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c Pr9 Town of Markham Act, 1989

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CHAPTER Pr9

An Act respecting the Town of Markham

Assented to February 27th, 1989

Whereas The Corporation of the Town of Markham, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “credited service” and “pensionable earnings” have the same meaning as in Regulation 724 of Revised Regulations of Ontario, 1980 made under the Ontario Municipal Employees Retirement System Act.

2.—(1) The council of the Corporation may pass by-laws for providing pensions for members of the council and their surviving spouses and children in respect of both current and prior service on council in an amount not exceeding 1.5 per cent of pensionable earnings multiplied by the total number of years and part of a year of credited service up to a maximum of 70 per cent of pensionable earnings when combined with any pension payable under the Ontario Municipal Employees Retirement System Act.

(2) A by-law passed under subsection (1) may provide that a member of council shall contribute up to 50 per cent of any payments required in respect of benefits for prior service on council and that such payments may be on a deferred basis.

(3) A by-law passed under subsection (1) may be amended to vary the amounts of the pensions under that subsection or the payments required by subsection (2).

(4) No by-law under subsection (1) and no by-law amending such a by-law shall be passed except on an affirmative vote of at least two-thirds of the council present and voting thereon.
3.—(1) The Corporation and the Ontario Municipal Employees Retirement Board may enter into agreements to administer pensions provided under this Act.

(2) The Corporation may enter into agreements to administer pensions provided under this Act and such agreement may authorize the Corporation to enter an agreement under subsection (1).

4. The Corporation shall deduct by installments from the remuneration of a member of council the amount that the member is required to pay under the terms of a pension plan established under this Act.

5. Sections 64 and 65 of the Ontario Municipal Board Act do not apply so as to require Ontario Municipal Board approval with respect to pensions provided under this Act.

6. A pension may be provided under this Act to a person who was a member of council on the 30th day of November, 1988, even though the person is not a member of council on the day the by-law establishing the pension plan is passed and the pension may be paid retroactive to the 1st day of December, 1988.

7. This Act comes into force on the day it receives Royal Assent.

8. The short title of this Act is the Town of Markham Act, 1989.