

## Attachment C

### Sample AMPs Hearing Officer Job Description for Markham

As a Council-appointed Hearing Officer (as per Ontario Regulation 333/07), you will review decisions made by Screening Officers in relation to municipal by-law penalties issued as part of the City's Administrative Monetary Penalty System (AMPS). You must be familiar with municipal law and adjudicative processes, as you will be responsible for determining whether to affirm, vary or cancel (on appeal) the penalty decisions made by Screening Officers. While the initial AMPS By-law focuses on parking offences, it may be expanded into other offences pursuant to City By-laws in the future. Your duties as a Hearing Officer will include:

- making rulings and issuing oral and written decisions relating to the AMPS By-law that are independent and free of outside influence;
- making decisions on whether to vary administrative penalty amounts and/or time to pay administrative penalties in accordance with the AMPS By-law and associated policies, procedures and guidelines; and
- conducting hearings in accordance with the *Statutory Powers Procedure Act*, ensuring equal access, fair treatment and due process for all parties.

All decisions made by Hearing Officers are deemed final and binding. They may be conducted in person or virtually.

Hearing Officers are appointed by Council on the recommendation of the Clerk and in accordance with By-law 2015-94, a by-law to Appoint Screening Officers and Hearing Officers for the Administrative Monetary Penalty System.

**Your qualifications as a Hearing Officer – Administrative Monetary Penalty System include the following:**

- Preferably, you are a member of The Society of Ontario Adjudicators and Regulators (SOAR) and/or The Law Society of Ontario (LSO);
- You cannot act or continue to act as an Agent for applicants before the Administrative Monetary Penalty Tribunal and any other City administrative tribunal (e.g. Committee of Adjustment, Property Standards Committee etc.)
- You hold a post-secondary diploma or degree in a related discipline, and/or an equivalent combination of education and experience;
- You have knowledge and experience with respect to adjudicative processes, including conducting trials or hearings for a Provincial tribunal or court;
- You have both knowledge of, and experience in interpreting and applying, appropriate legislation, including Municipal By-laws, the *Municipal Act*, the *Provincial Offences Act* and the *Statutory Powers Procedure Act*;
- Knowledge of access to information and privacy legislation;
- Knowledge and/or experience with the City parking By-laws;
- You are knowledgeable and experienced in mediation and alternative dispute resolution;

- You bring highly effective leadership, facilitation, communication, presentation, interpersonal and organizational skills;
- Respect for access to justice, diversity, and accommodation;
- You are able to formulate reasoned decisions and communicate them clearly and effectively, both orally and in writing;
- Demonstrated leadership and administrative skills;
- You are committed to ongoing professional development, to enhance your expertise and remain current in the field;
- You are computer literate;
- You have the flexibility to provide services on a part-time basis (approximately 2-3 days per month), as hearings are held on an as-needed basis. Schedules will be determined in consultation with the Hearing Officer.

These part-time positions offers a salary of \$400 per day plus mileage expenses.