



Town of Niagara-on-the-Lake

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REPORT #: CPS-26-003 **COMMITTEE DATE:** 2026-04-21
REPORT TO: COTW-General **DUE IN COUNCIL:** 2026-04-28
SUBJECT: Fire Code Administrative Monetary Penalties Adoption

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council **RECEIVES** Report CPS-26-003;
- 1.2 Staff be **DIRECTED** to include the addition of the Ontario Fire Code infractions to the scope of the Administrative Penalty By-law for Non-Parking Related Offences No. 5334-21; and
- 1.3 Staff be **DIRECTED** to bring forward the amending by-law to the following Council meeting.

2. EXECUTIVE SUMMARY

Recent legislative changes have introduced the ability for municipalities to issue administrative monetary penalties for contraventions of certain provisions of the Fire Code. The adoption of the Administrative Monetary Penalties System (AMPS) under the Fire Code is being brought forward for Council's consideration, as it would provide an additional tool for enforcing fire safety requirements.

3. PURPOSE

The purpose of this report is to outline the necessary revisions to implement the changes permitted under **Ontario Regulation 260/25** to ensure the municipality is equipped with the appropriate tools to support best enforcement practices.

4. BACKGROUND

On November 26, 2025, Ontario Regulation 260/25, enacted under the *Fire Protection and Prevention Act, 1997* (FPPA), was filed. The regulation authorizes municipalities to implement the AMPS, which includes progressive enforcement mechanisms for contraventions of specified provisions of the Fire Code. AMPS tickets may be issued to any person or entity, including property owners, tenants, and corporations. The regulation came into effect on January 1, 2026.

Municipalities that choose to adopt this framework may issue AMPS tickets either as a standalone enforcement tool or alongside existing enforcement measures. Currently, Fire Staff

primarily rely on Fire Inspection Orders, following an education-first approach, to achieve compliance and ensure community safety.

5. DISCUSSION / ANALYSIS

AMPS tickets have been used successfully by Municipal Enforcement Staff over the past several years to promote compliance with applicable municipal by-laws.

As noted previously, Fire Staff have several enforcement tools available under the Fire Code. The ability to issue AMPS tickets would provide an additional option to encourage compliance with legislated requirements. These tickets are a time-efficient enforcement tool, include an established and transparent appeal process, and offer better cost recovery than Part III Summons.

Staff do not expect many AMPS tickets will be issued under the Fire Code. However, obtaining this authority proactively would better position the Town to continue demonstrating leadership in fire prevention.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

4. Optimize Organizational Excellence

Priority

4.1 Streamline & Modernize

Action

4.1 b) Modernization Initiatives
-Update Enforcement Plans

Pillar

1. Vibrant & Complete Community

Priority

1.3 Strategies & Masterplans

Action

1.3 a) Strategies & Masterplans

7. OPTIONS

7.1 Option 1: That the addition of the Fire Code to the designated By-laws included within the Administrative Penalty By-law for Non-Parking Related Offences No. 5334-21 be approved by Council, and Staff be directed to present an amending By-law to designate the Fire Code. **(Recommended)**

7.2 Option 2: Council choose not to approve the recommendations in this report and provides an alternate direction. *(Not Recommended)*

8. FINANCIAL IMPLICATIONS

Any financial implications from the addition of the Fire Code provisions to the Administrative Penalty By-law would result in a positive gain for the municipality. Staff do not expect these gains to be significant; however, any gains would be applied to the fire budget to help achieve cost recovery for Fire Enforcement activities.

9. ENVIRONMENTAL IMPLICATIONS

There are no anticipated environmental implications.

10. COMMUNICATIONS

If approved, the decision will be communicated on the Town's website, and the necessary steps will be taken to enforce accordingly.

11. CONCLUSION

Ontario Regulation 260/25 provides municipalities with an additional enforcement option under the *FPPA*. The introduction of the AMPS offers a flexible and progressive tool to address non-compliance with the Fire Code. Council's adoption of this authority will ensure that the Town is positioned to utilize the new tool.

12. PREVIOUS REPORTS

There are no applicable reports addressing the issuance of AMPS tickets under the Fire Code.

13. APPENDICES

- Appendix I - Draft AMPS Non-Parking By-Law Amendment

Respectfully submitted:

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Recommended by:

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