

A by-law to amend By-law 0285-2013, as amended, being a by-law to establish the positions of Screening Officer and Hearing Officer to adjudicate Reviews and Appeals of Administrative Penalties

WHEREAS The Corporation of the City of Mississauga (the “City”) has undertaken an administrative restructuring which has resulted in responsibility for the Administrative Penalty System (APS) program being transferred from the Corporate Services department, Legislative Services division to the City Manager’s Office, Legal Services division;

AND WHEREAS the City’s Council Procedure By-law 0044-2022, as amended, provides under section 94.2 that the City Clerk is authorized to submit By-laws directly to Council for enactment without the need for a Corporate Report in order to update references to City staff position titles, departments or divisions that have changed as a result of any administrative restructuring or re-organization at the City;

AND WHEREAS an amendment to By-law 0285-2013 is required to change the delegation of authority to appoint Screening Officers from the City Clerk, in consultation with the City Solicitor, to the City Solicitor, in consultation with the Manager of Prosecutions;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. That section 2 of the Screening and Hearing Officer By-law 0285-2013, as amended, is amended by deleting the following definition:

“City Clerk” means the City Clerk or the Director of Legislative Services of the City of Mississauga and their designate;

2. That section 2 of the Screening and Hearing Officer By-law 0285-2013, as amended, is amended by adding the following new definitions in alphabetical order:

“City Solicitor” means the City Solicitor and includes their designate;

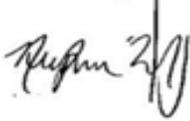
“Manager of Prosecutions” means the Manager of Prosecutions and includes their designate;

3. That section 5 of the Screening and Hearing Officer By-law 0285-2013, as amended, is hereby deleted in its entirety and replaced with the following:

5. A Screening Officer shall be appointed by the City Solicitor in consultation with the Manager of Prosecutions, and preference shall be given to an eligible candidate:

- (a) with knowledge of and experience in administrative law; and
- (b) of good character.

ENACTED and **PASSED** this 17th day of January, 2024

Approved by Legal Services City Solicitor City of Mississauga

Nupur Kotecha
Date: January 9, 2024
File: BL.01-24.01

MAYOR

CLERK