



STANDARD OPERATING PROCEDURE

Effective: June 2, 2014
Review Date: January 4, 2015

Extension of Time to Request a Screening Review or Hearing Review

Department:	Corporate Services
Division:	Council and Administrative Services
Section:	City Clerk's Office
Approved By:	Peter Fay

Purpose:

To outline a process to respond to a person's request for an extension of time to request a Screening Review or Hearing Review.

Scope:

This procedure applies to Screening Reviews and Hearing Reviews conducted by a Screening Officer and Hearing Officer, respectively, pursuant to AMPS By-law 333-2013.

Definitions & Acronyms:

Extension of Time to Request a Screening Review – a prescribed time limit extending at least 15 days after the due date on the original penalty notice, as specified on the Notice of Impending Affirmation, whereby a person may request an extension of time to request a Screening Review.

Extension of Time to Request a Review of a Screening Decision - a prescribed time limit extending at least 15 days after the due date on the Screening Decision notice, whereby a person may request an extension of time to request a review of a Screening Decision

Procedure:

Typically, a person has 15 days to schedule a Screening Review with a Screening Officer to dispute a Penalty Notice. As per AMPS By-law 333-2014, a person has a right to request that the Screening Officer extend the time to request a Screening Review within 30 days of the Penalty Notice date. A request for an extension of time may be made by telephone (Brampton 311) or in-person (at the Brampton POA Courthouse) only.

Similarly, if a person wishes to contest the Screening Decision, he or she must request a Hearing Review before a Hearing Officer within 15 days from the date of the Screening Decision. Any person may request that the Hearing Officer extend the time to request a review within 30 days after the Screening Decision has been made. A request for an

**Extension of Time to Request a Screening Review or Hearing Review**

extension of time to request a review of a Screening Decision can only be made in-person (at the Brampton POA Courthouse) by written notice completing a Request for Hearing Review form.

Extension of Time to Request a Screening Review:

A person has a time-limited right to request an extension of time to request a Screening Review. Such request shall only apply to a Penalty Notice or Notice of Impending Affirmation.

A person cannot request an extension of time to request a review of a:

- Notice of Affirmation and Due Date
- Notice of Screening Review
- Notice of Change of Screening Review

If the Person makes a request for an extension of time to request a Screening review within the prescribed time limit, a screening review will be scheduled (denoting request is for an extension of time to request a Screening Review).

At the scheduled Screening Review date, the Screening Officer will make a decision on whether the extension of time to request a Screening review will be granted or not. The Screening Officer may only extend the time to request a review of an Administrative penalty where the person requesting the extension demonstrates, on the balance of probabilities, the existence of extenuating circumstances that prevented the person from exercising the right to request a review in the timeframe set out in the Penalty Notice. A person may provide supporting written documentation and other information to the Screening Officer to justify the extenuating circumstances and support the request for extension of time for a Screening Review.

The decision will be at the sole discretion of the Screening Officer.

If the Screening Officer makes a decision to grant the extension of time to request a screening review, then the Screening Review will commence immediately.

If the Screening officer makes a decision to not grant the extension of time to request a screening review, a Screening Review will not commence and the administrative penalty is deemed affirmed and the Screening Officer will issue a Screening Decision affirming the Administrative Penalty, including any administrative fees.

Extension of Time to Request a Hearing Review:

A person has a time-limited right to request an extension of time to request a review of a Screening Decision. Such request shall only apply to a Screening Decision.



Extension of Time to Request a Screening Review or Hearing Review

A person cannot request an extension of time to request a review of a:

- Notice of Affirmation and Due Date,
- Notice of Screening Review
- Notice of Change of Screening Review
- Notice of Failure to Attend a Screening Review, or
- Notice of Screening Decision Penalty Cancelled.

If the Person makes a request for an extension of time to request a review of a Screening Decision within the prescribed time limit, a hearing review will be scheduled (denoting request is for an extension of time to request a Hearing Review).

At the scheduled Hearing Review date, the Hearing Officer will make a decision on whether the extension of time to request a review of a Screening Decision will be granted or not. The Hearing Officer may only extend the time to request a review of a Screening Decision where the person requesting the extension demonstrates, on the balance of probabilities, the existence of extenuating circumstances that prevented the person from exercising the right to request a review in the timeframe set out in the Screening Decision. A person may provide supporting written documentation and other information to the Hearing Officer to justify the extenuating circumstances and support the request for extension of time for a review of a Screening Decision.

If the Hearing Officer makes a decision to grant the extension of time to request a review of a Screening Decision, then the Hearing Review will commence immediately.

If the Hearing officer makes a decision to not grant the extension of time to request a review of a Screening Decision, a Hearing Review will not commence and the Screening Decision, which includes the administrative penalty and any administrative fees, is deemed affirmed and shall not be subject to any further review including review by any court.

The decision of the Hearing Officer shall be final.

Related Documents:	
City of Brampton AMPS By-law 333-2013	

Accountability:

Screening Officer and Hearing Officer

Contacts:



STANDARD OPERATING PROCEDURE

Effective: June 2, 2014
Review Date: January 4, 2015

Extension of Time to Request a Screening Review or Hearing Review

Name	Role	Department/Area	Contact #
Jane Iacobucci	Manager of Court Operations	Corporate Services	P: 905-450-1378 F: 905-450-4794 jane.iacobucci@brampton.ca
Peter Fay	City Clerk	Corporate Services	P: 905-874-2172 F: 905-874-2119 peter.fay@brampton.ca

Director(s) Approval – Version Number #			
Director(s) name/Title	Dept	Date Approved	Signature
Peter Fay, City Clerk	Corporate Services	May 30, 2014	