

Rural Municipality of Malpeque Bay
A Bylaw to Regulate Remuneration of Council and Appointees
Bylaw # 2018-005

BE IT ENACTED by the Council of the Rural Municipality of Malpeque Bay 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, by law, establish the level of remuneration and reimbursement available to elected officials to ensure that:
- (1.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 City/Town/Rural Municipality;
 - (1.b) individuals who have been appointed by Council to municipal committees reasonable remuneration for their service to the City/Town/Rural Municipality;
 - (1.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 \$75.00 per council meeting. .
- 6.2. The Deputy Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$50.00 per council meeting. .
- 6.3. Each Councillor shall be paid remuneration for discharge of the duties of office in the amount of \$50.00 per council meeting.
- 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 annually, less any deductions required by law.

7. Remuneration of Appointees

- 7.1. 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.
- 7.2. 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 \$250.00 per year:
 - (a) Planning Committee
 - (b) EMO Committee
- 7.3. For any appointee who attends less than 75% of all regular and special meetings of a council committee, the remuneration shall be reduced to \$200.00 per year.
- 7.4. 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 \$125.00.
- 7.5. 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.
- 7.6. 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.
- 7.7. Remuneration to be paid pursuant to 6.2 and 6.5 shall be paid on or about March 31 subject to the Treasurer/CAO receiving a report from the secretary of the council committee detailing the attendance of each appointee.
- 7.8. The remuneration paid pursuant to 6.2 and 6.5 shall, where applicable, be pro-rated to the nearest month.

8. Revisions to this Bylaw

- 8.1. 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.
- 8.2. The Commission shall be made up of 2-3 members, who shall not be member of council or municipal staff.
- 8.3. The 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.
- 8.4. 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:
- (4.a) compensation, reimbursement and payment rates of comparably-sized municipalities;
 - (4.b) the budgetary impact of any changes to existing types, rates and conditions of compensation, allowances or benefits;
 - (4.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
 - (4.d) the time requirements associated with participation on council and council committees.
- 8.5. The Commission shall report to council within 120 days of being appointed or within another time frame identified in the resolution appointing the Commission.

9. Effective Date

- 9.1. This Remuneration Bylaw, Bylaw# 2018-005, shall be effective on the date of approval and adoption below.

First Reading:

This Remuneration Bylaw, Bylaw# 2018-005, was read a first time at the Council meeting held on the 14th day of March, 2018.

This Remuneration Bylaw, Bylaw# 2018-005, was approved by a majority of Council members present at the Council meeting held on the 14th day of March, 2018.

Second Reading:

This Remuneration Bylaw, Bylaw# 2018-005, was read a second time at the Council meeting held on the _____ day of _____, 2018.

This Remuneration Bylaw, Bylaw# 2018-005, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Approval and Adoption by Council:

This Remuneration Bylaw, Bylaw# 2018-05, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

10. Signatures

Mayor

Chief Administrative Officer

This Remuneration Bylaw adopted by the Council of the Rural Municipality of Malpeque Bay on _____ is certified to be a true copy.

Chief Administrative Officer

Date