



## **The Corporation of the County of Essex**

### **By-Law Number 2024-27**

#### **A By-law to Establish the Method for Calculating Remuneration for Members of County Council, Committees, and Local Boards.**

**Whereas** the Council of the Corporation of the County of Essex (the "**County**") deems it fair and necessary to establish a methodology for calculating the remuneration of its Members and Alternate Members, Members of Committees, and Members of Local Boards;

**And whereas** this matter has been discussed at previous meetings of Council, and Administration was directed to engage a third-party consultant to perform a fulsome assessment of remuneration practices for the County as compared with municipalities of similar size and scope as the County;

**And whereas** the assessment directed by Council has been conducted by a third-party consultant and a report prepared and presented to Council outlining the findings of the assessment and analysis;

**And whereas** Council has debated the matter in open session, to ensure there is accountability and transparency in the decision-making process;

**And whereas** Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, (the "**Municipal Act**") as amended, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

**And whereas** Section 9 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act*, or any other Act;

**And whereas** Section 5(1) of the *Municipal Act* provides that the powers of a municipality shall be exercised by its Council;

**And whereas** Section 5(3) of the *Municipal Act* provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**And whereas** Section 227 of the *Municipal Act* provides, among other things, that it is the role of the officers and employees of the municipality to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;

**And whereas** Section 283(1) of the *Municipal Act* provides that a municipality may pay any part of the remuneration and expenses of the members of any local Board of the municipality and of the officers and employees of the local Board;

**And whereas** Section 283(2) of the *Municipal Act* provides that despite any Act, a municipality may only pay the expenses of members of its Council or of a local Board of the municipality if the expenses are of those persons in their capacity as members, officers, or employees, and if the expenses are actually incurred, or, if the expenses are, in lieu of the expenses actually incurred, a reasonable estimate, in the opinion of the Council or the local Board, of the actual expenses that would be incurred;

**And whereas** Section 283(3) of the *Municipal Act* permits the payment of remuneration to and the expenses incurred by members, officers, and employees of local Boards, to the extent that a municipality is able to do so under the *Municipal Act*;

**And whereas** Section 283(4) of the *Municipal Act* provides that no part of the remuneration of a member of Council or of a local Board paid pursuant to Section 283 of the *Municipal Act* is deemed to be for expenses incidental to their duties as a member and a municipality or local Board shall provide that any part of the remuneration is for such deemed expenses;

**And whereas** Section 284 of the *Municipal Act* provides that the remuneration paid to members of Council and local Boards shall be disclosed each year by an itemized statement on or before March 31;

**And whereas** Corporate Policies of the County of Essex establish a strategic direction consistent with resolutions or decisions made by Council and/or principles impacting employees, members of Council, Committees of Council, and local Boards, and/or members of the public as it relates to operations of the County of Essex. And further, Corporate Policies of the County of Essex direct the administrative process on matters of public interest or County function and are consistent with Federal and Provincial Legislation. And

further, Corporate Policies are researched and prepared by administration, but are subject to required Council review and approval.

**Now Therefore** Council adopts the ***Council and Committee Remuneration Policy***, attached to this By-law as **Schedule "A"**, which sets out the methodology for the calculation of remuneration; and,

**That** this ***Council and Committee Remuneration Policy*** shall be reviewed in accordance with the approved Policy and Procedure Governance Framework.

**Now Therefore** the Council of the Corporation of the County of Essex hereby enacts as follows:

- 1) **That** remuneration for Members of Council, Alternate Members of Council, and Members of Committees and Local Boards shall be remitted in accordance with the provisions of **Schedule "A"**, attached to and forming part of this By-law;
- 2) **That** the Treasurer shall prepare a report of the remuneration and expenses paid to each member of Council in accordance with the provisions of Section 284 of the *Municipal Act* and the report will be posted on the website of the County of Essex prior to March 31, of any given year;
- 3) **That Schedule "A"** to this By-law can be amended by resolution of Council;
- 4) **That** this By-law 2024-27 be given three readings, and shall come into force and take effect after the final passing; and
- 5) **That** this By-law 2024-27 shall take precedence over any other By-law deemed to be inconsistent with this By-law 2024-27.

**Read a first, second and third time and Finally Passed and enacted on this Fifth day of June, 2024.**

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Hilda MacDonald, Warden

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Katherine J. Hebert, Deputy Clerk

**Clerk's Certificate**

I, Katherine J. Hebert, Deputy Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2024-27** passed by the Council of the said Corporation on this **Fifth day of June, 2024.**

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Katherine J. Hebert, Deputy Clerk  
Corporation of the County of Essex