


Title	Administrative Monetary Penalty - Interfering with Hearing Officer	
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Date:	June 1, 2014	
Prepared by:	Transportation Services	

SYNOPSIS:

The purpose of this document is to set up a guideline to prevent the improper influencing of Screening and Hearing Officers, pursuant to the City’s Parking Administrative Monetary Penalties By-law 38-2014.

POLICY:

No person shall attempt, directly or indirectly, to communicate for the purpose of influencing a Screening Officer or a Hearing Officer respecting the determination of an issue respecting a Delegated Power of Decision in a proceeding that is or will be pending before the Screening Officer or Hearing Officer.

Exceptions include:


1. a person who is entitled to be heard in the proceeding or the person’s lawyer or licensed paralegal; and
2. only by that person or the person’s lawyer or licensed paralegal during the hearing of the proceeding in which the issue arises.

If someone attempts to influence a Screening or Hearing Officer, contrary to the rules above, the Screening or Hearing Officer shall report the incident to the Director of Transportation Services as soon as possible. No action will be taken against the Screening or Hearing Officer for making any such report in good faith.

GENERAL:

Proceedings before a Hearing Officer shall be subject to the *Statutory Powers Procedures Act*, R.S.O. 1990, c.S. 22.

Please note: **“Delegated Power of Decision”** means a power or right, conferred by or under a City By-law, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any person or party.

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PROCESS REVIEW:

Director, Transportation Services Department
Supervisor, Parking Services

FORMS:

N/A

REFERENCE AUTHORITIES:

Municipal Act, 2001, S.O. 2001, c.25
Ontario Regulations 333/07 (Administrative Penalties)
City of Burlington By-law (AMP 38-2014)
City of Burlington By-law (Appointment of Screening and Hearing Officers 39-2014)