



CITY OF DAUPHIN

BYLAW NUMBER 02/2014

BEING A BYLAW FOR THE COMPENSATION OF COUNCIL MEMEBERS

WHEREAS pursuant to the provisions of *The Municipal Act*, Section 124, Subsection(2) which provides that council may, by bylaw, set the types, rates, and conditions of payments for compensation re reimbursement of expenses to be made to or on behalf of members of the Council and Council Committees, other than the Committee of a local urban district,

- a) as compensation for attending to Municipal business;
- b) for expenses incurred while attending to Municipal business; and
- c) for any other purpose relating to Municipal business that the Council considers appropriate;

AND WHEREAS Section 81 (3) of *The Income Tax Act (Canada)* deems a portion of an elected municipal officer's expense allowance to be excluded from income specifically if an allowance paid to an officer for expenses incident to the discharge of his or her duties is not included in computing the income for the year unless it exceeds $\frac{1}{2}$ (one -half) of the amount paid as salary or other compensation for duties performed as a municipal officer;

AND WHEREAS it is deemed advisable to fix the compensation payable to the Mayor, Deputy Mayor, and Councillors for the City of Dauphin for their service as members of such Council and provide for the payment thereof.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF DAUPHIN IN SESSION ASSEMBLED, ENACTS AS FOLLOWS:

1. MONTHLY INDEMNITY

The City of Dauphin shall pay the members of Council a monthly indemnity to acknowledge the following:

- i) attendance of all scheduled Regular Council Meetings;
- ii) attendance of all scheduled Special Council Meetings, Budget Meetings, & Boards of Revision;
- iii) attendance of all scheduled Planning & Priorities Committee Meetings;
- iv) picking up all material and or information from the office in order to perform their duties on Council;
- v) time spent speaking with citizens in regards to community issues;
- vi) time spent on phone calls, emails, faxes related to the above meetings, and community issues.

- (a) **Mayor**
The City of Dauphin shall pay to the Mayor of the City of Dauphin a monthly compensation of **\$1,984.00**, being subject to applicable income tax and applicable exemption from tax in accordance with Subsection 81(3) of *The Income Tax Act (Canada)*, as well as nominal out of pocket expenses incurred within the City's corporate boundaries in the performance of duties as Mayor.
- (b) **Deputy Mayor**
The City of Dauphin shall pay to the Deputy Mayor of the City of Dauphin, a monthly compensation of **\$904.34**, being subject to applicable income tax and applicable exemption from tax in accordance with Subsection 81(3) of *The Income Tax Act (Canada)*, as well as nominal out of pocket expenses incurred within the City's corporate boundaries in the performance of duties as Deputy Mayor.
- (c) **Councillors**
The City of Dauphin shall pay to each Councillor of the City of Dauphin a monthly compensation of **\$786.37**, being subject to applicable income tax and applicable exemption from tax in accordance with Subsection 81(3) of *The Income Tax Act (Canada)*, as well as nominal out of pocket expenses incurred within the City's corporate boundaries in the performance of duties as Councillor.

2. PER DIEM, MILEAGE & EXPENSES

A. **Attending Meetings of Boards/Committees**

The City of Dauphin shall pay in addition to the monthly compensation provision stated above, for attending a meeting for boards/committees as established within the current Organizational Bylaw for officially representing the Council of the City or otherwise as authorized by resolution of Council the following:

- i) to each council member a sum of \$25.00 per hour to a maximum of \$125 per day, for each hour actually and necessarily spent for attending such meetings.

B. **Attending Meetings Outside the Limits of the Municipality on Business**

The City of Dauphin shall pay each member of Council if duly authorized by resolution of Council specifying the purpose to go on a journey beyond the limits of the municipality on corporate business the following:

- i) the sum of \$25.00 per hour, up to a maximum of \$125 per day for each hour actually and necessarily spent for attending such meetings;
- ii) vehicle mileage at a rate per kilometre as established per *City Travel & Expense Policy*; and
- iii) accommodation expenses and meal expenses as set out in the *City Travel & Expense Policy*.

C. Attending A Course Of Instruction Relative To The Municipality (In the Municipality Or Out Of The Municipality)

The City of Dauphin shall pay the following to each member of Council, if duly authorized by resolution of Council, for attending a course of instruction relative to the municipality:

- i) the sum of \$25.00 per hour, up to a maximum of \$125 per day for each hour actually and necessarily spent for attending such courses of instruction;
- ii) vehicle mileage at a rate per kilometre as established per *City Travel & Expense Policy*;
- iii) accommodation expenses (if outside the municipality) and meal *expenses as set out in the City Travel & Expense Policy*, and
- iv) actual course registration or tuition.

D. AMM & FCM

The City of Dauphin shall pay each member of council to attend each of the following meetings and seminars which shall be duly authorized by resolution of council for a member of council to attend:

- i) Federation of Canadian Municipalities Annual Convention (*Up to 2 members of Council and the Mayor may attend out of Province FCM Conventions. Where the Convention is held in the Province of Manitoba, all Council Members may attend*).
- ii) Association of Manitoba Municipalities Annual Convention
- iii) Municipal Officials Seminar (AMM)
- iv) Association of Manitoba Municipalities June District Meeting
- v) Mayor's, Reeve's, and CAO's Annual Meeting (AMM)

The following:

- i) the sum of \$25.00 per hour, up to a maximum of \$125 per day for each hour actually and necessarily spent for attending such meetings/seminars;
- ii) vehicle mileage at a rate per kilometre as established per *City Travel & Expense Policy*;
- iii) accommodation expenses and meal *expenses as set out in the City Travel & Expense Policy* (if outside the municipality); and
- iv) actual course registration.

3. CONTEXT APPLICABLE TO ALL SECTIONS

- i) All indemnities and hourly/daily compensations authorized and paid for under each section will be in accordance with the applicable provisions of *The Income Tax Act (Canada)*.

- ii) Council Members are to complete a Travel Expense Claim Form as per *City Travel & Expense Policy* for reimbursement of all expenditures and hourly compensation, excluding the regular monthly indemnities.
- iii) Travel Expense Claim Forms are to be submitted within 30 days of function/course attended to be eligible for reimbursement.
- iv) Travel Expense Claim Forms for Per Diems and Expenses shall not be paid until a form has been presented to the Chief Administrative Officer or Mayor for their authorization and approval, and forwarded to the Director of Finance for payment.
- v) The Director of Finance shall maintain a record of the per diem indemnity paid to and reimbursement of expenses incurred by each Council Member and shall annually make such record public pursuant to Section 124(4) of *The Municipal Act*.

4. REVIEW OF INDEMNITIES

The amount of indemnities for the Mayor, Deputy Mayor, and each Councillor and the formula for determining such indemnities may be reviewed at Council's discretion and such a review shall be mandatory within six (6) years from the date of implementation of this bylaw.

5. ABSENT FROM MEETINGS PENALTY

Where the Mayor, Deputy Mayor, or a Councillor is absent for more than a total of six (6) regular meetings of council in one calendar year, the Deputy Mayor or the Councillor shall be subject to a loss of \$125 indemnity for each such further absence.

Where an absence from such regular meeting has been authorized by prior resolution of Council, such absence shall not be deemed to form part of the total of the six (6) regular meetings mentioned above and shall not result in any loss of indemnity. Absences allowed through prior Council resolution are:

- i) City business,
- ii) Business relating to the council member's full or part time occupation,
- iii) Scheduled vacation,
- iv) Personal or family illness, or
- v) Death in the family.

6. ANNUAL ADJUSTMENTS IN INDEMNITIES

Council indemnities shall be adjusted January 1st of each year by the same percentage increase as stipulated in the Collective Agreement between the City of Dauphin and CUPE Local 3240.

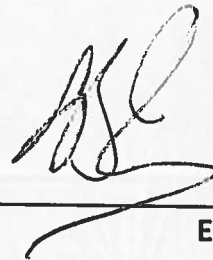
7. REPEAL

Bylaw No. 07/2013 be and is hereby repealed.

8. EFFECTIVE DATE

This by-law shall come into full force the day after third reading, as per The Municipal Act, and the Monthly Indemnity Rates (section 1) is effective January 1, 2013.

DONE AND PASSED by the Council of the City of Dauphin in Regular Session assembled at the City of Dauphin, in Manitoba, this 27th day of January, 2014.



Eric Irwin, Mayor



Brad D. Collett, CA, Chief Administrative Officer

READ A FIRST TIME this 13th day of January, 2014
READ A SECOND TIME this 27th day of January, 2014.
READ A THIRD TIME this 27th day of January, 2014.