



## Report to Council

To: Mayor and Council Members  
From: Matt Aldom, Chief Building Official / By-law Enforcement Officer  
Date: April 21, 2026  
Subject: Administrative Penalty System (APS) Overview

---

### **Recommendation:**

That Council direct staff to prepare an Administrative Penalty System (APS) by-law and all other necessary documents and policies for implementation of an Administrative Penalty System (APS) for the enforcement of applicable Township by-laws.

### **Background:**

Currently the Township of North Kawartha relies on the Provincial Offences Act and the Ontario Court system for enforcement of the Township by-laws. Court cases in the Provincial Court system are time consuming and expensive for the Township.

The Municipal Act provides the ability for municipalities to implement an administrative penalty system (APS) for by-laws passed under the Municipal Act including parking by-laws. Additionally, the Building Code Act provides for APS to be applied for property standards offences within a Property Standards By-law

### **Analysis:**

Many municipalities across the province have implemented an Administrative Penalty System (APS) as an enforcement tool for gaining compliance with by-law offences. An APS may be used as an alternative to the Provincial Court system and provides for a faster, cost-effective, more flexible and customer-focused adjudication process for by-law offences. APS maintains the fundamental principles of justice and due process, but in a more efficient, user-friendly and less intimidating manner than a court-based system. The APS process also allows for a Screening Officer and a Hearing Officer to address appeals of penalty notices that have been issued.



## Township of North Kawartha

280 Burleigh Street, PO Box 550, Apsley, ON K0L 1A0

Tel: 705-656-4445 | 1-800-755-6931 | Fax: 705-656-4446

[www.northkawartha.ca](http://www.northkawartha.ca)

In accordance with the Municipal Act regulations, administrative penalties are not intended to be punitive in nature and are not to exceed the amount reasonably required to promote compliance with a by-law. However, administrative penalties may be increased for subsequent offences to promote by-law compliance. In case of non-payment of a penalty notice, additional administrative fees may also be added to penalty notice and both may be added to municipal tax roll for collection. For parking by-law infractions, if an administrative penalty is not paid within 15 days after the date that it becomes due, the Township may notify the Registrar of Motor Vehicles of the default in payment, and the Registrar will not validate a permit of the person named in the default notice until the penalty is paid.

In order to implement an Administrative Penalty System (APS), a by-law must be passed by the Council which includes the procedural requirements outlined in the Regulations under the Municipal Act. The Township would also be required to develop policies and procedures that address prevention of political interference, conflict of interest, financial management and reporting and the filing of complaints made by the public with respect to the administration of the system.

### **Financial Implications:**

Compensation for the Hearing Officer will be required as part of the appeal process for the Administrative Penalty System once implemented.

### **Strategic and/or Other Plans:**

- 3.1 Maintain policies and processes that enable effective governance.
- 4.2 Protect the human environment.

### **In Consultation with:**

Connie Parent, Clerk

Alana Solman, Chief Administrative Officer

### **Attachments:**

None