



# PFC2020-0625

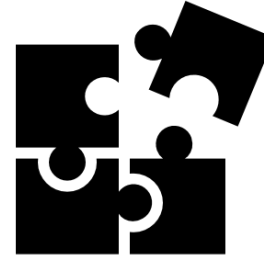
## Administrative Penalties System Business Recommendation City Clerk's Office – Appeals & Tribunals



# Business Recommendation



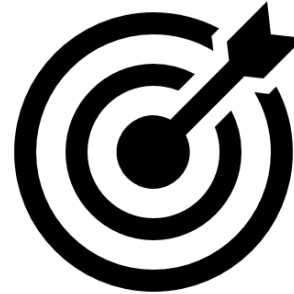
Requirements



Alignment



Perspectives



Vision



# Proportional Process

|                                | Court   | Tribunal   |
|--------------------------------|---|--|
| <b>Evidence</b>                | Formal rules of evidence apply. Best evidence rule applies. | No formal rules of evidence. As provided by City Charter Regulation.           |
| <b>Standard of Proof</b>       | Beyond a reasonable doubt                                   | On a balance of probabilities  |
| <b>Procedure</b>               | Court rules of procedure apply                              | As provided by City Charter Regulation, Bylaw, or as determined by tribunal    |
| <b>Public Participation</b>    | Lengthy in person process, with waiting and delays.         | Online appeal filing. Average 15 minute hearing within one-hour booking time.  |
| <b>City Resources Required</b> | Prosecutor and Enforcement Officer(s), in person            | Evidence by affidavit. Enforcement Officer(s) only when requested by appellant |



# Costs & Proposed Funding Strategy

| Cost of Resources Required to Support Court Process |               | Forecast Administrative Penalties System Net Annual Costs |        |
|---|---------------|---|--------|
| Law   | \$310K        | Tribunal  | \$570K |
| CPA   | \$650K        |   |        |
| Calgary Transit                                     | \$ 35K        |   |        |
| <b>Total</b>  | <b>\$995K</b> |   |        |

| One-time Start-up Costs         |               | Annual Operating Funding Sources  |  |
|---------------------------------|---------------|---|--|
| Council Innovation Fund         | \$302K        | +\$5 per parking administrative penalty   |  |
| IT Development Pool             | \$500K        | Tribunal revenue  |  |
| City Clerk's - Project Manager  | \$150K        | <ul style="list-style-type: none"> <li>\$20 appeal filing fee (refunded if successful)</li> <li>\$50 no-show fee</li> </ul> |  |
| CPA - startup costs             | \$ 70K        |   |  |
| Calgary Transit - startup costs | \$ 50K        |   |  |
| <b>Total</b>                    | <b>\$1.1M</b> |   |  |



## Proposed Council Direction

1. Proceed with negotiations required to implement an Administrative Penalties System;
2. *Bring forward Council Innovation Fund application to PFC for one-time startup costs;*
3. Engage key stakeholders on establishing an Administrative Penalties System (APS); and,
4. Develop Administrative Penalties Bylaw, and other related and necessary bylaw amendments, and present them at Public Hearing in 2020.