

Authority: Notice of Motion J(2), Moved by Councillor Nunziata, seconded by
Councillor Jakobek, as adopted by City of Toronto Council on December 14,
15 and 16, 1999
Enacted by Council: December 16, 1999

CITY OF TORONTO

BY-LAW No. 893-1999

To amend By-law No. 543-1999 to prohibit the payment of severance remuneration to members of Council convicted of a criminal offence in connection with their conduct as a member of Council.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 2 of By-law No. 543-1999, being a by-law “To provide severance remuneration for members of Council.”, is amended as follows:

- (a) by amending subsection 2(1) by deleting “subsection (2)” and substituting “subsections (2) and (3)”; and
- (b) by adding the following:
 - (3) No severance remuneration shall be paid to a member where the member is convicted of any of the following offences under the Criminal Code, R.S.C. 1985, as amended from time to time, in connection with the member’s conduct as a member of the Council:
 - (a) section 122 (breach of trust; fraud);
 - (b) section 123 (municipal corruption); or
 - (c) section 426 (secret commissions).

2. Section 3 of By-law No. 543-1999 is amended by adding the following:

- (6) Where a person who has ceased to be a member of the Council, whether or not the person was eligible for severance remuneration under this By-law at that time, becomes again a member of the Council, any subsequent remuneration paid under this By-law shall be based on the member’s eligible years of consecutive service from the date that the person again becomes a member of the Council.

3. Section 4 of By-law No. 543-1999 is amended as follows:
- (a) by amending subsection 4(1) by inserting , “subject to subsections (2), (4) and (5),” after “Treasurer and”;
 - (b) by amending subsection 4(2) by deleting “Despite subsection (1), the” and substituting “The”; and
 - (c) by adding the following:
 - (4) A member who is charged with an offence as set out in subsection 2(3) shall not receive any severance remuneration until all the charges are withdrawn or the member is acquitted of all the charges that are not withdrawn.
 - (5) While any of the charges as set out in subsection 2(3) are pending or a conviction is under appeal, the severance remuneration to which the member is otherwise entitled shall be held in trust by the Chief Financial Officer and Treasurer.

ENACTED AND PASSED this 16th day of December, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)