

# THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE

## BY-LAW NUMBER 2025-054-EM

BEING A BY-LAW to provide for the payment of a Remuneration Allowance to Members of Council who cease being Members of Council and to repeal By-law 2021-081-EM.

**WHEREAS** Council considers it advisable to provide for a Severance Remuneration to Members of Council at such time as such Members cease to be Members of Council;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE ENACTS AS FOLLOWS:**

### 1. TITLE

- 1.1. This By-law shall be known and cited as the “Council Severance Remuneration By-law”.

### 2. DEFINITIONS

- 2.1. In this By-law:

**Council** – means the Council of The Corporation of the Town of Whitchurch-Stouffville;

**Member of Council** – means a person who was a member of the Council for The Corporation of the Town of Whitchurch-Stouffville;

**Remuneration** – means any form of compensation paid or provided to a Member of Council in respect of their service, including what is stipulated under Section 3 of this By-law;

**Severance** – means the end or separation of a Member of Council from their role with the Town, whether by retirement, resignation, election defeat, or other circumstances;

**Town** – means The Corporation of the Town of Whitchurch-Stouffville; and

**Town Clerk** – means the Clerk of The Corporation of the Town of  
Whitchurch-Stouffville, or his or her designate.

### 3. REMUNERATION

- 3.1. For the purposes of this section, “current Remuneration” refers to the monthly value of the Member’s compensation as set out in By-law 2022-135-EM, as amended from time to time, or any successor by-law. The calculation shall be based on the version of the by-law in effect at the time the Member ceases to hold office.
- 3.2. The Remuneration allowance payable shall be calculated as a lump sum, equal to one month’s current Remuneration for each year of continuous service on Council, or part thereof, to a maximum of twelve (12) months’ Remuneration.
- 3.3. The amount of Remuneration is subject to the following conditions:
  - a. for partial years of Council service, the allowance shall be prorated;
  - b. that such Remuneration allowance shall be waived if a Member ceases to hold office as a result of a judicial process leading to a conviction under the Criminal Code of Canada, including but not limited to fraud, breach of trust, municipal corruption, or accepting secret commissions;
  - c. that a Member who is charged with legal wrongdoings shall not receive a Remuneration allowance until the charges are withdrawn or the Member is acquitted; and,
  - d. that where a Member is reelected to Council, the Remuneration allowance is payable only from the time of such a reelection and not for any previously paid out service.
- 3.4. Remuneration shall include a proportional value of the following components:
  - a. annual allowance;
  - b. car annual allowance;
  - c. a smartphone and a computer, which were provided at the commencement of the term of office, and shall become the personal property of the Member in accordance with By-law 2022-135-EM, as

amended from time to time, or any successor by-law that replaces it;

- d. the benefits and coverage offered to Town staff, including but not limited to health, dental, life, and long-term disability insurance; and
- e. enrollment in the Ontario Municipal Employees Retirement System (OMERS), subject to eligibility requirements; or a quarterly contribution to a Registered Retirement Savings Plan (RRSP); or a Tax-Free Savings Account, or another account as directed by the Member, paid by the Town, in an amount equivalent to the employer's OMERS contribution.

#### **4. GENERAL PROVISIONS**

- 4.1. A Member of Council who ceases to be a Member of Council shall be entitled to the payment of a Remuneration allowance as provided for herein.
- 4.2. Any Remuneration allowance paid pursuant to this By-law shall not be subject to any deduction because of membership in the Ontario Municipal Employees' Retirement System or any additional or alternative retirement system in effect at that time.
- 4.3. In the event of the death of a person while a Member of Council, the Remuneration allowance shall be paid to the estate of such Member.
- 4.4. Remuneration payable to a Member of Council shall be paid within six (6) months of the Member leaving office.
- 4.5. Except in exceptional circumstances as determined by the Town Clerk, a Member of Council shall not retire within three (3) months of the end of a Council term.

#### **5. ADMINISTRATIVE**

- 5.1. That this By-law shall come into force and effect on the date of passage by Council.
- 5.2. That By-law 2021-081-EM is hereby repealed.

READ a first and second time this 18<sup>th</sup> day of June, 2025.

READ a third time and passed this 18<sup>th</sup> day of June, 2025.

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Iain Lovatt, Mayor

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Becky Jamieson, Clerk