



## BY-LAW 2021-XX

### TO AMEND BY-LAW 2015-93 (being a By-law to implement an Administrative Monetary Penalty System in Markham (for parking))

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**WHEREAS** section 102.1 of the Municipal Act 2001 and Ontario Regulation 333/07 authorizes The Corporation of the City of Markham to require a person to pay an administrative penalty for the contravention of any By-law respecting parking, standing or stopping of vehicles, and,

**WHEREAS** additions, deletions and changes to the said By-law are required to reflect current administrative and enforcement practices, and,

**WHEREAS** administrative amendments are required from time to time for enforcement purposes.

**NOW THEREFORE** the Council of the Corporation of the City of Markham enacts as follows:

That the Administrative Monetary Penalty System (“Amps”) By-law 2015-93 be amended as follows:

1. That Section 1.0 of the Amps By-law (Definitions) be amended by adding the following definition: “Plate Denial Enforcement Fee” means an Administrative Fee established by Council from time to time in respect of a Person’s failure to pay an Administrative Penalty within the time prescribed in this By-law and listed in Schedule “B”
2. That section 4.8 of the Amps By-law be amended by adding the following:
  - (f) The **Clerk** may only grant a new **Screening Review** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented them from attending their confirmed scheduled **Screening Review** appointment. Extenuating circumstances must be substantiated by documents i.e. medical note, death certificate, and financial records.
3. That section 5.5 of the Amps By-law be amended by adding the following:
  - (e) The **Clerk** may only grant a new **Hearing** where the **Person** demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented them from attending their confirmed scheduled **Hearing** appointment. Extenuating circumstances must be substantiated by documents i.e. medical note, death certificate, and financial records.
4. That section 7.4 of the Amps By-law be amended by adding “and a plate denial enforcement fee will be applied. The” after “of the default”
5. That section 7.4 of the Amps By-law be amended by deleting the words “and Late Payment Fee(s)” and replacing it with “listed in Schedule “B” after “Administrative Fee(s)”
6. That schedule “A” of the Amps By-law be amended by adding the following:

Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
(to be renumbered upon amendment)	5 (bb)	Park so as to interfere with winter maintenance on a highway	\$150.00

(to be renumbered upon amendment)	5 (cc)	Park so as to interfere with winter maintenance on a sidewalk	\$150.00
(to be renumbered upon amendment)	5 (dd)	Park so as to interfere with snow removal on a sidewalk	\$150.00

7. That schedule “A” column 2 5 (h) of the Amps By-law be amended by adding “on a highway” after “snow removal”
8. That schedule “A” of the Amps By-law be amended by adding the following:

Column 1 Item	Column 2 Designated Provisions	Column 3 Short Form Wording	Column 4 Administrative Penalty Amount
(to be renumbered upon amendment)	19 (1)	Park an non-electric vehicle in an electric vehicle charging station	<b>\$125.00</b>
(to be renumbered upon amendment)	19 (2)	Park an electric vehicle that is not attached to an electric charging station	<b>\$125.00</b>

9. That schedule “B” of the Amps By-law be amended by adding the following:

Administrative Fee Description	Fee Amount
Plate Denial Enforcement Fee	\$20.00

10. That schedule “B” of the Amps By-law be amended by deleting the “\$10.00” fee amount and replacing it with the following:

Administrative Fee Description	Fee Amount
MTO Fee	\$12.00

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
 \_\_\_\_ DAY OF \_\_\_\_\_, 2021

\_\_\_\_\_  
 KIMBERLEY KITTERINGHAM  
 CITY CLERK

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 FRANK SCARPITTI  
 MAYOR