

**TOWN OF O'LEARY**  
**A BYLAW TO REGULATE REMUNERATION OF COUNCIL AND APPOINTEES**  
**BYLAW # 2020 - 03**

**BE IT ENACTED** by the Council of the Town of O'Leary 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 and members of council committees. For greater certainty, this includes the Mayor and 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(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 83(3) of the Act.
- 4.7 "Remuneration" means, both monetary payment 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 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 Town;
  - (b) individuals who have been appointed by Council to municipal committees are provided reasonable remuneration for their service to the Town;
  - (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 \$6000.00 per year.
- 6.2 The Deputy Mayor shall be paid remuneration for discharge of the duties of office in the amount of \$4500.00 per year.
- 6.3 Each Councillor shall be paid remuneration for discharge of the duties of office in the amount of \$3000.00 per year.
- 6.4 Where a Councillor, Deputy Mayor or Mayor does not service a full 12 month term, 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 late November or early December each year.
- 6.6 Eligibility for full honorarium payment will be dependent on Mayor's, Deputy Mayor's or Councillor's attendance of 75% of all council meetings, including special meetings. At least 50% of Council meetings, including special meetings, must be attended to be eligible for prorated per meeting honorarium; and if at least 50% of all meetings, including special meetings, are not attended, will not be eligible for any honorarium payment. In cases of leave requests, Council will use their discretion on a per case basis to determine if honorarium is payable.
- 6.7 This bylaw does not speak to eligibility of Council committee members honorarium being dependent on number of meetings attended.

## **7. Allowance for Expenses**

- 7.1 The Mayor, Deputy Mayor, Councillors and Council committee members 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 Persons, other than members of Council, appointed by Council as members of the following council committees shall receive remuneration as outlined in Schedule A:
  - (a) Planning Board
  - (b) Remunerations and Allowances Commission
  - (c) Emergency Measures Committee
- 8.3 In the event the Manager of the Emergency Measures Committee is a member of Council, this individual shall receive \$2500.00 annually, in addition to the remuneration outlined in Section 6.

## **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 or Council committees, 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 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 8.
- 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 and council committees, 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 # 2018-07, Bylaw to Regulate Remuneration of Council and Appointees and Bylaw # 2017-1, Relating to Town of O'Leary Council Honorariums.

## **11. Effective Date**

- 11.1 This Remuneration Bylaw, Bylaw # 2020-03, shall be effective after approval and adoption below.

### **First Reading:**

This Remuneration Bylaw, Bylaw # 2020-03, was read a first time at the Council meeting held on the 17<sup>th</sup> day of June, 2020.

This Remuneration Bylaw, Bylaw # 2020-03, was approved by a majority of Council members present at the Council meeting held on the 17<sup>th</sup> day of June, 2020.

### **Second Reading:**

This Remuneration Bylaw, Bylaw # 2020-03, was read a second time at the Council meeting held on the 9<sup>th</sup> day of September, 2020.

This Remuneration Bylaw, Bylaw # 2020-03, was approved by a majority of Council members present at the Council meeting held on the 9<sup>th</sup> day of September, 2020.

### **Approval and Adoption by Council:**

This Remuneration Bylaw, Bylaw # 2020-03, was adopted by a majority of Council members

present at the Council meeting held on the 9<sup>th</sup> day of September, 2020.

**12. Signatures**

Eric Gavin  
Mayor

Bev Shaw  
Chief Administrative Officer

This Remuneration Bylaw, Bylaw # 2020-03 adopted by the Council of the Town of O’Leary on is certified to be a true copy.

Bev Shaw  
Chief Administrative Officer

\_\_\_\_\_  
Date

## **SCHEDULE A**

### **1. Mileage Reimbursement**

Cents per kilometer travelled as per Provincial Government rate.

Meal reimbursement rates as per receipts.

No mileage will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Town of O'Leary.

No meal allowances will be paid for attendance at Council meetings, Council Committee meetings or for meetings held within the Town of O'Leary.

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

### **2. Emergency Measures Committee Manager**

Annual honorarium of \$2500 payable after (one) 1 year of service. First payment due in October 2020 and each following October unless the position is vacant for a period of time and honorarium will be prorated. Expenses will be reimbursed to Manager as outlined in Section 1 of Schedule A.

### **3. Planning Board**

Compensation \$0.00

### **4. Remuneration and Allowances Commission**

Compensation \$0.00