

THE CORPORATION OF THE TOWN OF FROBISHER BAY, N. W. T.

BY-LAW NO. 98

BEING A BY-LAW to provide for employee housing and accommodation benefits.

WHEREAS it is the intent of the Town Council of Frobisher Bay to have an equitable system of employee housing and accommodation benefits;

AND WHEREAS the Town Council of Frobisher Bay realizes that employee housing and accommodation benefits are germane issues that can effect the performance of employees;

AND WHEREAS the Town Council of Frobisher Bay realizes that its employees are not offered a northern settlement allowance or an isolated post allowance as part of their benefits package;

AND WHEREAS the Town Council of Frobisher Bay recognizes that housing must be provided to those persons who do not have housing and who also bring skills that are not easily and readily available in Frobisher Bay;

AND WHEREAS the Town Council of Frobisher Bay does not wish to become a landlord to all its employees;

AND WHEREAS the Town Council of Frobisher Bay recognizes that by providing housing to employees one creates an added pressure upon the employee, namely, that forfeiture of employ with the Town means loss of housing; therefore, the Town Council of Frobisher Bay would strongly encourage its employees to seek housing within the private housing market or from the local Housing Authority;

AND WHEREAS the Town Council of Frobisher Bay has title to six (6) three-bedroom units whose civic numbers are 149A, 149B, 145A, 145B, 139A and 139B;

AND WHEREAS the Town Council of Frobisher Bay leases three (3) two-bedroom units and two (2) one-bedroom units in the Astro-Hill Complex from the Government of the Northwest Territories;

AND WHEREAS the powers of a 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:

SHORT TITLE

- A. This By-Law may be cited as the Employee Housing and Accommodation Benefits By-Law.

PART I

Town Owned Dwellings

- B. 1. Occupancy of such dwellings shall be a decision of the Town Secretary-Manager who shall be guided by this by-law, its preamble, amendments thereof and other resolutions of the Town Council which do not conflict with this by-law or amendments thereof.
2. The Secretary-Manager or his designee shall administer the terms, conditions and rules and regulations of this by-law.
- C. 1. The following terms and conditions shall apply:
- (a) Occupancy may be terminated by either party on thirty (30) days written notice or such shorter notice period as may be mutually agreed.

(b) Occupants are requested to inspect the unit with the Secretary-Manager or his designee. All deficiencies detected are recorded and will be rectified as soon as practicable.

(c) A move-out inspection shall be conducted by the Secretary-Manager or his designee and the occupant after the occupant's personal effects have been removed and the unit has been cleaned. The occupant will be required to pay for cleaning, shortages, and damage not caused by reasonable use and wear. In the case of an employee being relieved of his or her duties, such charges, if any, will be withheld from his or her final pay.

(d) The occupant will be responsible to pay for all utilities directly to the supplier.

(e) The occupant will be responsible to pay the Town of Fro-bisher Bay a reasonable monthly rent which, on an annual basis, shall not exceed the projected property taxes on the land and building in which the occupant lives.

(f) The Town will supply each unit with the standard furniture necessities of a dwelling and anything above and beyond such necessities will be the responsibility of the occupant and the occupant will pay the Town the cost of repairing or replacing any of the furniture damaged, lost or stolen as a result of the occupant's negligence during his or her occupancy period.

(g) The Town will maintain the main fabric of the unit in good repair.

(h) The occupant will be responsible for the repair of all damages resulting from wilful damage or culpable negligence on the occupant's part.

(i) The occupant will report all damages at the time of its occurrence.

(j) The Secretary-Manager or his designee may at all reasonable times, after advance notice to the occupant, enter the premises for the purpose of inspecting its state of repair or cleanliness.

D. 1. In addition to the foregoing terms and conditions, the following rules and regulations shall apply:

(a) Occupants are responsible for insuring their personal property and belongings.

(b) No pets are permitted apart from the usual domestic pets: dog, cat, caged bird or fish. Occupants are financially responsible for damage caused by pets.

(c) Occupants may not change or add door locks and occupants will defray costs for any keys lost or misplaced or for possession of more than two keys.

(d) Occupants may make no alterations to the unit without prior permission in writing from the Secretary-Manager or his designee.

PART II

Town Leased Dwellings

E. 1. Occupancy of such dwellings shall be a decision of the Town Secretary-Manager who shall be guided by this by-law, its preamble, amendments thereof and other resolutions of the Town Council which do not conflict with this by-law or amendments thereof.

2. The Secretary-Manager or his designee shall administer the terms and conditions and rules and regulations of this by-law.

- F. 1. Save as herein otherwise provided, the terms and conditions of Section C of this by-law apply *mutatis mutandis* to the occupants of the Town leased dwellings.
2. Any terms and conditions noted by the landlord, that is, the Government of the Northwest Territories, shall also apply.
3. The occupant will be responsible to pay for power utility directly to the supplier.
4. The occupant will be responsible to pay the Town of Frobisher Bay a reasonable monthly rent which along with the power utility payments shall not exceed rent payable by other occupants of similar dwellings to their individual employer.
5. The Town will defray additional costs above and beyond those of the occupant.
- G. 1. Save as herein provided, the rules and regulations of Section D of this by-law apply *mutatis mutandis* to the occupants of the Town leased dwelling.
2. Any rules and regulations noted by the landlord, that is, the Government of the Northwest Territories, shall also apply.

PART III

Accommodation Benefits

- H. 1. All permanent employees who do not live in Town owned or Town leased accommodation and who own their own home as indicated in the Town assessment roll and Town tax roll or whose spouses or common law spouses own their own home in which the permanent employees live, shall be entitled to an accommodation allowance at the following rates:
- (a) Permanent employee with up to two dependants - \$200.00 per employee per month.
- (b) Permanent employee with three or more dependants - \$300.00 per employee per month.
2. The foregoing allowance is for each calendar month for which salary is earned for at least ten (10) days.
3. No permanent employee is eligible for the foregoing allowance if he or she is indebted to the Town otherwise than in respect of current taxes or current municipal services.
- I. 1. All permanent employees who do not live in Town owned or Town leased accommodation and who do not receive an allowance pursuant to Section H(1)(a) or Section H(1)(b) of this by-law shall be entitled to accommodation allowance at the following rates:
- (a) Permanent employees who rent or lease on the private market shall be entitled to an allowance of twenty-five per cent (25%) of the employee's total cost: 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.
- (b) Permanent employees who rent or lease from a Housing Authority shall be entitled to an allowance of twenty-five per cent (25%) of the employee's rental costs to the Housing Authority. The allowance is not to be greater than \$100.00 per employee per month and is not to be less than \$25.00 per employee per month.
- (c) Permanent employees who do not receive any of this by-law's foregoing allowance or benefits and who reside with a parent, a spouse, common law spouse or a relative whose accommodation is provided by the parent's, spouse's, common law spouse's or relative's employer shall be entitled to an allowance of \$50.00 per employee per month.

2. Permanent employees who receive an accommodation allowance pursuant to Section I(1)(a) or Section I(1)(b) 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.
3. The foregoing allowance is for each calendar month for which salary is earned for at least ten (10) days.

PART IV

Review of By-Law

- J. 1. This by-law shall be reviewed two years from the day of the third and final reading.

THIS BY-LAW read a first time this 17 day of November, A.D. 1981 by the Council of the Town of Frobisher Bay.

THIS BY-LAW read a second time this 15 day of December, A.D. 1981 by the Council of the Town of Frobisher Bay.

THIS BY-LAW read a third and final time this 17 day of January, A.D. 1982 by the Council of the Town of Frobisher Bay.

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Martine S. Johnson
MAYOR

[Signature]
SECRETARY-MANAGER