

THE RURAL MUNICIPALITY OF STRATHCLAIR

BY-LAW NO. 1-2010

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF STRATHCLAIR TO PROVIDE FOR THE REMUNERATION OF MEMBERS OF COUNCIL FOR THE YEAR 2010

WHEREAS Section 124(2) of The Municipal Act S.M. 1996, c. 58 provides as follows:

124(2) A council may by by-law set the types, rates and conditions of payments 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 it is deemed expedient and in the best interests of the residents of The Rural Municipality of Strathclair to provide for the payment of indemnities, mileage and other remuneration incident to the discharge of such duties as a member of council;

AND WHEREAS in accordance with Revenue Canada's provision pursuant to subsection 81(3) of The Income Tax Act, a member of council that has been paid an amount as an allowance in a taxation year for expenses incident to the discharge of his/her duties as a member, the allowance shall not be included in computing his/her income for the year unless it exceeds one half of the amount paid as salary or other remuneration, in which case the excess is added to his/her income.

NOW THEREFORE the Council of The Rural Municipality of Strathclair, duly assembled, enacts as follows:

1. **THAT** remuneration of members of council shall be as follows:

(a) Head of Council

That the Rural Municipality of Strathclair shall pay to each member of Council \$150.00 per day for attending meetings of Council. The Reeve shall also be paid \$75.00 per month indemnity above the \$150.00 per day for meetings. All members of Council shall be paid \$.72 per mile or \$.45 per kilometer, each way from their place of residence to the place of meeting such payments to be allowed only once for each meeting.

(b) Councillors

That the Rural Municipality of Strathclair shall pay to each member of Council \$150.00 per day for attending meetings of Council. All members of Council shall be paid \$.72 per mile or \$.45 per kilometer, each way from their place of residence to the place of meeting such payments to be allowed only once for each meeting.

(c) That each member of council duly authorized to perform work or service on behalf of the municipality that requires travel away from the municipality in the performance of the duties of his/her office shall be paid as follows:

- i. For attending delegated meetings outside the municipality's boundaries
\$15.00 per hour for the year 2010.
- ii. The actual traveling expense other than for the use of a motor vehicle incurred in connection with the performance of authorized duties.
- iii. A maximum of \$40.00 per day to be paid in lieu of claiming receipts for meal costs under paragraph (i) as follows:
 - \$9.00 breakfast
 - \$11.00 lunch
 - \$20.00 supper

- v. A rate of \$.45 per kilometer for each kilometer traveled for the use of a private vehicle owned or operated by a member of council in performance of his/her duties.

 - (e) In addition to compensation provided for in the preceding paragraphs, each member of council will be paid the amount per hour listed in paragraph (ii) for each hour actually and necessarily spent by him/her for such duties, work or services as required or authorized by council performed within the boundaries of the municipality. Without restricting the foregoing, it includes the supervision and inspection of any work done for the municipality and in addition, the sum of \$.45 per kilometer for each kilometer actually traveled in the performance of said duties, work or services.
1. **THAT** the amounts referred to in this by-law shall be paid on the basis that two-thirds of the amount paid is a taxable income and one-third of the amount paid is a non-accountable expense allowance for taxable services and costs under The Excise Act incident to the discharge of duties as a member of council.
 2. **THAT** this by-law shall be effective as of January 1, 2010 to December 31, 2010.
 3. **THAT** this by-law supersedes any other by-laws setting rates of pay for Reeve, Deputy Reeve and Councillors of the Rural Municipality of Strathclair, and repeals By-Law No. 2-2009.

DONE AND PASSED by the Council of The Rural Municipality of Strathclair in regular session assembled, this 20th day of January, 2010.

Reeve

Chief Administrative Officer

Read a first time this 8th day of January, AD. 2010
Read a second time this 20th day of January, AD. 2010
Read a third time this 20th day of January, AD. 2010