

COUNTY OF ST. PAUL NO. 19

Our Mission - To create desirable rural experiences



ADM-23 Cancellation of Penalties Policy

Department: Administration

POLICY OBJECTIVE:

The County of St. Paul desires to provide guidelines for when a waiver or cancellation of penalties will be permitted.

POLICY STATEMENTS:

1.0 Factors Under Consideration

1.1 The following factors will be considered when determining whether to waive or cancel penalties:

- (a) Whether or not the customer has a history of voluntary compliance with payment obligations; and
- (b) Whether or not the customer has acted quickly to remedy the delay or omission in compliance.

1.2 Generally, a waiver or cancellation of penalties will not be considered due to delays in the postal system or insufficient lead time for online payments to be processed through the bank and forwarded to the County prior to the penalty date.

1.3 A waiver or cancellation of penalties will be granted if a payment has been postmarked or bank-stamped prior to the payment due date.

2.0 Administrative Errors or Delays

2.1 Penalties assessed against an invoice may be waived or cancelled by County Administration where the assessment is primarily caused by any of the following administrative errors or delays:

- (a) A delay in processing payments resulting in a lengthy delay in informing the customer of an outstanding balance on their account;
- (b) Incorrect information on an invoice provided to a customer requiring the invoice to be reissued.

2.2 The resident must be able to substantiate that the penalty ~~or interest~~ is caused by or is largely attributable to the County's administration.

3.0 Request to Council

3.1 Penalties not meeting any of the above criteria may be waived under extraordinary circumstances. Residents may make a request to County Council to waive the penalties.

4.0 Administrative Discretion to Waive Penalties

4.1 If an Accounts Receivable invoice has been paid in full, but penalties remain on the account, and administrative staff deem the penalties to be uncollectible as the cost to pursue collection will exceed the estimated recovery amount:

- (a) The Municipal Services Assistant-Accounts Receivable, is authorized to write-off penalties up to \$10.
- (b) The Chief Administrative Officer or their designee is authorized to write-off accounts with an outstanding penalty up to \$500. The write-off of accounts with an outstanding balance in excess of \$500 must be approved by County Council.

5.0 Exemption from Penalties

5.1 The following groups are exempt from penalties on outstanding Accounts Receivable:

- (a) All Additional Named Insureds (ANIs) under the County's RMA Insurance Policy.

Council Approval: March 10, 2015
Amended: November 8, 2016
Amended: February 22, 2022