

## By-Law 2016-15F

### A By-Law of the City of Greater Sudbury Respecting the Remuneration to Members of Council of the City of Greater Sudbury and Local Boards

**Whereas** pursuant to the *Municipal Act 2001*, S.O. 2001, c. 25, the Council of a municipality may, by By-law, provide for the remuneration of Members of Council of the municipal corporation;

**Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:**

1. In this By-law and in the attached schedules:

“City” means the municipal corporation of the City of Greater Sudbury or the geographical area of the City of Greater Sudbury, as the context requires;

“CFO” means the person appointed as the City’s Chief Financial Officer / Treasurer and includes his or her authorized designate;

“Council” means the Council of the City of Greater Sudbury;

“Councillor” means a person elected as a Councillor of a ward in the City;

“Local Board” means a local board as defined in s. 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25; and

“Members of Council” includes the Mayor of the City and all the Councillors.

#### Delegation

2.-(1) The administration of this By-law is assigned to the CFO who is delegated the authority to:

- (a) make all decisions required of the CFO under this By-law;
- (b) perform all administrative functions, necessary for the due administration and implementation of this By-law; and
- (c) establish and amend from time to time, such policies, forms and other documents, and such standards, protocols and procedures as the CFO may determine are required to implement and administer this By-law.

(2) The CFO may delegate the performance of any one or more of his or her functions under this By-law to one or more persons from time to time as the occasion requires and may

impose conditions upon such delegation and may revoke any such delegation. The CFO may continue to exercise any function delegated during the delegation.

#### Remuneration – Members of Council

3.-(1) During the period from October 1st, 2015 up to and including March 31st, 2016, the CFO shall pay remuneration to each Member of Council, in accordance with the rates of remuneration as set out in Schedule “A”.

(2) Commencing April 1st, 2016, and on April 1st in each subsequent year, the remuneration payable to each Member of Council shall increase over the rate payable as of the immediately prior April 1st to March 31st period, by the same percentage increase as that afforded by Council to full-time non-union employees of the City. In the event that a rate of increase has not been determined as of April 1st in any year, remuneration for the new April 1st to March 31st period shall be payable at the rate applicable during the prior April to March period, until such time as a rate of increase is established by Council. Any such rate of increase shall be applied to remuneration payable to Members of Council in the same manner as to full-time non-union employees of the City.

(3) Effective April 1st, 2016, the CFO shall pay remuneration to each member of Council in accordance with section 3(2).

#### Remuneration - Local Boards

4.-(1) During the period October 1st, 2015 to March 31st, 2016, the CFO shall pay remuneration in accordance with Schedule “B” to each City appointee to a Local Board, and to each Provincial appointee to the Greater Sudbury Police Service Board at the applicable rate for a member, a Chair or a Vice Chair as the case may be, whether or not such appointee is a Member of Council.

(2) Commencing April 1st, 2016 and on each April 1st thereafter, the remuneration payable to each person identified in subsection 4(1) shall increase over the rate payable in the prior April 1st to March 31st period, by the same percentage increase as is afforded by Council to full-time non-union employees of the City. In the event that a rate of increase has not been determined, by April 1st in any year, remuneration for the new April 1st to March 31st period shall be payable at the rate applicable during the prior period until such time as a rate of increase is established by Council. Any such rate of increase shall be applied to remuneration payable to members of the Local Board in the same manner as to full-time non-union employees of the City.

(3) Effective April 1st, 2016, the CFO is authorized to pay remuneration to each person qualified under subsection 4(1) at the applicable rate determined in accordance with Subsection 4(2).

#### Allowances Provided to Members of Council

5.-(1) The CFO will provide to each Member of Council, during such time as he or she is a Member of Council, a monthly allowance of \$48 for internet expense and \$40 for telephone expense or such other amount as may be applicable, after adjustment in accordance with Section 8. The CFO will record each such allowance as a taxable benefit to that Member of Council in accordance with the Canada Revenue Agency requirements.

(2) The CFO will provide a monthly vehicle allowance to the Mayor in lieu of payments for in City travel. The allowance shall be \$700 a month, subject to adjustment in accordance with Section 8. The amount of the vehicle allowance shall be recorded by the CFO as a taxable benefit to the Mayor in accordance with Canada Revenue Agency requirements.

#### Parking Pass

6.-(1) The CFO is authorized to provide a parking pass for the Tom Davies Square parking lot to each Member of Council without charge.

(2) In the case of each of the Councillors, the CFO shall record the amount otherwise payable for such parking pass under the City's Miscellaneous User Fee By-law as a taxable benefit, in accordance with Canada Revenue Agency requirements.

(3) In the case of the Mayor, the CFO shall obtain a written declaration from the Mayor every year in order to establish if the Mayor has declared a business requirement to regularly use his or her vehicle to perform his duties. The CFO shall assess the taxable portion of the value of the parking pass based on the declaration and Canada Revenue Agency requirements and record the value accordingly.

#### Council Remuneration – One-third (1/3) Deemed Expense

7.-(1) One-third (1/3) of each of, the remuneration amounts paid to the Members of Council pursuant to section 3 and section 4, the value of the allowances provided for in section 5 and the value of the parking passes provided for in section 6 are deemed to be for expenses, except as provided to in the contrary in subsection 7(2).

(2) Despite subsection 7(1), the value of the parking pass provided to the Mayor is not included in the one-third (1/3) deemed expense calculation, but rather the taxable benefit shall be recorded in accordance with subsection 6(3).

(3) In the event that the one-third (1/3) tax-free portion provided for in subsection 7(1) is eliminated for any reason, then the remuneration set out in Section 3 shall be adjusted by the CFO to ensure that Members of Council are effectively compensated at the same rate as provided for in Section 3.

#### Annual Inflationary Increase

8. The CFO may, in his or her discretion, adjust the amount of the allowances set out in section 5 on January 1st, in any year, by the amount the CFO deems appropriate provided however, that the adjustment to the vehicle allowance provided for in subsection 5(2) shall not exceed the equivalent of the reasonable per-kilometre allowance as established by the Canada Revenue Agency. In exercising his or her discretion, the CFO may consider previous adjustments or non-adjustments. The CFO shall inform Council of any such adjustment, and this By-law shall be deemed to have been amended accordingly.

#### Annual Itemized Statements

9.-(1) In accordance with the *Municipal Act 2001*, S.O. 2001, c. 25, section 284, the CFO shall, on or before the 31st day of March in each year, submit to Council an itemized statement of the remuneration and expenses paid pursuant to this or any other By-law, in the preceding calendar year to:

- (a) each Member of Council in respect of his or her services as a Member of the Council or any other body, including a Local Board, to which the Member has been appointed by Council or on which the Member holds office by virtue of being a Member of Council;
- (b) each Member of Council in respect of his or her services as an officer or employee of the City or other body described in clause (a); and
- (c) each person, other than a Member of Council, appointed by the City to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

(2) The annual Statement of Remuneration and Expenses referred to in subsection 9(1) shall include amounts paid from January 1 to December 31 in the prior year for:

- (a) salary;

- (b) benefits;
- (c) stipends, per diems and other compensation received as a result of participation / membership on boards / committees at the request of City Council;
- (d) car allowances / mileage reimbursements; and
- (e) all other expenses incurred in accordance with this or any other By-law.

Schedules

10. Each of the following Schedules is incorporated into and forms a part of this By-law:

Schedule "A" Remuneration – Members of Council, Effective October 1st, 2015 to March 31st, 2016; and

Schedule "B" Remuneration – City and Provincial Appointees to Local Boards, Effective October 1st, 2015 to March 31st, 2016.

Repeal

11.-(1) By-law 2011-247F and any by-law amending By-law 2011-247F are hereby repealed.

(2) Despite section 11 (1), any amounts which have accrued pursuant to By-law 2011-247F, as amended, but which are unpaid as of the date of the repeal of By-law 2011-247F, as amended, shall continue to be due and payable in accordance with the terms of that By-law as amended.


By-law Review

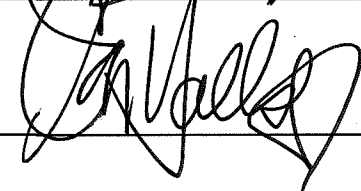
12. Council shall review this By-law at a public meeting at least once during every four year term of Council.

Effective Date

13. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 26th day of January, 2016

  
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Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2016-15F of the City of Greater Sudbury

**Remuneration Rates October 1st, 2015 to March 31st, 2016**

The Remuneration to be paid to each Member of Council as described in Column A below during the period October 1st, 2015 to March 31st, 2016 shall be determined in accordance with the rate of remuneration set out in Column B together with any applicable additional remuneration at the rates provided for in Column C.

<b>COLUMN A Member of Council</b>	<b>COLUMN B Rate of Remuneration</b>	<b>COLUMN C Remuneration in addition to Column B, where applicable</b>
Mayor	\$ 117,951.12 per annum	
Each Councillor	\$ 34,963.56 per annum	
Councillor appointed as Deputy Mayor		\$ 4,979.04 per annum
Any Councillor replacing the Mayor other than the Deputy Mayor		\$ 69.13 per day
For long-term replacements, one Deputy Mayor (as determined by Council)	\$ 117,951.12 per annum	
Chair of the Finance and Administration Committee		\$ 3,064.92 per annum
Chair of the Audit Committee		\$ 2,043.24 per annum
Chair of the Operations Committee		\$ 2,043.24 per annum
Chair of the Community Services Committee		\$ 2,043.24 per annum
Chair of the Planning Committee		\$ 4,068.48 per annum
Member of the Planning Committee who is not the Chair (Note 1)		\$ 1,355.16 per annum

**NOTE 1:** The Chair of a Committee is not entitled to receive the remuneration payable to a member of the Committee in addition to the remuneration payable to him or her as Chair of the Committee.

**NOTE 2:** One third of the amount paid as remuneration is deemed to be expenses. This 1/3 amount is considered a tax free portion of earnings in accordance with Subsection 7(1) of this By-law.

**NOTE 3:** Remuneration will increase commencing April 1<sup>st</sup>, 2016 in accordance with section 3(2).

**Schedule "A"**  
to By-law 2016-15F of the City of Greater Sudbury

- NOTE 4: Appropriate adjustments shall be made to the annual rate of remuneration where the individual does not hold the position for a full year.
- NOTE 5: Where a Member of Council so, chooses, a lesser amount of remuneration may be paid than the Member of Council is otherwise entitled to, if approved by resolution of Council or amendment to this By-law.

**Schedule "B"**  
to By-law 2016-15F of the City of Greater Sudbury

**Remuneration October 1st, 2015 to March 31st, 2016**  
Council and Provincial Appointees to Local Boards

**Local Boards**

The Remuneration to be paid to each person described in Column A below during the period October 1st, 2015 to March 31st, 2016 shall be determined in accordance with the rate of remuneration set out in Column B.

Column A Person	Column B Rate of Remuneration
<b>Payable to Members</b>	
Chair of the Committee of Adjustment	\$ 98.33 per meeting
Member of the Committee of Adjustment, other than the Chair	\$ 78.00 per meeting
A member of the Greater Sudbury Police Services Board who is not the Chair and who is a not a Councillor	\$ 7,930.81 per annum
<b>Payable Only to Councillor who hold the designated position Payable in Addition to Remuneration in Column B of Schedule A</b>	
Chair of the Greater Sudbury Police Services Board if the Chair is a City Councillor	\$ 1,438.78 per annum
Chair of the Greater Sudbury Police Services Board, if the Chair is not a City Councillor	\$ 9,369.57 per annum
Chair of the Sudbury & District Health Unit if the Chair is a City Councillor	\$ 3,102.48 per annum
Vice-Chair of the Sudbury & District Health Unit if the Vice-Chair is a City Councillor	\$ 1,861.44 per annum
Each City Councillor who is a member of the Sudbury & District Health Unit but who does not hold the position of Chair or Vice Chair	\$ 1,242.12 per annum

NOTE 1: The Chair or Vice-Chair of a Local Board is not entitled to receive the remuneration payable to a member of the Local Board in addition to the remuneration payable to him or her as Chair or Vice-Chair of the Local Board.

NOTE 2: One third of the amount paid to Members of Council as remuneration is deemed to be expenses. This 1/3 amount is considered a tax free portion of earnings. Remuneration paid to a member of a Local Board who is not a Member of Council has no tax-free expense component.

NOTE 3: Remuneration will increase commencing April 1<sup>st</sup>, 2016 in accordance with section 4(2).

NOTE 4: Appropriate adjustments shall be made to the annual rate of remuneration where the individual does not hold the position for a full year.