

BY-LAW NO. 129

BEING A BY-LAW to repeal By-Law No. 105 of the Town of Frobisher Bay;
AND BEING A BY-LAW to repeal Part III of By-Law No. 98 of the Town of Frobisher Bay.

WHEREAS the Council of the Town of Frobisher Bay recognizes that By-Law No. 105 of the Town of Frobisher Bay and Part III of By-Law No. 98 of the Town of Frobisher Bay needs appropriate review and update;

AND WHEREAS the powers of the Municipality to deal with employee housing and accommodation benefits are provided for by Section 142(a) of the Municipal Ordinance, being Chapter M-15 of the Revised Ordinances of the Northwest Territories, 1974, as amended;

NOWHEREFORE PURSUANT to the provisions of the Municipal Ordinance and notwithstanding any By-Law, sections thereof, resolutions or prior enactments,

THE COUNCIL OF THE TOWN OF FROBISHER BAY, in session duly assembled, enacts as follows:

A. For the purposes of this By-Law:


- (1) "Commissioner's Land" means land to which the Commissioner's Land Ordinance applies;
- (2) "Common law spouse" means two partners cohabiting for a minimum of one year. A statutory declaration shall be provided by the employee;
- (3) "Crown Land" means land vested in Her Majesty in right of Canada but does not include Commissioner's Land;
- (4) "Dependant" means a person residing with the permanent Town employee in an owner occupied eligible residence who is the employee's spouse (including common law), child, step child and adopted child. Any such child, step child or adopted child must be under nineteen (19) years of age and wholly dependent on him or her for support or being nineteen (19) years of age or more and dependent upon him or her by reason of mental or physical infirmity or any other relative of the employee's owner occupied eligible residence who is wholly dependent upon him or her for support by reason of mental or physical infirmity.
- (5) "Eligible Residence" means,
 - (a) a parcel of land, with improvements, shown as a separate assessable parcel on an assessment roll and as a separate taxable parcel on a taxation roll for the current taxation year, or
 - (b) a mobile home assessed and taxed as an improvement for the current taxation year, and in whole or in part occupied by the owner as his or her normal place of residence for a period of not less than twenty (20) days of the first month for which an accommodation allowance is entitled and for a period of not less than twenty-five (25) days of each succeeding month for which an accommodation allowance is entitled;
- (6) "Miscellaneous Charges" means any charges, save taxes and municipal service charges, levied by the Town of Frobisher Bay;
- (7) "Municipal Service Charges" means any charges levied by the Town of Frobisher Bay in respect of an owner occupied eligible residence for provision of water and sewer services by the Town of Frobisher Bay;
- (8) "Owner" means a permanent Town employee who is
 - (a) the registered owner of the improvements of an eligible residence,
 - (b) the purchaser of the improvements of an eligible residence under an agreement for sale, and

- (c) the lessee of Crown Land or Commissioner's Land or the registered owner of property;
- (9) "Taxes" means taxes levied by the Town of Frobisher Bay in respect of an owner occupied eligible residence or in respect of a mobile home and does include arrears, frontage charges, land improvement charges and tax penalties or interest charges.
- B. 1. All permanent Town employees who do not live in Town owned or Town leased accommodation and who are owner occupied eligible residents, shall be entitled to an accommodation allowance at the following rates:
- (a) Permanent employee with no dependants - \$275.00 per employee per month.
 - (b) Permanent employee with spouse or common law spouse and no other dependants - \$300.00 per employee per month.
 - (c) Permanent employee with spouse or common law spouse and up to two other dependants - \$340.00 per employee per month.
 - (d) Permanent employee with spouse or common law spouse and up to three or more dependants - \$450.00 per employee per month.
2. The foregoing allowance is for each calendar month for which salary is earned for at least fifteen (15) days.
3. All permanent Town employees who are owner occupied eligible residents shall be entitled to the foregoing allowance if he or she is not indebted to the Town of Frobisher Bay, otherwise than in respect of current miscellaneous charges, current municipal service charges and current taxes.
- C. 1. All permanent Town employees who do not live in Town owned or Town leased accommodation and who do not receive an allowance pursuant to Section B of this By-Law shall be entitled to accommodation allowance at the following rates:
- (a) Permanent Town employees who rent or lease on the private market or from a Housing Co-operative shall be entitled to an allowance of twenty-five per cent (25%) of the employee's total rental cost: the allowance is not to be greater than \$340.00 per employee per month and is not to be less than \$25.00 per employee per month.
 - (b) Permanent Town employees who rent or lease from a Public Housing Authority shall be entitled to an allowance of twenty-five per cent (25%) of the employee's rental costs to the Public Housing Authority. The allowance is not to be greater than \$200.00 per employee per month and is not to be less than \$25.00 per employee per month.
 - (c) Permanent Town employees who receive an accommodation allowance pursuant to Sections C(1)(a) and C(1)(b) above shall be the tenant of the unit rented or leased with whom the landlord, the Housing Co-operative or the Public Housing Authority has entered into a tenancy agreement.
2. Permanent Town employees who do not receive any of this By-Law's foregoing allowances or any housing pursuant to Town By-Law No. 98 shall be entitled to an allowance of \$110.00 per employee per month.
3. Permanent Town employees who receive an accommodation allowance pursuant to Section C(1) or Section C(2) of this By-Law shall provide written evidence of their paid costs as may be provided by the individual landlord of the employee or by statutory declaration signed by the employee.
4. The foregoing allowance is for each calendar month for which salary is earned for at least fifteen (15) days.
- D. If there should be any change in the accommodation allowance rate entitled by the permanent Town employee, the onus to initiate such a change shall be on the employee who shall do so by statutory declaration along with any written documentation requested by the Town.

THIS BY-LAW READ A FIRST TIME this _____ day of _____,
A.D. 1984 by the Council of the Town of Frobisher Bay.

THIS BY-LAW READ A SECOND TIME this _____ day of _____,
A.D. 1984 by the Council of the Town of Frobisher Bay.

THIS BY-LAW READ A THIRD AND FINAL TIME this _____ day of _____,
A.D. 1984 by the Council of the Town of Frobisher Bay.


MAYOR

SECRETARY-MANAGER