



Administration and Operations Committee Report

To: The Chair and Members of the Administration and Operations Committee
From: Greg Bergeron, Director of Enforcement and Regulatory Services
Date: December 10, 2024
Report #: RPT-528-24
Subject: Automated Speed Enforcement By-law and Guidelines for Reviews
Purpose: For Approval

Recommendation

THAT the Committee approve the repealing of Automated Speed Enforcement by-law #86-23 and replace it with the attached by-law; and

THAT the attached by-law be presented to Council for enactment at the December Council meeting; and

THAT The Committee approve the attached Automated Speed Enforcement Administrative Penalties (ASE AP) Guidelines for Reviews.

Strategic Plan Priority

Strategic Priority 2 - Effective Communication

Impacts and Mitigation

Social Impacts

The approval of the Automated Speed Enforcement Administrative Penalties (ASE AP) Guidelines for Reviews document will provide a clear and consistent framework for Screening and Hearing Officers in confirming, varying or setting aside Penalty Orders for speeding contraventions. The Guidelines will be public facing and be used to further inform the public of the expectations surrounding Penalty Orders and the review process.

Environmental Impacts

There are no environmental impacts associated with this report.

Economic Impacts

The new by-law will cut administrative costs associated to mailing additional notices which are not required by law.

Report

Background

The Automated Speed Enforcement Program is planned to launch in Q1 of 2025. By-law #86-23, being a By-law to Establish and Operate a System to Use Camera Based Traffic Enforcement and an Administrative Penalties System for Violations of the Highway Traffic Act (Automated Speed Enforcement) was enacted in July of 2023.

A review of the by-law has been conducted and staff are recommending that the by-law be repealed and replaced with the attached by-law. (Attachment #1)

Analysis

Since the adoption of By-law #86-23, Staff have been consulting with various municipal partners and further developing the ASE AP framework for the County. Staff have also participated in a Screening and Hearing Officer training session which was delivered by the Ontario Traffic Council in October of 2024. One of the main goals of the session was to provide comprehensive and consistent education to municipal employees engaged as Screening Officers who are responsible for appeals of penalty orders issued for contraventions of section 128 of the Highway Traffic Act (speeding) detected through the use of Automated Speed Enforcement cameras. As a result, staff did see opportunities to update the ASE by-law in the interest of transparency, fairness and accountability.

Staff have made several changes to the original by-law including but not limited to:

- Expanded definitions;
- Updating and expanding the document service provisions;
- Removing requirements to issue reminders and final due date notices;
- The inclusion of Schedule “A” penalty structure and fees;
- Updating the method in which screening and hearing reviews shall be conducted;
- Authorities surrounding abusive or disorderly behavior during a review;
- The inclusion of payment plans;
- The creation of an offence section under the Provincial Offences Act;
- Delegated authority for the Director to establish and amend standards, practices, policies, guidelines and procedures necessary to implement this By-law;
- References related to the ASE AP Guidelines for Reviews document.

Based on the number of changes made, staff are recommending the original by-law, which has never come into force and effect, be repealed and replaced with the attached by-law.

ASE AP Guidelines

Staff are recommending that the Committee approve the attached Automated Speed Enforcement Administrative Penalties (ASE AP) Guidelines for Reviews document. (Attachment #2)

The Guidelines are intended to assist Screening and Hearing Officers in making consistent, transparent and fair decisions when reviewing ASE Penalty Orders through the appeal process. The Guidelines are also designed to provide information to the public to support a better understanding of the review and decision-making process.

Summary and Recommendations

Staff are recommending the Committee approve the repealing of By-law #86-23 (Attachment #3) and replace it with the attached by-law and that the by-law be presented to Council for enactment at the December Council meeting.

Staff are also recommending that the Committee approve the attached ASE AP Guidelines for Reviews document.

Attachments

- 1) Proposed ASE By-law 2024
- 2) Propose ASE AP Guidelines for Reviews
- 3) By-Law #86-23 (To be repealed)

Reviewed By

1. Cindy Stevenson – General Manager Emergency and Protective Services
2. Mark McDonell – Paralegal/Prosecutor
3. Adam Crozier – Director of Corporate Strategy

Copied To

1. Alison Newton – CAO
2. Amanda Paine – Supervisor of Enforcement and Regulatory Services

By-law and/or Agreement

By-law Required	Yes
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No