

COUNCIL INDEMNITY BYLAW
HAMLET OF _____
BYLAW NUMBER _____

A bylaw of the Hamlet of _____ in the Northwest Territories to provide for the payment, to council members, of indemnities, honorariums and allowances for expenses, pursuant to the *Hamlets Act*, S.N.W.T., 2003, C.22, s.104.

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF _____, in a duly assembled meeting, enacts as follows:

Title

1. This bylaw may be cited as the "Council Indemnity Bylaw".

Payments to Mayor

2. Subject to section 3, the mayor shall receive:

(a) an annual payment of \$_____, which consists of the following:

| | |
|-------------------|-----------|
| indemnity | \$ _____ |
| expense allowance | \$ _____; |

(b) an additional monthly payment of \$_____, which consists of the following:

| | |
|-------------------|-----------|
| indemnity | \$ _____ |
| expense allowance | \$ _____; |

(c) the sum of \$_____ for each council meeting attended, up to maximum of _____ council meetings per month, which sum consists of the following:

| | |
|-------------------|---------------|
| indemnity | \$ _____ |
| expense allowance | \$ _____; and |

(d) the sum of \$_____ for each council committee meeting attended, up to a maximum of _____ council committee meetings per month, which sum consists of the following:

| | |
|-------------------|-----------|
| indemnity | \$ _____ |
| expense allowance | \$ _____. |

3. The total amount paid to the mayor under section 2 in a given fiscal year of the Hamlet

shall not exceed a maximum of \$_____.

Payment to Deputy Mayor

4. Subject to sections 5 and 6, the deputy mayor shall receive:

(a) an annual payment of \$_____, which consists of the following:

indemnity \$_____
expense allowance \$_____;

(b) the sum of \$_____ for each council meeting attended, up to a maximum of _____ council meetings per month, which sum consists of the following:

indemnity \$_____
expense allowance \$_____; and

(c) the sum of \$_____ for each council committee meeting attended, up to a maximum of _____ council committee meetings per month, which sum consists of the following:

indemnity \$_____
expense allowance \$_____.

5. In the event that the mayor is absent or unable to act and the deputy mayor is required to perform the duties of the mayor, the deputy mayor shall, during the time that the deputy mayor is performing the duties of the mayor, receive:

(a) the per meeting sum described in section 2(c), in lieu of the per meeting sum described in section 4(b);

(b) the per meeting sum described in section 2(d), in lieu of the per meeting sum described in section 4(c); and

(c) an additional monthly payment calculated by prorating the monthly payment described in section 4(b) to reflect the period of time that the deputy mayor performed the duties of the mayor.

6. The total amount paid to the deputy mayor under sections 4 and 5 in a given fiscal year of the Hamlet shall not exceed a maximum of \$_____.

Payment to Councillors

7. Subject to section 8, each councillor, other than the deputy mayor, shall receive:

(a) an annual payment of \$_____, which consists of the following:

indemnity \$ _____
expense allowance \$ _____;

- (b) the sum of \$ _____ for each council meeting attended, up to a maximum of _____ council meetings per month, which sum consists of the following:

indemnity \$ _____
expense allowance \$ _____; and

- (c) the sum of \$ _____ for each council committee meeting attended, up to a maximum of _____ council committee meetings per month, which sum consists of the following:

indemnity \$ _____
expense allowance \$ _____.

8. The total amount paid to each councillor, other than the deputy mayor, under section 7 in a given fiscal year of the Hamlet shall not exceed a maximum of \$ _____.

Travel

9. Where a council member is required to travel outside of the Hamlet to conduct business on behalf of the Hamlet, and the travel has been approved by council resolution, that council member shall receive, in addition to any amount payable under sections 2 to 8, a further sum of \$ _____ per day of travel, which sum consists of the following:

indemnity \$ _____
expense allowance \$ _____.

General

10. In the interest of access to information, the rates and payment amounts set out in this bylaw shall be made available to the public.
11. Bylaw Number _____ is hereby repealed.

Read a first time this _____ day of _____, 20__.

Read a second time this _____ day of _____, 20__.

Prior to third reading, two or more weeks' public notice of this Bylaw was given in accordance with the requirements of the *Hamlets Act*.

Read a third time this ___ day of _____, 20__.

Signed, certified by the senior administrative officer and sealed this ___ day of _____, 20__.

Mayor

I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet of _____.

Senior Administrative Officer

[SEAL]

FUNDS AND RESERVES BYLAW
HAMLET OF _____
BYLAW NUMBER _____

A bylaw of the Hamlet of _____ in the Northwest Territories to establish funds and reserves, pursuant to the *Hamlets Act*, S.N.W.T. 2003, c. 22, s. 103.

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF _____, at a duly assembled meeting, enacts as follows:

General Municipal Fund

1. The general municipal fund of the Hamlet shall account for all financial activities of the Hamlet that are not accounted for in another fund.

Land Disposition Fund

2. In addition to the general municipal fund, a fund named the Land Disposition Fund is hereby established.
3. The purpose of the Land Disposition Fund is to account for monies received by the Hamlet in connection with the sale, lease or other disposition of municipal lands by the Hamlet.
4. The Land Dispositions Fund shall be composed of monies received from the sale, lease or other disposition of municipal lands by the Hamlet.
5. Council may, by resolution, transfer monies comprising the Land Disposition Fund to another fund of the Hamlet.

Reserve Fund

6. In addition to the general municipal fund, a fund named the Reserve Fund is hereby established.
7. The purpose of the Reserve Fund is to account for the financial activities of reserves established by Council.
8. The following reserves are hereby established under the Reserve Fund:
 - (a) Equipment and Infrastructure Reserve;
 - (b) Employee Benefit Obligation Reserve;
 - (c) Economic Development Reserve; and

(d) Fiscal Reserve.

9. The purpose of each reserve established by Section 8 is set out in Schedule "A" to this Bylaw.
10. The Reserve Fund shall be funded by transfers from the general municipal fund that are contemplated within an approved budget of the Hamlet.
11. Monies transferred to the Reserve Fund shall be assigned, by Council, to a specific reserve established by this Bylaw, and Council may, by resolution, transfer monies from one reserve to another.
12. Monies assigned to a specific reserve established by Section 8 shall only be utilized for the specific purpose of that reserve, as set out in Schedule "A" to this Bylaw.
13. All expenditures from the Reserve Fund must be specifically authorized by Council resolution or expressly approved in a budget adopted by Council.

Read a first time this ___ day of _____, 20__.

Read a second time this ___ day of _____, 20__.

Two or more weeks' public notice of this bylaw was given prior to third reading, in accordance with the requirements *Hamlets Act*.

Read a third time this ___ day of _____, 20__.

Signed, certified by the senior administrative officer and sealed this ___ day of _____, 20__.

Mayor

I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet of _____.

Senior Administrative Officer

[SEAL]

SCHEDULE "A" – PURPOSE OF RESERVES

| Reserve | Purpose |
|--------------------------------------|---|
| Equipment and Infrastructure Reserve | For funding building and infrastructure capital projects, new equipment purchases and capital equipment replacement. |
| Employee Benefit Obligation Reserve | For funding liabilities related to retiring or terminated employees. |
| Economic Development Reserve | For capital expenditures that promote economic development within the municipality. |
| Fiscal Reserve | For funding debt reduction and liability claims, and to provide a contingency for unpredictable revenue shortfalls and emergencies. |

Drafting Note:

Hamlets Act

section103

(2) In addition to the general municipal fund, one or more other funds may be established by bylaw for the purpose of carrying on specific activities or achieving specific objectives.

(3) Council shall, by bylaw, in respect of each fund established under subsection (2), (a) designate the name of the fund; (b) describe the purpose of the fund; (c) describe what the fund will be composed of; (d) describe the specific purposes of any reserves that will be created under the fund; and (e) make such rules governing the operation of the fund as council considers necessary or advisable.

(4) Council may segregate portions of a fund established under subsection (2) as reserves for specific future purposes.

(5) Council shall, in respect of each reserve created under subsection (4), (a) designate the name of the reserve; (b) describe what the reserve will be composed of; and (c) make such rules governing the operation of the reserve as council considers necessary or advisable

LAND ADMINISTRATION BYLAW
HAMLET OF _____
BYLAW NUMBER _____

A bylaw of the Hamlet of _____ in the Northwest Territories to provide for the Acquisition and Disposition of Real Property by the Hamlet pursuant to the *Hamlets Act*, S.N.W.T 2003, C. 22, s.57.

AS the Council of the Hamlet of _____ deems it to be desirable to establish a uniform process for the Acquisition and Disposition of Real Property by the Hamlet;

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF _____, at a duly assembled meeting, enacts as follows:

Title

1. This Bylaw may be cited as the “Land Administration Bylaw”.

Interpretation

2. In this Bylaw:
 - a) “Acquisition” includes a purchase, lease or expropriation;
 - b) “Council” means the council of the Hamlet;
 - c) “Disposition” includes a sale or lease;
 - d) “Hamlet” means the Hamlet of _____;
 - e) “Real Property” includes an interest in real property; and
 - f) “Senior Administrative Officer” means the senior administrative officer of the Hamlet.

Application of the Bylaw

3. This Bylaw shall apply to all Acquisitions and Dispositions of Real Property by the Hamlet.

{B2608261.DOCX;1}This document is for drafting purposes only. Hamlets should seek legal advice before final reading. This bylaw may be appropriate for municipalities where the acquisition, leasing or disposal of municipal lands is uncommon. For municipalities, which have established a system of land development and land sales, this bylaw is not appropriate.

PROCEDURE AND CONDITIONS: ACQUISITION AND DISPOSITION OF REAL PROPERTY

4. An Acquisition or Disposition of Real Property by the Hamlet must be specifically authorized by a bylaw.
5. A bylaw authorizing an Acquisition or Disposition of Real Property by the Hamlet shall:
 - a) include the legal description of the Real Property or, if no legal description exists, a description of the Real Property and a diagram or map sufficient to accurately identify the Real Property;
 - b) state the consideration to be paid or received by the Hamlet in connection with the Acquisition or Disposition of the Real Property; and
 - c) include a description of the key terms and conditions applicable to the Acquisition or Disposition in question.
6. No bylaw authorizing the Acquisition or Disposition of Real Property shall be passed until:
 - a) it has been established through a search at the appropriate Land Registry Office, including of any encumbrances, that the Hamlet may lawfully acquire or dispose of the Real Property;
 - b) an inspection of the Real Property has been conducted to:
 - i. determine if the lands are occupied;
 - ii. determine if there are any improvements situated on the lands;
 - iii. determine if there are any easements affecting the lands; and
 - iv. obtain such other information as Council may, in its discretion, consider to be relevant;
 - c) the Senior Administrative Officer has taken reasonable steps to determine the value of the Real Property to be acquired or disposed of and has advised Council of that value; and
 - d) notice of the bylaw has been posted in five or more prominent places in the hamlet for a period of two weeks in advance of the third reading of the bylaw.

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7. All Acquisitions and Dispositions of Real Property by the Hamlet shall occur by way of a written agreement entered into between the Hamlet and the vendor or purchaser, as applicable, of the Real Property.
8. All agreements for the Acquisition or Disposition of Real Property by the Hamlet shall, at a minimum:
 - a) be expressly approved by Council before execution;
 - b) be consistent with the provisions of the bylaw passed pursuant to section 5 authorizing the Acquisition or Disposition; and
 - c) contain the key terms and conditions of the Acquisition or Disposition, including, without restriction:
 - i. the consideration payable and terms of payment;
 - ii. the effective date of the Acquisition or Disposition;
 - iii. in the case of a lease or other temporary Acquisition or Disposition, the term of the Acquisition or Disposition; and
 - iv. any terms that Council considers necessary.

Read a first time this ____ day of _____, 20__.

Read a second time this ____ day of _____, 20__.

Prior to third reading, the requirements of section 57(2) of the *Hamlets Act* were satisfied.

Read a third time this ____ day of _____, 20__.

Signed, certified by the senior administrative officer and sealed this ____ day of _____, 20__.

Mayor

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I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet of _____.

Senior Administrative Officer

[SEAL]

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