

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 146-79

BEING A BY-LAW OF THE CORPORATION OF THE CITY OF NORTH BAY TO EFFECT AMENDMENTS TO A PENSION PLAN ESTABLISHED BY THE FORMER TOWNSHIP OF WIDDIFIELD.

WHEREAS by By-law 917 dated April 25, 1960 the former Township of Widdifield established a Pension Plan (hereinafter called the "Plan") for its employees;

AND WHEREAS the Plan has been amended from time to time;

AND WHEREAS the said former Township of Widdifield has been annexed to the Corporation of the City of North Bay; and the said City is empowered to amend and repeal by-laws of the said former Township;

AND WHEREAS the City of North Bay as successor employer of the members of the Plan considers it advisable to amend certain provisions of the said Plan;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. THAT Section 15 of the Plan as amended by Section 1 of By-law No. 71-74, and as amended by Section 1 of By-law No. 29-77, be deleted in its entirety and the following substituted therefor:

SECTION 15 -RETIREMENT

(a) Normal Retirement Date - is the date upon which a member shall be entitled to retire with the right to receive a pension under the Plan, and shall be the first day of the calendar month next following the month in which the Member attains age 65 years.

Notwithstanding the foregoing, if a member is a "sworn" employee of the City of North Bay Police Department or is designated as a Fire Fighter, Normal Retirement Date shall be the first day of the calendar month next following the month in which the Member attains age 60 years.

(b) Early Retirement - A member may retire on the first day of any month subsequent to the Member's attainment of age 50 years. However, should a Member become physically or mentally disabled he will be eligible for immediate retirement from the Plan.

2. THAT Section 17 (a) of the Plan as amended by Section 2 of the By-law No. 1271 of the former Township of Widdifield enacted the 6th day of February, 1967, and as amended by Section 2 of the By-law NO. 119-69 of the City of North Bay enacted the 22nd day of December, 1969, and further amended by Section I of the By-law No. 117-71 of the City of North Bay enacted the 18th day of October, 1971, and further amended by Section I of the By-law No. 39-73, of the City of North Bay enacted the 30th day of April, 1973, and further amended by Section I of the By-law No. 119-76 of the City of North Bay enacted the 4th day of October, 1976, and further amended by Section I of the By-law No. 62-77 of the City of North Bay enacted the 16th day of May 1977, and further amended by Section I of the By-law No. 18-78 of the City of North Bay enacted the 20th day of February, 1978, be deleted in its entirety and the following substituted therefor:

SECTION 17 -CORPORATION'S CONTRIBUTIONS

On behalf of each member of the Plan, the Corporation shall contribute:

(a) In the case of a member who is a sworn employee of the City of North Bay Police Department, 10 3/4% of his earnings less the required contributions made on his behalf to the Canada Pension Plan.

3. THAT Section 18 A of the Plan as amended by Section 3 of the By-law No. 1271 of the former Township of Widdifield enacted the 6th day of February, 1967, and as amended by Section 3 of the By-law No. 119-69 of the City of North Bay enacted the 22nd day of December, 1969, and further amended by Section 2 of the By-law No. 117-71 of the City of North Bay enacted the 10th day of October, 1971, and further amended by Section 2 of the By-law No. 39-73 of the City of North Bay enacted the 30th day of April, 1973 and further amended by Section 2 of the By-law No. 74-74 of the City of North Bay enacted the 30th day of June, 1975, and further amended by Section I of the By-law No. 114-75 of the City of North Bay enacted the 3rd day of November, 1975, and further amended by Section 2 of the By-law No. 119-76 of the City of North Bay enacted the 4th day of October, 1976, and further amended by Section 2 of the By-law No. 62-77 of the City of North Bay enacted the 16th day of May, 1977 and further amended by Section 2 of the By-law 18-78 of the City of North Bay enacted the 20th day of February, 1968, be deleted in its entirety and the following substituted therefor:

SECTION 18 - MEMBER'S CONTRIBUTIONS

Each member of the Plan shall contribute, by payroll deduction:

- (a) In the case of a member who is a sworn employee of the City of North Bay Police Department, 8 1/4% of his earnings less his required contributions to the Canada Pension Plan.

4. THAT Section 21 (a) (i) of the Plan as amended by Section 4 of the By-law No. 18-78 of the City of North Bay enacted the 20th day of February, 1978 be deleted in its entirety and the following substituted therefor:

SECTION 21 - DEATH BENEFITS

- (a) (i) Death in Service

In the event of the death of a Member while in the employ of the Corporation there shall be paid to the Member's beneficiary in a lump sum, the accumulated value of his account and his Corporation's account.

Notwithstanding the foregoing, in any case where the beneficiary is the spouse or dependant of the Member, the Member may elect (or in the absence of such election his beneficiary after his death may elect) that the benefits under this Section be paid to the beneficiary either in the form of an immediate annuity for life, or a deferred annuity for life to start before the beneficiary attains age 65 years. Such annuities may be purchased with or without a guaranteed period, provided that the guaranteed period does not exceed the lessor of (i) 15 years or (ii) the period from the date of the commencement of the annuity to the day before the date on which the beneficiary's 86th birthday would occur.

5. THAT the amendments contained herein be effected the 1st day of January, 1978.

6. THAT all other provisions of the Plan be left unchanged and are hereby ratified.


7. THAT all executed copy of this resolution be attached to the Plan and form part thereof.

READ A FIRST TIME IN OPEN COUNCIL THIS 7th DAY OF August ,1979.

READ A SECOND TIME IN OPEN COUNCIL THIS 27TH DAY OF AUGUST ,1979.

READ A THIRD TIME IN OPEN COUNCIL THIS 27TH DAY OF AUGUST ,1979 AND FINALLY ENACTED AND PASSED.

MAYOR


CITY CLERK