



By-law 2021-116

To amend By-law 2015-93 being a By-law to implement an Administrative Monetary Penalty System in Markham (for parking)

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	\$150.00

		maintenance on a highway	
(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	\$125.00
(to be renumbered upon amendment)	19 (2)	Park an electric vehicle that is not attached to an electric charging station	\$125.00


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 December 14, 2021.


 Kimberley Kitteringham
 City Clerk


 Frank Scarpitti
 Mayor