

**BY-LAW NO. RCM-92-2022**

**BY-LAW CONCERNING THE REIMBURSEMENT OF RESEARCH AND  
SUPPORT EXPENSES OF THE COUNCILLORS OF  
THE CITY OF DORVAL**

Notice of motion	June 20, 2022
Adoption	August 22, 2022
Entry into force	August 25, 2022

Municipal Council Meeting of the City of Dorval, held on August 22, 2022, at 8:00 p.m.  
Mayor Marc Doret presided.

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WHEREAS In accordance with section 31.5.1 of the *Act respecting the remuneration of elected municipal officers* (CQLR, c. T-11.001), the budget of any municipality having a population of 20,000 or more must include an appropriation to provide for payment of sums to councillors as reimbursement for their research and support expenses;

WHEREAS the provincial government adopted the *Regulation respecting the reimbursement of councillors’ research and support expenses* (RLRQ, c. T-11.001, r.1), which determines the research and support expenses of councillors that may be reimbursed and prescribes rules regarding the content of the vouchers that must be submitted;

WHEREAS the population of the City of Dorval has reached 20,000 or more in 2020 and it is necessary by this by-law to regulate the reimbursement of research and support expenses of councillors and to establish rules complementary to those provided for in the provincial regulation, all in compliance with the applicable laws and regulations;

The Municipal Council hereby decrees and orders the following:

**SECTION 1 - PREAMBLE**

The preamble forms an integral part of this by-law.

**SECTION 2 - TERMINOLOGY**

In this by-law, unless the context indicates otherwise, the following definitions apply:

“**City**”: The *City of Dorval*.

“**Provincial regulation**”: *Regulation respecting the reimbursement of councillors’ research and support expenses* (RLRQ, c. T-11.001, r.1).

“**ARREMO**”: *Act respecting the remuneration of elected municipal officers* (CQLR, c. T-11.001),

“**Activities of a partisan nature**”: *activities aimed at soliciting memberships and financial contributions for the organization of nomination assemblies , for the promotion*

*for electoral purposes of an authorized party or candidacy or for any other similar purpose.*

### **SECTION 3 - PURPOSE**

The purpose of this by-law is to provide a framework for the reimbursement of research and support expenses of councillors and to establish rules that are complementary to those provided for in the provincial regulation, all in compliance with the laws and regulations.

Amounts intended for research and support purposes which may be reimbursed according to the parameters of this by-law must be used to equip the councillor, particularly through the acquisition of information, and to support him or her in the performance of his or her duties. Expenditures must meet a real need and be useful for the performance of the councillor's duties.

No expenses incurred outside of this scope will be reimbursed.

### **SECTION 4 – AVAILABLE APPROPRIATIONS**

In accordance with section 31.5.1 ARREMO, the City's budget includes an appropriation to provide for payment of sums to councillors as reimbursement for their research and support expenses.

According to the first paragraph of section 31.5.2 ARREMO, the maximum amount of research and support expenses that can be reimbursed annually by the City to a councillor is established by dividing the appropriation equally by the number of councillors.

### **SECTION 5 - PURPOSE OF THE EXPENSE**

Subject to its eligibility, a research and support expense is reimbursed by the City treasurer if it was incurred in the performance of the councillor's duties. For the purposes of this by-law, the performance of the councillor's duties consists of representing the citizens of Dorval and acting as legislator and public administrator.

### **SECTION 6 – NON-ELIGIBLE EXPENSES**

In general, the following expenses are not reimbursed by the City treasurer:

- 6.1 expenses incurred for activities of a partisan nature as defined in section 2 of this by-law;
- 6.2 expenses that directly or indirectly identify a councillor by the words "Independent councillor", identify a political party by name or by the words "Cabinet", "Opposition Office", "Opposition Party", "Councillors' Office", "Government Party" or "Mayor's Party";
- 6.3 expenses for any item that includes the logo of a political party;
- 6.4 expenses for the purchase and distribution of promotional material;
- 6.5 sponsorship fees;
- 6.6 expenses for the publication, distribution or printing of a document containing a photograph on which the leader of a political party, who is not a member of the municipal council or a candidate within the meaning of the *Act respecting elections and referendums in municipalities* (chapter E-2.2), can be seen;
- 6.7 expenses related to partisan messages;
- 6.8 expenses related to the consumption of alcohol;
- 6.9 expenses related to a contract that continues after the end of the mandate of the councillor who entered into that contract;

- 6.10 expenses related to any item inviting the signing or not of a petition;
- 6.11 expenses incurred in making donations to charitable organizations or to volunteers;
- 6.12 expenses for greeting cards for any reason whatsoever;
- 6.13 all other expenses not incurred in accordance with:
  - a) the rules of ethics and professional conduct and more specifically the *By-law establishing a code of ethics and conduct of elected municipal officers* of the City of Dorval;
  - b) the Policy in force on the use of information technologies of the City;
  - c) the City's Facebook page management procedure in effect.

## **SECTION 7 – ELIGIBLE EXPENSES**

Only the expenses provided for in paragraphs 1 to 16 of section 2 of the provincial regulation and reproduced below in paragraphs 7.1 to 7.16 are eligible for reimbursement in accordance with section 31.5.5 ARREMO.

Clarifications are added in italics below the relevant paragraphs of section 7 of this by-law to further explain each of the expenses eligible for reimbursement and to add complementary rules to the provincial regulation.

- 7.1 The cost of letterhead paper, envelopes and office supplies;
  - 7.1.1 *Eligible for reimbursement are, but not limited to, the purchase of articles, forms, printouts, pencils, staplers, paper, envelopes, ink pads and other office supplies required by the councillor for the performance of his or her duties;*
  - 7.1.2 *The City may choose to provide the councillor with basic office necessities, including, stationery and office supplies, in order to benefit from economies of scale when it comes to acquisition of such supplies.*
- 7.2 Expenses to purchase or subscribe to publications and subscription expenses for specialized data banks;
  - 7.2.1 *The following are eligible for reimbursement:*
    - a) *expenses for a publication or database that promotes the acquisition of knowledge by the elected officer in his or her role as a municipal councillor or within the framework of the matters under his or her responsibility within the municipal council, unless already provided by the City;*
    - b) *the cost of linguistics (dictionary, grammar, etc.) and legal reference works, unless already provided by the City.*
- 7.3 Mail and messenger expenses;
  - 7.3.1 *The City has chosen to send the councillor's letters and parcels itself in order to benefit from an economy of scale.*
- 7.4 Usual bank fees and interests;
  - 7.4.1 *The following are eligible for reimbursement: normal bank service charges, cheque issuing fees, annual credit card fees in order to benefit from a reduced interest rate, and interest on a loan related to eligible research and support expenses;*

7.4.2 *Not eligible for reimbursement are: annual credit card fees other than to benefit from a reduced interest rate, NSF fees, late bill payment fees and any other fees related to poor management of the councillor's affairs.*

7.5 Expenses to purchase and use a mobile telephone;

7.5.1 The City provides a mobile phone to the councillor, including the cost of purchase and the monthly plan.

7.6 Expenses to rent an office not located in a councillor's residence, and expenses for the maintenance, insurance and surveillance of that office;

7.6.1 *The City already provides adequate space for a councillor to perform the duties inherent to his or her tasks;*

7.6.2 *A councillor may establish an office in his or her personal residence if he or she so wishes. However, the councillor cannot receive any form of reimbursement for the space occupied by the office.*

7.7 Expenses to purchase, rent, install and maintain furniture and office equipment, computer equipment, software and decorative accessories;

7.7.1 *The City already provides a laptop and software to the councillor to enable him or her to perform his or her duties of office;*

7.7.2 *The City makes available to the councillor for use all other existing computer equipment at City Hall;*

7.7.3 *In particular, the following shall be eligible for reimbursement:*

*a) expenses for the purchase of a printer, ink for the printer, shredder;*

*The purchase price of computer equipment must not exceed the price set out in the table below for the relevant computer equipment:*

<b>COMPUTER EQUIPMENT</b>	<b>MAXIMUM PRICE PER EQUIPMENT (Before taxes)</b>
<i>Printer</i>	<i>\$200</i>
<i>Ink for the printer</i>	<i>\$ 200 /year</i>
<i>Shredder</i>	<i>\$100</i>

*The value of these goods is depreciated over a period of 4 years.*

*b) expenses for the purchase of decorative accessories up to an annual maximum of \$50 per councillor;*

7.7.4 *Expenses for the replacement of computer equipment already reimbursed as a research and support expense, other than for reasons of theft, breakage or when the computer equipment has reached the end of its useful life, are not eligible for reimbursement.*

7.8 Internet subscription and connection expenses;

7.8.1 *The following are eligible for reimbursement:*

*a) a separate Internet access at the councillor's residence;*

*b) a shared Internet access at the councillor's residence with family members, in which case the councillor shall only claim the reimbursement of connection and subscription costs corresponding to the percentage of use by the councillor for research and support purposes;*

- c) *an Internet access in the councillor's office, when such Internet access is not provided by the City;*
- d) *a mobile Internet access is already included in the reimbursement provided for in paragraph 7.5.1 of this section for the mobile telephone device;*

## 7.9 Travel and parking expenses;

### 7.9.1 *The following are eligible for reimbursement:*

- a) *travel and parking expenses outside the City provided that the reimbursement request specifies the point of departure, the point of arrival and the number of kilometres travelled. The councillor will have to demonstrate the necessity for the travel for research or support purposes. The rate of car allowance reimbursed corresponds to the rate granted by the City to its employees;*
- b) *transport, accommodation and meal expenses;*
- c) *parking costs incurred for travel within the City;*
- d) *air travel expenses to attend a convention or any other event referred to in section 7.12.1 paragraph a), insofar as the plane ticket is purchased at the lowest possible price, in economy class and, unless there are exceptional circumstances, more than 21 days before the convention; .*

### 7.9.2 *The following are not eligible for reimbursement:*

- a) *expenses related to the consumption of alcohol;*
- b) *travel expenses and personal transport between the place of residence and the place of work;*
- c) *travel expenses incurred within the City;*
- d) *travel and parking expenses incurred to attend a council meeting or a council commission or committee meeting.*

## 7.10 Expenses to rent a room;

7.10.1 *The use of a room in a municipal building by a group of elected officers for a work meeting within the scope of their duties is authorized and no rental fees are applicable. It is forbidden to rent a room in municipal buildings for activities of a partisan nature;*

7.10.2 *The following expenses for renting a room are not eligible for reimbursement:*

- a) *expenses for renting a room in the councillor's residence, in a building owned by the councillor or in an office rented by the councillor for which expenses are reimbursed under paragraph 7.6 of this section;*

## 7.11 Hospitality, reception or meeting expenses, and related expenses;

7.11.1 *Hospitality, reception or meeting expenses and related expenses are eligible for reimbursement provided that the reimbursement request specifies the subject of the meeting and the names of the participants;*

7.11.2 *The following are not eligible for reimbursement:*

- a) *Expenses related to the consumption of alcohol.*

7.12 Registration and subscription expenses for activities such as benefit activities, conference dinners, colloquiums, conventions, seminars or symposiums;

*7.12.1 The following are eligible for reimbursement:*

- a) registration and membership fees for luncheon conferences or to one conference, seminar, convention or symposium per year, provided that the councillor participates personally and that these activities are aimed at acquiring knowledge useful for the performance of his or her duties as an elected municipal officer and that they are organised by the Fédération canadienne des municipalités, by the Union des municipalités du Québec or by the Fédération québécoise des municipalités;*

*Participation in any activity other than those described in the above paragraph must be authorized by council by resolution passed by a majority vote;*

- b) registration and membership fees for a councillor's fundraising activities where the purpose is to demonstrate support for a project or cause;*

*7.12.2 The following are not eligible for reimbursement:*

- a) registration and membership fees if an activity of a partisan nature is associated with the event in which the councillor participated;*
- b) registration and membership fees for the spouse or a person accompanying the councillor to a fundraising activity.*

7.13 The advertising expenses to inform the population in a district of the name of the councillor;

*7.13.1 The following are eligible for reimbursement:*

- a) the expenses for the design and production of an advertisement with a commercial enterprise which normally offers services for the design and production of an advertisement including **at least** the name of the Councillor;*

*The following information may be added to the advertisement:*

- the councillor's contact information;*
- a short, non-partisan message;*

- b) the expense of circulating the advertisement designed and produced in accordance with subparagraph (a) to a commercial enterprise that customarily provides services for the circulation of advertising content, by means of one of the following media: radio, television, Internet, newspaper, magazine, leaflet, souvenir or event program, poster and business card.*

7.14 Expenses for the publication of a text or for printing and distributing unaddressed mail pertaining to issues or debates of public interest;

*7.14.1 The following expenses are eligible for reimbursement:*

- a) the publishing or printing of a text;*
- b) the printing and distributing of an unaddressed mailing;*
- c) the making and distributing of a video;*

7.15 Expenses for setting up and updating a website or blog, in particular, the

costs of reserving the domain name, hosting, designing and carrying out the website or blog;

- 7.16 Expenses for the services of a person or company hired for research or support purposes, as well as the percentage of the salary of an employee of a political party or political office corresponding to the time devoted to such purposes;

*7.16.1 The following are eligible for reimbursement:*

- a) expenses for the service of a person or company provided that the services retained are documented in a specific mandate with a predetermined timeframe, output and financial consideration;*
- b) expenses incurred by an employee of a political party or political office provided that they are incurred in support of the office of a municipal councillor.*

## **SECTION 8 – APPLICATION FOR REIMBURSEMENT**

The application for reimbursement for a research and support expense must be completed using the forms provided by the Administrative Services Branch of the City and must be accompanied by vouchers containing the information and documents required by section 9.

Once completed, the application forms must be forwarded to the City treasurer. To be reimbursed, the councillor must have incurred the expense beforehand.

## **SECTION 9 - VOUCHERS**

A councillor wishing to be reimbursed for a research and support expense must provide the City with all the information deemed relevant by the treasurer for the purposes of analyzing and the disposition of the request .

The application for reimbursement must, specifically, include the vouchers which must contain the information and documents provided for in subparagraphs 1 to 8 of section 4 of the provincial regulation.

The treasurer may request any additional document or information required to determine the eligibility of the expense. Without limiting the foregoing generalities and particularities, the vouchers must contain the following information and documents:

9.1 The name and address of the supplier;

- a) Where the supplier is an employee of a political party or a political office, the application must specify that person's function within the party or office;*

9.2 The description of the nature of the good or service;

- a) The description should be sufficiently precise to easily link the good or service to the research and support needs of the councillor;*
- b) For travel expenses under paragraph 7.9, the vouchers must indicate the point of departure, the point of arrival and the number of kilometres travelled;*
- c) For meeting expenses under paragraph 7.11, the vouchers must specify the subject of the meeting.*

9.3 The cost of the good or service, including taxes;

- a) The Goods and Services Tax (GST) and Québec Sales Tax (QST) numbers must appear on the vouchers if taxes are applicable;*

*b) Tips should be indicated where applicable.*

9.4 The date of the transaction and, if applicable, the date or dates on which the service was provided;

9.5 A copy of the invoice, if applicable

*a) For the service expenses of a person or company under paragraph 7.16, the vouchers must include the mandate granted accordingly with a predetermined timeframe, output and financial consideration;*

*b) For the salary expenses of employees under paragraph 7.16, the vouchers must contain the salary register, the employee's contract of employment and the employee's job description.*

9.6 Proof of payment

*a) The councillor must provide one of the following documents:*

- a copy of the cheque and the back of the cheque with a stamp by the financial institution proving that it has been cashed;*
- a copy of the cheque and the bank statement showing that it has been cashed;*
- a credit card statement or an official statement from the supplier showing the payment made;*
- where applicable, the relevant supplier's invoice for the following month indicating that the previous balance has been paid;*
- any other document allowing verification of the payment.*

9.7 The name of the councillor or councillors who received the good or service;

*a) The name(s) of the councillor(s) who benefited from the good(s) or service(s) must be specified in the "Application for Reimbursement of Research and Support Expenses" form provided by the City's Administrative Services Branch;*

9.8 The purpose for which the expense was incurred;

*a) The councillor must identify the need justifying the acquisition of the good or service and demonstrate that the good or service was acquired to meet that need, on the "Application for Reimbursement of Research and Support Expenses" form provided by the City's Administrative Services Branch.*

9.9 The calculation basis used to establish the eligible portion of the expense shown on the total invoice, if any;

9.10 A statement by the councillor that the expenses were made or incurred for research and support purposes and for the execution of the councillor's duties;

*a) This statement must be made on the "Application for Reimbursement of Research and Support Expenses" form provided by the City's Administrative Services Branch;*

9.11 A copy of the advertisement or text for an application for reimbursement under paragraphs 7.13 and 7.14 of this by-law.

## **SECTION 10 – JOINT EXPENSES**



Councillors are authorized to pool some or all of their research and support expenses as a joint expense.

### **SECTION 11 – REIMBURSEMENT**

Following receipt of the "*Application for Reimbursement of Research and Support Expenses*", the treasurer shall ensure that the amounts claimed in the form are supported by vouchers containing the information and documents required by section 9.

Subject to section 13 of this by-law, the treasurer shall reimburse an expense that is eligible for reimbursement under the provisions of this by-law and that is supported by the vouchers required in section 9.

### **SECTION 12 - BURDEN OF PROOF**

It is the responsibility of the claimant to demonstrate, with supporting documents, that the expenditure is eligible for reimbursement under the provisions of this by-law.

### **SECTION 13 - NON-REIMBURSABLE EXPENSES**

Although an expense may be reimbursed, the cost of a good or service is not reimbursable if it has already been reimbursed by the City or under another law, or if the good or service has already been provided and its useful life has not ended.

### **SECTION 14 - EXPENSES REIMBURSED TO THE COUNCILLOR**

A councillor who is reimbursed in whole or in part for an expense by the supplier of a selected good or service shall remit to the City an amount equivalent to the reimbursement received from the supplier if the expense has already been reimbursed by the City as a research and support expense in accordance with the provisions of this by-law.

### **SECTION 15 - UNAUTHORIZED EXPENSES DURING THE PRE-ELECTION AND ELECTION PERIOD**

No printing and distribution of a newsletter or any other document resulting from this by-law will be permitted during the last two months preceding the election period, as well as during the election period and no mention promoting the future candidacy of an elected official will be permitted during an election year.

Notwithstanding the relevant sections of this by-law, an expense incurred by a councillor during an election period is not reimbursed for the following:

- mail
- messaging
- room rental
- office equipment
- computer equipment
- software
- advertising
- publication or printing of a text
- broadcasting of a video
- printing or distributing of an unaddressed mailing
- setting up and maintaining of a website or blog

For the purposes of this by-law, the election period is that provided for in section 364 of the *Act respecting elections and referendums in municipalities* ( CQLR, c. E-2.2), that is, the period beginning on the forty-fourth day preceding that set for polling day and ending on polling day at the time set for the closing of the polling stations.

### **SECTION 16 - DISTRIBUTION OF APPROPRIATIONS IN AN ELECTION YEAR**

Notwithstanding section 4, the maximum amount of reimbursement to which a councillor is entitled for a fiscal year during which a general election is held is the amount provided for in the first paragraph of section 31.5.4 ARREMO.

In the case of a by-election, this amount is the one provided for in the second paragraph of section 31.5.4 ARREMO.

## **SECTION 17 - HANDING OVER OF GOODS AT THE END OF THE MANDATE**

- 17.1 The City maintains a registry of goods acquired by councillors and which are reimbursed to them during their mandate;
- 17.2 At the end of his or her mandate, the councillor must return to the City all goods for which a reimbursement out of the research and support expense budgets was received. Depending on the nature and useful life of the good, the treasurer may permit the councillor to purchase the good at its fair market value as determined or accepted by the treasurer;
- 17.3 On September 1st of an election year, the treasurer shall send to the councillors a list of the goods that they must return to the City and the amount corresponding to the established market value of these goods. No later than the 7th day following the date of the municipal elections, a councillor who was not re-elected shall send a notice to the treasurer stating his or her intention to retain the goods in question or to return them to the City.
- 17.4 No later than the 15th day following the date of the municipal elections, the councillor who was not re-elected shall
- a) return the goods to the City, or
  - b) pay to the City the amount corresponding to the market value of the goods
- 17.5 If the councillor fails to exercise any of the options set out in paragraph 17.4 of this section, the City may:
- a) offset the amount corresponding to the market value of the unreturned goods and any sum owed by the City on any account whatsoever to the councillor;
  - b) bring any other legal proceedings against the councillor to recover outstanding amounts.
- 17.6 In the case of goods acquired for the benefit of more than one councillor, the common goods may be retained by the re-elected councillor or councillors, provided that at least one of these councillors is re-elected following the municipal elections;
- 17.7 Otherwise, the common goods must be returned to the City or the councillors must make the required payment in accordance with paragraph 17.4 of this section;
- 17.8 Failing this, the City may exercise the recourses provided for in paragraph 17.5 of this section.

## **SECTION 18 - REFERENCE YEAR**

The municipal financial year from January 1st to December 31st is the reference year for the calculation of the maximum amount of expenses. The request for reimbursement for the reference year must be submitted before January 31st of the following year. After

this date of January 31st, the councillor will be reimbursed from the appropriations allocated to him or her for the current year, if any.

In all cases, the total of the claims for reimbursement of a councillor for a reference year cannot exceed the amount of appropriations available for that reference year, as provided for in section 4 of this by-law.

Unspent balances as of December 31st of the year shall not be carried over to the following year.

#### **SECTION 19 - SHARED RESPONSIBILITY**

The reimbursement of research and support expenses is a shared responsibility between municipal councillors and City officials.

This shared responsibility implies that everyone must constantly ensure that they are acting in the best interests of the population in the management of the public funds entrusted to them.

By signing the statement required in paragraph 9.10 of this by-law, the councillor makes himself or herself accountable for the supporting documents and explanations related to each of the requests for reimbursement for research or support expenses.

#### **SECTION 20 - SPECIFIC CLAUSES**

Councillors are not authorized to commit appropriations on behalf of the City in any form. However, a resolution will be tabled to authorize them beforehand to spend on research or support costs for which they are responsible.

#### **SECTION 21 - ACCOUNTABILITY - LIST OF REIMBURSEMENTS**

In accordance with the third paragraph of section 31.5.5 ARREMO, no later than March 31 of each year, a list of reimbursements authorized by the City during the previous fiscal year shall be transmitted by the treasurer to the Public affairs and Registry Department for submission to the municipal council.

Notwithstanding this section, the Administrative Services Branch shall submit a twice-yearly expenditure report to council and the Public affairs and Registry Department. Expense reports will be tabled at the municipal council and on the City of Dorval website twice a year. Therefore, elected officers will be required to submit their expenses to the treasurer by July 31st and January 31st of each year at the latest.

#### **SECTION 22 - RESPONSIBLE FOR THE APPLICATION**

The Administrative Services Branch is responsible for the application of this by-law.

#### **SECTION 23 - ENTRY INTO FORCE**

This by-law shall enter into force in accordance with the law.

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MAYOR

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CITY CLERK