

BY-LAW NUMBER 2018-016

THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

**WHEREAS** legislative amendments, effective as of January 1, 2018, have been made to the Act respecting the treatment of elected municipal officers (RSQ, C. T-11 001), ensuring, on the one hand, that certain guidelines the remuneration of elected municipal officials, particularly those relating to the imposition of a minimum remuneration, have been abolished and, secondly, that the responsibility for setting the remuneration of elected municipal officials rests with the Municipality of Kazabazua;

**WHEREAS** the Municipality of Kazabazua did not have a by-law fixing the remuneration of the elected officials and that, consequently, the elected officials were remunerated according to the minimum remuneration previously provided for in the Act respecting the remuneration of elected municipal officers which had a suppletive character;

**WHEREAS** it is expedient, therefore, to fix the remuneration applicable to the members of the council;

**WHEREAS** the draft by-law concerning this By-law was presented at the July 3, 2018 council meeting and a notice of motion was given on July 3, 2018;

**WHEREAS** a public notice has been published in accordance with the terms of section 9 of the Act respecting the remuneration of elected municipal officers;

**CONSEQUENTLY, IT IS PROPOSED** by the Mayor Robert Bergeron, **SECONDED** by Henri Chamberlain and unanimously resolved,

**THAT THIS BY-LAW IS ADOPTED AND THAT IT IS ORDERED AND RULED AS FOLLOWS:**

1. **Preamble**

The preamble to this Regulation forms part of it as if it were reproduced below.

2. **Purpose**

This by-law fixes the salaries of elected municipal officials.

3. **Mayor's remuneration**

The annual remuneration of the mayor is set at \$ 13,152.00 payable monthly to the last pay period of the said month for the fiscal year 2018, it being understood that for any subsequent fiscal year, the amount of the mayor's remuneration will be adjusted annually according to the indexation provided for in Article 8 of this Regulation.

4. **Remuneration of the acting mayor**

From the moment the acting mayor takes over the duties of the mayor and until he ceases his replacement, the acting mayor receives additional remuneration to that paid to him as a member of the council in order to equal the remuneration payable to the mayor for his duties.

5. **Remuneration of other members of the council**

The annual remuneration of the members of the municipal council, other than the mayor, is set at \$ 4,380.00 payable monthly to the last pay period of the said month for the fiscal year 2018, it being understood that for any subsequent fiscal year the amount of the remuneration of the members of the City Council will be adjusted annually according to the indexation provided for in Article 8 of this by-law.

6. **Compensation in exceptional circumstances**

Any member of the council may receive payment of compensation for loss of income if each of the following conditions is met:

- a) the state of emergency is declared in the Municipality under the Civil Protection Act (L.R.Q., C. S-2.3) following an event occurring on the territory of the Municipality;
- b) the council member must manage, coordinate or otherwise participate in the interventions to be made by the Municipality as a result of this event;
- c) the member of the council must be absent from work for a consecutive period of more than four (4) hours and suffer a loss of income during that period of absence.

If the council member fulfills the conditions set out in this article, he will receive, following the council's acceptance, compensation equal to the loss of income suffered. The council member must provide satisfactory documentation to the council attesting the loss of income.

The payment of the compensation will be made by the municipality within thirty (30) days of the council's agreement to grant such compensation to the council member.

7. **Expenditure allowance**

In addition to the remuneration payable under this by-law, each member of the council shall receive an expense allowance equivalent to one-half of their remuneration fixed herein, subject to the amount of the maximum expenditure allowance provided for in section 19 of the Act respecting the treatment of elected municipal officers and the sharing of the expenditure allowance provided for in section 19.1 of that Act.

That amount is rounded down to the nearest dollar if it includes a dollar fraction that is less than \$0.50 or up to the nearest dollar if it includes a dollar fraction that is equal to or greater than \$0.50. The Minister of Municipal Affairs, Regions and Land Occupancy shall publish the results of that adjustment in the *Gazette officielle du Québec*.

The allowance shall be paid as compensation for that part of the expenses attaching to the position that is not reimbursed to the member of the council under Chapter III.

## **8. Indexing and revision**

The remuneration payable to council members must be indexed annually, as of January 1, based on the consumer price index published by Statistics Canada for the province of Quebec in the previous year.

Notwithstanding the foregoing, a review of the remuneration payable to the members of the Council shall be made and determined within sixty (60) days of the day of the general municipal elections to be held under the Elections and Referendums Act in the municipalities (LRQ, C. E-2.2). The remuneration of the members of the council so determined shall be in force and payable to the members of the council as of the first day of January following the holding of those elections.

## **9. Expense allocation**

Subject to the authorizations that may be required from the municipal council and the filing of any vouchers attesting to the need for travel, when a member of the council must use his motor vehicle to perform a trip on behalf of the Municipality, a refund equal to \$ 0.50 per kilometer made is granted.

No member may, as part of his duties, perform any act involving expenses chargeable to the municipality except with the prior authorization of the council to perform the act and, consequently, incur expenses which do not exceed the amount fixed by the council.

However, the mayor, is not required to obtain such prior authorization when he performs an act as part of his duties. The same rule applies in the case of a member of the council designated by the mayor to replace him where he is unable to represent the municipality.

The annual amount, not greater than \$1,500, up to which the exemption is granted.

A member of the council who, as part of his duties, has incurred expenses chargeable to the municipality may, on presentation of a statement accompanied with the proper vouchers, obtain the reimbursement of the actual amount of the expenses by the municipality.

The council provide sufficient appropriations in the budget of the municipality for the reimbursement, of expenses entailed by particular classes of acts that the members of the council may perform on behalf of the municipality as part of their duties. The prior authorization provided in respect of an act of a class for which appropriations are provided in the budget is limited to the authorization to perform the act, without reference to the maximum amount of expenses allowed. The maximum amount is deemed to be the balance of the appropriations for acts of that class, after deducting all previous reimbursements, or, where applicable, the amount prescribed in the tariff for that act.

If no appropriations are available, the council may appropriate sums of money out of the general fund of the municipality for the purposes of the first paragraph; the sums so appropriated are regarded as appropriations.

The council of a municipality may, provide for the cases in which it shall pay an advance to a member of the council and establish the rules and the terms and conditions applicable to payment of the advance, as well as the terms and conditions of repayment to the municipality of the portion of the advance that exceeds the reimbursement to which the member is entitled

In respect of acts performed or expenses incurred while the member of the council is representing the municipality otherwise than in the course of the work of bodies of which he is a member within the municipality, a mandatory body of the municipality or a supramunicipal body, or while he is participating in any convention, seminar or other event held for the purpose of providing information or training relevant to the performance of his duties.

Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a sitting of the council or another organ of the municipality, a mandatory body thereof or a supramunicipal body, or at any meeting held in connection with such a sitting, to the extent that no member of the council or of the organ concerned was excluded from the sitting or meeting for any cause other than the member's disqualification.

## **10. Application**

The Director General and Secretary-Treasurer is responsible for the application of this Regulation.

## **11. Entry into force and publication**

This Regulation comes into force retroactively to January 1, 2018.

This by-law comes into force in accordance with the law and is published on the website of the Municipality.

*Pierre Vaillancourt*

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Mayor

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Director General and Secretary Treasurer

Notice of motion: July 3, 2018  
Presentation of the draft by-law: July 3, 2018  
Adoption of the by-law: August 7, 2018  
Notice of publication: August 8, 2018

## PUBLICATION OF PROJECT BY-LAW NUMBER 2018-016

Notice is hereby given by the undersigned Director General / Secretary-Treasurer of the Municipality of Kazabazua, that at the regular council meeting of August 7, 2018, at 26 Begley Road (Community Center) at 7:00 pm, the Council will adopt the project by-law number 2018-016 concerning

### THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

The proposed project by-law proposes an annual remuneration of the mayor of \$ 13,152.00 annually and \$ 4,380.00 for council members other than the mayor.

This proposal is for the fiscal year 2018 retroactive to January 1, 2018, and that for any subsequent fiscal year, the amount of the remuneration of the mayor and council members will be adjusted annually according to the indexation provided for in Article 8 of the project by-law.

In addition to the remuneration payable under this project by-law, each member of the council receives an expense allowance equal to half of their remuneration.

From the moment the acting mayor takes over the duties of the mayor for a period of more than 30 days and until he ceases his replacement, the acting mayor receives an additional remuneration to that paid to him as a member council to equal the remuneration payable to the mayor for his duties.

**That any person interested may consult this project By-law at the municipal office located at 30 Begley Road between the hours of 8:00am to Noon and 1:00pm to 4:00pm Monday through Friday.**



\_\_\_\_\_  
Director General

July 4, 2018

Date

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### Certificate of publication

### Project By-law № 2018-016

I, Pierre Vaillancourt, Director General, Municipality of Kazabazua certify under my oath of office that I have published the public notice concerning the project By-law 2018-016 by posting a copy at each of the places designated by the By-law 2017-012, on July 4, 2018, between 8:00 and 16:00 hours.



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Director General

July 4, 2018

Date

## **PUBLICATION OF BY-LAW NUMBER 2018-016**

Notice is hereby given by the undersigned Director General / Secretary-Treasurer of the Municipality of Kazabazua, that at the regular meeting held on August 8, 2018 the Council adopted by its resolution number 2018-08-185, the By-Law number 2018- 016 title

### **THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS**

That any person interested may consult this by-law at the municipal office located at 30 Begley Road between the hours of 8:00am to Noon and 1:00pm to 4:00pm Monday through Friday.



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Director General

August 8, 2018  
Date

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### **Certificate of publication**

#### **By-Law № 2018-016**

I the undersigned Pierre Vaillancourt, Director General, of the Municipality of Kazabazua certifies, under my oath of office that I issued the Public Notice regarding the By-Law 2018-016 by posting a copy at each of the locations designated by By-law 2017- 012, on August 8, 2018, between 8:00 am. and 4:00 pm.



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Director General

August 8, 2018  
Date