

BY-LAW 2011-247F

**BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
RESPECTING THE PAYMENT OF REMUNERATION TO
MEMBERS OF COUNCIL AND RESPECTING THE PAYMENT
OF EXPENSES FOR MEMBERS OF COUNCIL, OFFICERS
EMPLOYEES AND SERVANTS 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 paying of expenses of the members of Council and of the officers and servants of the municipal corporation, and for the remuneration of Council members;

AND WHEREAS pursuant to the *Municipal Act, 2001* the Council of a municipality may, by By-law, provide for the paying of expenses to a member of Council or other person who has been appointed by the Council to serve as a member of a local board, and to a member of Council who serves as an ex officio member of such local board or other body, as are actually incurred as a result of being a member of the local board or other body;

**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 City of Greater Sudbury;

“CFO” means the City’s Chief Financial Officer / Treasurer;

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

“Local Board” means a local board as defined in s. 1 of the *Municipal Affairs Act*, R.S.O. 1990, c. M. 46; and

“Other Body” means anybody other than Council, a Council Committee, or a Local Board and includes the Committee of Adjustments.

Remuneration - Mayor and Council

2.- (1) During the period from the effective date of this By-law to and including March 31st, 2012, the CFO shall pay remuneration to each member of Council in accordance with the remuneration rates set out on Schedule "A".

(2) During the period from April 1st, 2012 to and including March 31st, 2013, the CFO shall pay remuneration to each member of Council, in accordance with the remuneration rates in Schedule "A-1" .

(3) Commencing April 1st, 2013 and on April 1st in each year thereafter, the remuneration payable to each member of Council shall increase over the rate payable in the prior April 1st to March 31st year, 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 by April 1st in any year, remuneration shall be payable at the rate applicable on March 31st of that year, until such time as a rate of increase is established by Council for that period. 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.

(4) Effective April 1st, 2013, the CFO shall pay remuneration to each member of Council in accordance with Subsection 2(3).

Council Remuneration - 1/3 Deemed Expense

3.-(1) The remuneration amounts set out in Schedule A, Schedule A-1, Schedule B and Schedule B-1 which are paid or payable to Members of Council, including the Mayor and as inflated pursuant to Subsection 2(3) are inclusive of a one-third portion deemed to be for expenses.

(2) In the event that the one-third tax-free portion is eliminated, then the remuneration set out in Section 2 shall be adjusted by the CFO to ensure that members of Council, including the Mayor are effectively compensated at the same rate as provided for in Section 2.

Remuneration - Local Boards

4.-(1) During the period from the effective date of this By-law to and including March 31st, 2012, the CFO shall pay remuneration in accordance with the remuneration rates set out in Schedule "B" to each member and Chair, and where indicated, Vice-Chair of a Local Board, or Other Body, who was appointed by Council as a member of that Local Board or other Body, whether or not such member is a Council Member and in the case of the Greater Sudbury Police Services Board, shall also pay remuneration in accordance with the remuneration rates set out in Schedule "B" to the provincial appointees to the Greater Sudbury Police Services Board.

(2) During the period April 1st, 2012 to March 31st, 2013, the CFO shall pay remuneration in accordance with Schedule "B-1" to each member and Chair of a Local Board, or Other Body and where indicated, Vice-Chair, who was appointed by Council as a member of that Local Board or Other Body, whether or not such member is a Council Member and in the case of the Greater Sudbury Police Services Board, shall also pay remuneration in accordance with Schedule "B-1" to the Provincial appointees to the Greater Sudbury Police Services Board.

(3) Commencing April 1st, 2013 and on April 1st in each year thereafter, the remuneration payable to each member of and Chair and where indicated, Vice-Chair of a Local Board or Other Body, who was appointed by Council as a member of that Local Board or Other Body, whether or not such member is a Council Member, and in the case of the Greater Sudbury Police Services Board, the Provincial appointees to the Greater Sudbury Police Services Board, all as identified in Schedule "B-1" shall increase over the rate payable in the prior April 1st to March 31st year, 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 shall be payable at the rate applicable on March 31st of that year,

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 or Other Body in the same manner as to full-time non-union employees of the City.

(4) Effective April 1st, 2013, the CFO is authorized to pay remuneration to each member of and each Chair and where indicated, Vice-Chair of a Local Board or Other Body identified in Schedule "B-1" in accordance with Subsection 4(3).

Expenses

5.- (1) The CFO shall make payments in accordance with the provisions of Schedule "C" to:

- (a) a member of Council or an officer, servant, or municipal employee;
- (b) a person appointed by Council as a member of a Local Board or as a member of any Other Body; and
- (c) to an ex officio member of a Local Board or Other Body;

in respect of expenses incurred or expected by such person that come within the appropriate description of expenses in Schedule "C" during authorized travel on City business.

(2) For the purpose of this section and Schedule "C", "municipal employee" means an officer, volunteer, servant or other employee of the City, and members of the City of Greater Sudbury Police Services but does not include:

- (a) an employee of a Local Board, other than the City of Greater Sudbury Police Services Board;
- (b) the City Auditor; or
- (c) any person or firm engaged by retainer or under contract for the purpose of providing advice or services in respect of legal, planning, engineering, or architectural matters or in respect of any similar professional matters.

Administration

6. Notwithstanding any other provision of this By-law, where a person is entitled to receive expenses under this By-law from the City in respect of his or her membership on an Other Body in respect of a certain period or certain items of expenditures and where he or she has received or is entitled to receive expenses from that Other Body in respect of a certain period or certain items of expenditure, he or she shall deduct the expenses he or she has received (or is entitled to receive) from the expenses that, but for this clause, would be payable to him or her under this By-law in respect of his or her membership on the Other Body for that period of time and those items and the amounts remaining, if any, shall be the amounts to which he or she is entitled under this By-law as expenses for that period and those items.

Annual Itemized Statements

7. The CFO shall, on or before the 31st day of March in each year, submit to the Council an itemized statement of the remuneration and expenses paid pursuant to this or any other By-law in the preceding calendar year:

- (a) to each member of Council in respect of his or her services as a member of Council or an officer of the City in the preceding calendar year; and
- (b) to each person, whether a Council member or otherwise, appointed by the Council to a Local Board or Other Body in respect of his or her services as a member of that Board or Body in the preceding calendar year.

Discretionary Adjustment - Travel Expense

8.-(1) The CFO shall review the amounts payable under this By-law as provided for in Schedule "C" for travel expenses and may adjust these amounts, if required, to reflect inflation.

(2) Any adjustments authorized under Subsection 8(1) will be effective January 1st in any year, and the CFO will inform Council, the Chief Administrative Officer, and the General Managers of all such adjustments.

Equipment Provided to Councillors

9. Schedule "D" lists the equipment which shall be provided to all Councillors during their term of office.

Use of Corporate Resources and Funding- Election Year

10. Council hereby adopts as a policy the Use of Corporate Resources and Funding by Members of Council During an Election Year document set out as Schedule "E".

Schedules

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

Schedule "A" Remuneration - Mayor and Council, Effective January 1st, 2012 until March 31, 2012;

Schedule "A-1" Remuneration - Mayor and Council, Effective April 1st, 2012 to March 31st, 2013;

Schedule "B" Remuneration - Local Boards and Other Bodies, Effective January 1st, 2012 until March 31st, 2012;

Schedule "B-1" Remuneration - Local Boards and Other Bodies, Effective April 1st, 2012 to March 31st, 2013;

Schedule "C" Travel Expenses;

Schedule "D" Equipment to be Provided to all Members of Council During their Term in Office; and

Schedule "E" Use of Corporate Resources and Funding by Members of Council During an Election Year.

Repeal

12.-(1) By-law 2008-272 and amending By-law 2009-58F are hereby repealed effective January 1st, 2012.

(2) Despite Subsection 12(1), any amounts which have accrued pursuant to By-law 2008-272 as amended, but which are unpaid as of the date of the repeal of By-law 2008-272 as amended shall continue to be due and payable in accordance with the terms of that By-law as amended.

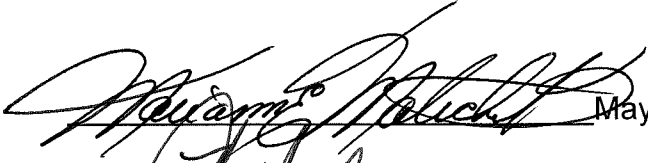
By-law Review

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

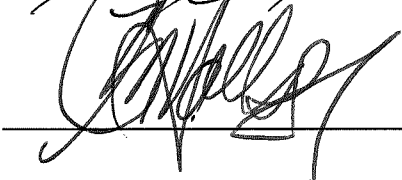
Effective Date

14. This By-law shall come into force and take effect on January 1st, 2012.

READ IN OPEN COUNCIL AND FINALLY PASSED this 9th day of November, 2011.



Mayor



Clerk

SCHEDULE "A"

TO BY-LAW 2011-247F

The Remuneration to be paid to each member of Council as described in Column A below during the period January 1st, 2012 to March 31st, 2012 shall be determined in accordance with the rate of remuneration set out in Column B, such amounts to be pro-rated as required.

January 1st, 2012 to March 31st, 2012

COLUMN A Council Member	COLUMN B Rate of Remuneration
Mayor	\$ 109,534.41 per annum plus a vehicle allowance of \$700 per month or as otherwise provided for the C.A.O.
Member of Council other than the Mayor	\$ 32,468.03 per annum
Deputy Mayor In addition to remuneration payable as a Member of Council	\$ 4,623.81 per annum
Any other member of Council replacing the Mayor	\$ 64.19 per day
For long-term replacements, one Deputy Mayor (as determined by Council) will receive the same remuneration as the Mayor	
Chair of the Finance and Administration Committee	\$ 2,846.25 per annum
Chair of the Audit Committee	\$ 1,897.50 per annum
Chair of the Operations Committee	\$ 1,897.50 per annum
Chair of the Planning Committee	\$ 3,795.00 per annum
Chair of the Community Services Committee	\$ 1,897.50 per annum
Member of the Planning Committee who is not the Chair	\$ 1,258.47 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.
- NOTE 3: Remuneration will increase on April 1st, 2012, to the rates as shown on Schedule A-1
- NOTE 4: Appropriate adjustments shall be made to annual remuneration amounts payable where the individual does not hold the position for a full year.

SCHEDULE "A-1"

TO BY-LAW 2011-247F

The Remuneration to be paid to each member of Council as described in Column A below during the period April 1st, 2012 to March 31st, 2013 shall be determined in accordance with the rate of remuneration set out in Column B, such amounts to be pro-rated as required

April 1st, 2012 to March 31st, 2013

COLUMN A Council Member	COLUMN B Rate of Remuneration
Mayor	\$ 112,068.18 per annum plus a vehicle allowance of \$700 per month or as otherwise provided for the C.A.O.
Member of Council other than the Mayor	\$ 33,220.08 per annum
Deputy Mayor In addition to remuneration payable as a Member of Council	\$ 4,730.16 per annum
Any other member of Council replacing the Mayor	\$ 65.67 per day
For long-term replacements, one Deputy Mayor (as determined by Council) will receive the same remuneration as the Mayor	
Chair of the Finance and Administration Committee	\$ 2,911.71 per annum
Chair of the Audit Committee	\$ 1,941.14 per annum
Chair of the Operations Committee	\$ 1,941.14 per annum
Chair of the Planning Committee	\$ 3,882.29 per annum
Chair of the Community Services Committee	\$ 1,941.14 per annum
Member of the Planning Committee who is not the Chair	\$ 1,287.43 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.

NOTE 3: Remuneration will increase on April 1st of each year commencing April 1st, 2013 in accordance with Subsection 2(3)

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

SCHEDULE "B"

TO BY-LAW 2011-247F

REMUNERATION

LOCAL BOARDS

1. The Remuneration to be paid to each person described in Column A below during the period January 1st, 2012 to March 31st, 2012 shall be determined in accordance with the rate of remuneration set out in Column B, such amounts to be pro-rated where required in the circumstances.

January 1st, 2012 to March 31st, 2012

Column A Member	Column B Amount
Chair of the Committee of Adjustment	\$ 91.32 per meeting
Member of the Committee of Adjustment, other than the Chair	\$ 72.43 per meeting
Chair of the Greater Sudbury Police Services Board if the Chair is a City Councillor	\$ 1,336.15 per annum
Chair of the Greater Sudbury Police Services Board, if the Chair is not a City Councillor	\$ 8,701.18 per annum
A member of the Greater Sudbury Police Services Board who is not the Chair and who is not a Councillor	\$ 7,365.04 per annum
Chair of the Sudbury & District Health Unit provided the Chair is a City Councillor	\$ 2,881.15 per annum
Vice-Chair of the Sudbury & District Health Unit provided the Vice-Chair is a City Councillor	\$ 1,728.69 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	\$ 1,153.51 per annum

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

NOTE 2: One third of the amount paid to Members of Council including the Mayor 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 and Other Body who is not a Member of Council has no tax-free expense component.

NOTE 3: Rates of remuneration will increase on April 1st, 2012 to the rates set out on Schedule B-1

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

SCHEDULE "B-1"

TO BY-LAW 2011-247F

REMUNERATION

LOCAL BOARDS

1. The Remuneration to be paid to each person described in Column A below during the period April 1st, 2012 to March 31st, 2013 shall be determined in accordance with the rate of remuneration set out in Column B, such amounts to be pro-rated where required in the circumstances.

April 1st, 2012 to March 31st, 2013

Column A Member	Column B Amount
Chair of the Committee of Adjustment	\$ 93.42 per meeting
Member of the Committee of Adjustment, other than the Chair	\$ 74.10 per meeting
Chair of the Greater Sudbury Police Services Board if the Chair is a City Councillor	\$ 1,368.88 per annum
Chair of the Greater Sudbury Police Services Board, if the Chair is not a City Councillor	\$ 8,901.31 per annum
A member of the Greater Sudbury Police Services Board who is not the Chair and who is not a Councillor	\$ 7,534.45 per annum
Chair of the Sudbury & District Health Unit if the Chair is a City Councillor	\$ 2,947.43 per annum
Vice-Chair of the Sudbury & District Health Unit if the Vice-Chair is a City Councillor	\$ 1,768.46 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	\$ 1,180.05 per annum

- NOTE 1: The Chair or Vice-Chair of a Local Board or Other Body is not entitled to receive the remuneration payable to a member of the Local Board or Other Body in addition to the remuneration payable to him or her as Chair of the Local Board or Other Body.
- NOTE 2: One third of the amount paid to Members of Council including the Mayor 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 and Other Body who is not a Member of Council has no tax-free expense component.
- NOTE 3: Remuneration will increase on April 1st of each year commencing April 1st, 2013 in accordance with Subsection 4(3)
- NOTE 4: Appropriate adjustments shall be made to annual remuneration amounts payable where the individual does not hold the position for a full year.

SCHEDULE "C"

TO BY-LAW 2011-247F

Travel Expense - Mayor, Members of Council, Members of Local Boards and Other Bodies.

1. The following guidelines apply to compensate the Mayor, members of Council and members of Local Boards and other bodies for travel expense:

Accommodation

(1) Actual cost of accommodation will be paid, with a single room maximum, preferably at hotels offering government rates. Receipts must be submitted for accommodation and registration fees.

Meals and Incidentals

(2) The per diem rate for out-of-town travel for the Mayor, Members of Council and members of Local Boards and Other Bodies shall be \$72.00 per day for meals and incidentals. If travel to the United States of America is involved, this amount shall be in U.S. Dollars. No receipt for meals and incidentals shall be required.

Transportation

(3) The mileage rate for the Mayor, Members of Council and members of Local Boards and Other Bodies shall be \$0.46 per kilometre within or outside of the City up to a maximum of equivalent air fare when travelling on City business. Receipts shall be submitted for transportation costs such as air fare, train, bus, parking, etc.. Receipts shall not be required for car mileage claims. Mileage to Members of Council, but not the Mayor, shall apply whether attending council meetings, Community Development Corporation meetings or other related Boards or Agencies for which mileage has not been received, or for any other City-related travel, such as site inspections or meetings with residents.

SCHEDULE "C"

Page 2 of 4

TO BY-LAW 2011-247F

(4) Mileage shall be paid to Members of Council, except the Mayor, for travel on City business, whether within the City of Greater Sudbury or outside its boundaries. Mileage within the City of Greater Sudbury City limits shall not be paid to the Mayor, except for out-of-town travel which shall be paid as set out herein.

(5) Increases set out in this schedule shall not be retroactive.

2. Travel Expenses - Municipal Employees of the City, as Defined in section 5 of the By-law.

The Following guidelines apply to compensate municipal employees of the City, as defined in Section 5 of the BY-law, for travel expense:

Accommodation and Registration Fees

(1) Actual cost of accommodation will be paid, with a single room maximum, preferably at hotels offering government rates. Receipts must be submitted for accommodation and registration fees.

Meals and Incidentals

(2) The per diem rate for out-of-town travel for municipal employees shall be \$72.00 per day for meals and incidentals. If travel to the United States of America is involved, this amount shall be in U.S. Dollars. No receipt for meals and incidentals shall be required.

Transportation

(3) Rental vehicles may be used when non-unionized municipal employees are travelling out-of-town and shall be used when unionized municipal employees are travelling out-of-town. In those cases where a non-unionized municipal employee uses his or her personal vehicle for authorized in-town or out-of-town travel, he or she shall be entitled to be compensated at a rate of \$0.46 per kilometre within or outside of the City up to a maximum of equivalent air fare. Receipts shall be submitted for transportation costs such as air fare, train, bus, parking etc. Receipts shall not be required for car mileage claims.

SCHEDULE "C"

Page 3 of 4

TO BY-LAW 2011-247F

(4) In lieu of reimbursement for in-town business travel, municipal employees who hold positions which include the title of "director" (excluding persons who are members of the Greater Sudbury Police Services, and persons on fixed term employment contracts), shall be paid a monthly vehicle allowance of \$403. The amount shall be adjusted proportionally to any adjustment in the per kilometre rate outlined in subsection 2(3) of this Schedule "C".

(5) Increases as set out in this schedule shall not be retroactively applied.

(6) No remuneration for in-town travel expenses will be paid or reimbursed to non-Councillor members of an Advisory Panel, or other citizen committee, except for parking at Tom Davies Square.

(7) Despite anything to the contrary in this By-law, where so provided in his or her employment contract, a member of the Senior Management team shall:

- (a) receive a monthly vehicle allowance in the amount specified in the contract in lieu of compensation for in-town travel;
- (b) be paid an out-of-town travel rate determined in accordance with his or her contract instead of the rate provided herein; and
- (c) be provided with a parking pass for Tom Davies Square Parking Lot, without charge.

(8) A Parking pass shall be provided without charge to an employee who is not a member of the Senior Management Team on the written authorization of the CAO. The CAO is delegated the authority to authorize the issuance of a parking pass without charge where he or she determines such is required for operational purposes.

SCHEDULE "C"

Page 4 of 4

TO BY-LAW 2011-247F

3. OFFICE EXPENSES - MEMBERS OF COUNCIL

The CFO shall reimburse a Member of Council the actual cost of office supplies, long distance telephone charges, meals and incidentals, the cost of maintaining an office elsewhere and other similar expenses, incurred by a Member of Council, where supported by receipts and incurred as a result of acting as a Member of Council.

A separate annual allocation shall be made in the budget for the Mayor and each Member of Council for the payment of these expenses, and for the payment of out-of-town travel costs.

SCHEDULE "D"

TO BY-LAW 2011-247F

The following will be provided without charge to all Members of Council during their term of office:

1. Home PC or laptop;
2. Printer/Fax/Copier;
3. Blackberry or cellular phone;
4. Internet Access;
5. Bell Telephone/Fax Line; and
6. Parking Pass for Tom Davies Square

SCHEDULE "E"

TO BY-LAW 2011-247F

USE OF CORPORATE RESOURCES AND FUNDING BY
MEMBERS OF COUNCIL DURING AN ELECTION YEAR

Reasons for a Policy:

1. The conduct of everyone in local government - Councillors and municipal employees - needs to be of the highest standard. On this depends that bond of trust between Councils and citizens which is essential if Councils are to play their part in leading communities and improving people's quality of life.

In practical terms, this obligation requires that all candidates avoid any conflict between personal interest and official duties, and that any potential conflict be resolved in favour of the public interest. The obligation also requires that Councillors who are also candidates should avoid conduct which could undermine public confidence in the administration of the election process.

While the business in the City of Greater Sudbury must continue to be carried out through the full term of Councils, and the needs of constituents must also be continued in an election year, Members of Council are responsible to ensure that corporate resources are not used for any election-related purposes. The purpose of this section is to provide guidelines on the use of corporate resources by current Members of Municipal Councils during the election process.

It is necessary to establish guidelines on the appropriate use of corporate resources during an election period to protect the interests of both the Members of Council and the City of Greater Sudbury.

SCHEDULE "E"

TO BY-LAW 2011-247F

The *Municipal Elections Act, 1996*

2. The *Municipal Elections Act, 1996* prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a Member of Council of a municipality's corporate resources for his or her election campaign would be a contribution by that municipality to the Member, which is a violation of the *Act*.

Should an individual launch a legal challenge on this issue, the office provisions of the *Municipal Elections Act, 1996* provide for a fine of up to \$5,000 for a Member and up to \$25,000 for the municipality of any violations of the *Act* (see section 66 and 70).

Examples of Unacceptable Uses of Resources:

3. (i) A Councillor should not use the facilities, equipment, supplies, services or other resources of a municipality for any election campaign or campaign-related activities. Such resources would include desktop publishing and graphic services, photocopying, postage, or the use of fax machines.

(ii) A Councillor should not undertake campaign-related activities on municipal property during regular working hours.

(iii) A Councillor should not use the services of municipal staff or employees during hours in which those persons receive compensation from the municipality.

(iv) A Councillor should not use business cards, envelopes or letterhead imprinted with municipal logos for election purposes.

SCHEDULE "E"

TO BY-LAW 2011-247F

(v) Requests for translation services should be restricted to material relevant to a matter which is on a Council or Committee Agenda.

(vi) A Councillor should not use a municipal voice mail systems to record election-related messages.

(vii) A Councillor should ensure that the content of any communications material, including printed material such as newsletters, advertising, etc., funded by the municipality is not election-related.

To whom do these Guidelines apply?

4. These guidelines apply to all Members of Council, including a Member of Council who is acclaimed or a retiring Member.