordance with the Screening and Hearing Officer By-law and the Administrative Penalty By-Law;
- g) **Municipal Lawyer** means the employee of the County licenced by the Law Society of Ontario and providing services of an in-house lawyer;
- h) **Relative** includes any of the following persons:
 - Spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage
 - Parent or legal guardian
 - Child, including a stepchild and grandchild
 - Siblings and children of siblings
 - Siblings of parents and their children (typically known as aunt, uncle, niece and nephew)
 - In-laws, including parents, siblings, and children
 - Any person who lives with the person on a permanent basis
- i) **Screening and Hearing Officer By-Law** means a by-law passed by Council to provide for the positions of screening and hearing officers in relation to administrative penalties, as amended from time to time, or any successor thereto; and
- j) **Screening Officer** means any person appointed from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a screening officer in accordance with the Screening and Hearing Officer By-law and the Administrative Penalty By-law.

6. General

Appointment of Screening Officers

- a) In accordance with the Screening and Hearing Officer By-Law, screening officers shall be appointed by the CAO.
- b) Any person may be appointed except where ineligible or where the CAO otherwise determines that the person has demonstrated an inability to comply with County policies or procedures, or is unable to carry out the duties related to the AMP System in a fair and impartial manner.
- c) Any person(s) holding the positions of By-Law Coordinator or Court Administrator (as those positions may be renamed from time to time) may be designated by the CAO as screening officers provided such positions only facilitate payment of penalty notices but do not accept or process payments related to penalty notices.
- d) The following persons are not eligible for appointment as Screening Officers:
 - Issuing officer
 - A member of Council
 - A Relative of a member of Council
 - A person who is indebted to the County, other than:
 - In respect of current property taxes, or
 - Pursuant to an agreement with the County, where the person is in compliance with the terms thereof .
- e) The CAO, in consultation with the Municipal Lawyer and Director, may revoke the appointment of a Screening Officer if at any time the person becomes ineligible for appointment or continuation as a screening officer, or if it is otherwise determined by the CAO, in consultation with the Municipal Lawyer and Director, that the person is unable to carry out the duties related to the AMP System in a fair and impartial manner or to comply with County's policies or procedures.

Recruitment of Hearing Officer(s)

- f) The County may, from time to time, recruit Hearing Officer(s) as contemplated by the Screening and Hearing Officer By-Law, in accordance with this policy.

Eligibility

- g) The following persons are not eligible to be appointed or to remain as Hearing Officer(s):
 - Issuing officer
 - A member of Council
 - A Relative of a member of Council
 - An employee of the County
 - A person indebted to the County, other than:
 - In respect of current property taxes, or

- Pursuant to an agreement with the County, where the person is in compliance with the terms thereof.

7. Application and Review Process for Hearing Officers

Application Process

- a) The Director is responsible for the recruitment of the hearing officer(s). The posting will outline the role of the Hearing Officer(s) and eligibility criteria.
- b) All applicants may complete an application form in a form prescribed by the County.

Review

- c) All applications received by the established deadline will be forwarded to the Director.
- d) The Director will be responsible for reviewing the applications and shall recommend appointments to the CAO.
- e) The applicant review process involves reviewing personal information of the applicants and ensuring their qualifications align with the provisions set out in Screening and Hearing Officer By-Law.

Appointment

- f) The CAO will consider the Director's recommendations and appoint the Hearing Officer(s).
- g) The Director shall notify all applicants of the decision and will retain all applications according to the County's record retention schedule.

Nature of Hearing Officer(s) Positions and Term

- h) Hearing officer(s) are independent and are not County employees. Hearing officer(s) shall be required to enter into a contract with the County outlining the terms of service.
- i) Unless revoked, Hearing Officer(s) shall be appointed for the term of Council (or remainder thereof, where appointed mid-term), and thereafter until reappointed or until a successor is appointed.

Revocation of Appointment

- j) The CAO may revoke the appointment of a Hearing Officer at any time, on the recommendation of the Director or in consultation with the Director and Municipal Lawyer, if applicable.

8. Monitoring and Maintenance

- a) All staff should work collaboratively to resolve issues related to this policy. Any employee found to be disrespecting the terms of this policy other than under exceptional circumstances, emergencies or operational requirement is subject to an investigation

and discipline deemed appropriate by their immediate supervisor, Human Resources, and / or the CAO.

- b) This policy will be reviewed five years from its effective or revision date, in accordance with the County's policy maintenance schedule.

9. References

- Municipal Act, 2001, S.O. 2001, c. 25
- O. Reg. 333/07: Administrative Penalties
- By-Law - Administrative Penalty By-Law, as amended
- By-Law 27-2026 - Screening and Hearing Officer By-Law