

**Rural Municipality of
Morell**
A Bylaw to Regulate Remuneration of Council and Appointees
Bylaw # 2018 – 07

BE IT ENACTED by the Council of the Rural Municipality of Morell as follows:

1. Title

- 1.1. This bylaw shall be known and cited as the “Remuneration Bylaw.”

2. Authority

- 2.1. Section 82 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables council, by bylaw, to establish the types, rates, and conditions of payments to be made to or on behalf of a member of the council, a member of a council committee or another person.

3. Application

- 3.1. This bylaw applies to all Council members. For greater certainty, this includes the Mayor, Deputy Mayor.

4. Definitions

- 4.1. “Act” means the Municipal Government Act.
- 4.2. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- 4.3. “Compensation” means a form of monetary payment for the performance of some work or service.
- 4.4. “Council” means the mayor and other members of the Council of the municipality.
- 4.5. “Councillor” means a member of Council other than the mayor.
- 4.6. “Commission” means the Remuneration and Allowances Commission appointed pursuant to subsection 82(3) of the Act.
- 4.7. “Remuneration” means, both monetary payment for the for the performance of some work or service and non-monetary payments such as medical insurance, pension schemes, retirement benefits, etc.

5. Establishing a Remuneration Bylaw

- 5.1. Council may, bylaw, establish the level of remuneration and reimbursement available to elected officials to ensure that:

- (a) residents who have been elected to the position of Mayor, Deputy Mayor, or Council member are provided reasonable remuneration for their service to the Municipality;
- (b) individuals who have been appointed by Council to municipal committees reasonable remuneration for their service to the Municipality;
- (c) ensure the orderly and consistent payment and reimbursement to the Mayor, Deputy Mayor, Councillors, and committee members;

6. Remuneration of Council Members

- 6.1. The Mayor shall be paid remuneration for discharge of the duties of office in the amount of _____ per year/ (Council/Committee) etc.
- 6.2. The Deputy Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$ _____ per year/meeting (Council/Committee) etc.
- 6.3. Each Councillor shall be paid remuneration for discharge of the duties of office in the amount of \$ _____ per year/ (Council/Committee) etc.
- 6.4. Where a Councillor, Deputy Mayor or Mayor does not serve a full 12 month term (or misses a meeting without the consent of Council), remuneration shall be prorated on a monthly basis for time served or part month thereof (or per meetings missed etc.) and those monies shall stay in the general fund of the municipality.
- 6.5. Remuneration shall be paid on or about November _____ each year annually, less any deductions required by law.
- 6.6. Remuneration for the Mayor, Deputy Mayor and Councillors shall be adjusted on or about the ____ Day of _____ each year by a rate equivalent to the increase in the Consumer Price Index, for the calendar year most recently ended, and rounded up to the nearest dollar. [This action is optional]

Notes:

- 1. The bylaw may establish the schedule and form of payments that best suits the municipality's needs.
- 2. The bylaw could also be where any other benefits, pensions, severances, etc. would be listed, unless a separate bylaw is desired for those elements.
- 3. Updated rates must be included in the body of the bylaw or in the schedule at the end, forming part of the bylaw, and can only be changed by bylaw amendment, unless a transparent mechanism for annual adjustments is included (see 6.6 above).

7. Allowance for Expenses

- 7.1. The Mayor, Deputy Mayor and Councillors shall be reimbursed for their legitimate expenses incurred through the execution of their duties as office holders of the

municipality in accordance with Schedule A that is attached to, and forms part of, this bylaw.

8. Remuneration of Appointees

- 8.1. For the purpose of this section, "Council committee" means a committee or other body established by the municipality that has no members other than those members appointed by the Council.
- 8.2. Subject to 6.3 to 6.6, persons, other than members of Council, appointed by Council as members of the following council committees shall receive remuneration in the amount of \$___ per year/month/meeting: [list municipal committees or boards below]:
 - (a)
 - (b)
 - (c)
- 8.3. For any appointee who attends less than 75% of all regular and special meetings of a Council committee, the remuneration shall be reduced to \$___ per year/month/meeting.
- 8.4. For any such appointee who attends less than 50% of all regular and special meetings of a Council committee, the remuneration shall be reduced to \$___.
- 8.5. Any such appointee who attends less than 50% of all regular and special meetings of a Council committee without a resolution of Council shall be deemed to have resigned, notwithstanding that his or her term may not have expired.
- 8.6. In addition to the remuneration to be paid pursuant to subsection 6.2, the member, excluding a member of Council, who is appointed Chair of a Council committee named in 6.2 shall be paid an additional \$___ per year/month/meeting and such additional remuneration shall be reduced, based on attendance at meetings, utilizing the same formula as set out in subsections 6.3 to 6.5.
- 8.7. Any appointees who are nominated by external organizations or who must be a member of the particular external organization in order to qualify for appointment on a Council committee shall not be eligible to receive remuneration.
- 8.8. Remuneration to be paid pursuant to 6.2 and 6.6 shall be paid on or about the ___ of ___ in each ___, subject to the Treasurer/CAO receiving a report from the secretary of the Council committee detailing the attendance of each appointee.
- 8.9. The remuneration paid pursuant to 6.2 and 6.6 shall, where applicable, be pro-rated to the nearest month.

9. Revisions to this Bylaw :

- 9.1. Prior to making any amendments to this bylaw that alters existing types, rates and conditions of compensation, allowances or benefits to be paid to members of Council, Council shall, in accordance with section 82(3) of the Act, appoint an independent Remuneration and Allowances Commission.
- 9.2. The Commission shall be made up of 2-3 members, who shall not be member of Council or municipal staff.
- 9.3. members of the Commission shall be reimbursed for their time in accordance with the reimbursement amounts set out for appointees to committees under Section 6.
- 9.4. The Commission shall review and to make recommendations to Council respecting the compensation, reimbursement or payments that should be made to members of Council, giving consideration to:
 - (a) compensation, reimbursement and payment rates of comparably-sized municipalities;
 - (b) the budgetary impact of any changes to existing types, rates and conditions of compensation, allowances or benefits;
 - (c) the impact of any changes on the ability of the municipality to ensure an active and engaged Council through the recruitment of candidates for election; and
 - (d) the time requirements associated with participation on Council and Council committees.
- 9.5. The Commission shall report to Council within 120 days of being appointed or within another time frame identified in the resolution appointing the Commission.

10. Repeal of Existing Bylaw

- 10.1. On adoption, this bylaw replaces Bylaw #123 _____. [Optional]

11. Effective Date

- 11.1. This Remuneration Bylaw, Bylaw #_2018-07_____, shall be effective on the date of approval and adoption below. [Alternately, could set a future date if desired.]

First Reading:

This Remuneration Bylaw, Bylaw #_2018-07_____, was read a first time at the Council meeting held on the _19th day of _March_____, 2018.

This Remuneration Bylaw, Bylaw #_2018-07_____, was approved by a majority of Council members present at the Council meeting held on the _19_____ day of _March_____, 2018.

Second Reading:

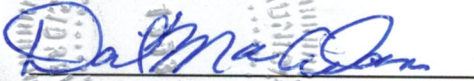
This Remuneration Bylaw, Bylaw #_2018-07_____, was read a second time at the Council meeting held on the 16th_____ day of _April_____, 2018.

This Remuneration Bylaw, Bylaw #_2018-07_____, was approved by a majority of Council members present at the Council meeting held on the _16th_____ day of April, _2018.

Approval and Adoption by Council:

This Remuneration Bylaw, Bylaw #_2018-07_____, was adopted by a majority of Council members present at the Council meeting held on the _16th_____ day of _____ April _____, 2018.

12. Signatures



Mayor (signature sealed)



Chief Administrative Officer (signature sealed)

Filed on behalf of the Minister of Communities, Land and Environment in accordance with s.129 of the *Municipal Government Act*.



Signed

March 25, 2019

Dated

SCHEDULE A

Mileage Reimbursement

__ Cents per kilometer travelled

Meal Reimbursement Rates (to be supported by receipts)

Breakfast at the rate of _____

Lunch at the rate of _____

Dinner at the rate of _____

No mileage will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Municipality.

No meal allowances will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Municipality.

Officials may be reimbursed for other expenses, incidental and necessary to their municipal duties, as approved by the Council and supported by receipts.

Note: this schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.