

Authority: Executive Committee Item EX11.11, as adopted by City of Toronto Council on February 3 and 4, 2016 and Section 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City

CITY OF TORONTO

BY-LAW No. 127-2016

To amend former City of Toronto By-law No. 10649, as amended, respecting firefighters' pensions and other benefits.

Whereas By-law No. 10649 of the former Corporation of the City of Toronto, a by-law "Respecting the Toronto Fire Department Superannuation and Benefit Fund", as amended, governs the Toronto Fire Department Superannuation and Benefit Fund; and

Whereas it is desired to update such By-law as so amended by eliminating various provisions which have ceased to be operable and by modifying the provisions relating to City representation on the said Fund's Benefit Fund Committee;

The Council of the City of Toronto enacts:

1. In this by-law, "By-law No. 10649" means By-law No. 10649 of the former Corporation of the City of Toronto, as amended.
2. Paragraph VII(e) of By-law No. 10649 is amended by:
 - (a) repealing clause (i) and substituting the following:
 - "(i) one person appointed by the City Manager from among his or her subordinates for a term as provided for in paragraph (e.1);
 - (i.1) one person appointed by the Deputy City Manager and Chief Financial Officer from among his or her subordinates for a term as provided for in paragraph (e.1);"
 - (b) repealing clauses (ii) and (iii);
 - (c) striking out that part of clause (iv) from the beginning to and including the word "two", and substituting "three";
 - (d) striking out that part of clause (v) from the beginning to and including the word "two", and substituting "subject to clauses (ix.2) to (ix.4), three or fewer";
 - (e) repealing clause (viii);
 - (f) adding the following three new clauses immediately preceding clause (ix):
 - "(viii) the cessation in office of the City officer who has made the appointment of a designate under clause (e)(i) or (e)(i.1) shall not affect the continuing validity of such appointment;

(viii.1) if there is a cessation of office as described in clause (viii), the individual exercising the powers of that office during any resulting vacancy shall have the power to make a further appointment under paragraph (e.1);

(viii.2) the cessation of the employment with the City of any designate appointed under clause (e)(i) or (e)(i.1) shall constitute his or her resignation from the Committee;"

(g) striking out the words "paragraphs (iii) and (v)" in the first line of clause (ix) and substituting "clause (v)";

(h) striking out the words "clauses (iii) and (v)" in the first line of clause (ix.2) and substituting "clause (v)";

(i) striking out in clause (x):

(a) the part from the beginning to and including the words "any of whom", and substituting "the City Treasurer shall be an *ex officio* member of the Committee and"; and

(b) striking out the words "under this paragraph" where they occur and substituting "hereunder";

(j) repealing clause (xi) and substituting the following:

"(xi) when the office of the City Treasurer is vacant, the person acting in his or her stead shall be *pro tempore* an *ex officio* member of the Committee with the powers applicable to the City Treasurer in that respect."

3. Section VII of By-law No. 10649 is amended by adding the following two new paragraphs immediately following paragraph (e):

"(e.1) Subject to paragraph (e.2), the term of office of any designate provided for in clause (e)(i) or (i.1) shall coincide with the remainder of the term of the City Council in existence when the designate is appointed, or such shorter term as the document appointing the designate may specify.

(e.2) Notwithstanding the appointment of a person under clause (e)(i) or (i.1), the City Manager, or the Deputy City Manager and Chief Financial Officer, as the case may be, may at any time make a further appointment under that clause and thereupon such further appointment shall, to the extent inconsistent with any previous appointment, supersede such previous appointment."

4. The following are repealed:

(a) paragraph VII(f.1), with the exception of subclause (iv)(B);

(b) sections VIII, IX, and X;

- (c) subclause VII(f.1)(iv)(B) and paragraph VII(f.2).
5. (1) Except as provided for in subsections (2) and (3), this by-law shall come into force on the date of its enactment and passing.
- (2) Clauses 2(b), (g) and (h), and clauses 4(a) and (b) shall be deemed to have come into force on January 1, 2006.
- (3) Clauses 2(c), (d), (e), (i) and (j) and clause 4(c) shall be deemed to have come into force on January 1, 2009.

Enacted and passed on February 4, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)