

Bill No. 242
2013

By-law No. A.-_____

A by-law to establish the Material Recovery Facility Reserve Fund.

WHEREAS section 9 of the *Municipal Act, 2001* as amended provides that a municipality has all of the rights, powers and privileges of a natural person;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* as amended provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* as amended provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS the Reserve Fund is required to fund capital renewal and replacement costs on the new material recovery facility approved by Municipal Council on February 26, 2010;

AND WHEREAS the Council considers the establishment of such Material Recovery Facility Reserve Fund necessary and desirable for the public;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. A reserve fund is hereby established to be known as the "Material Recovery Facility Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London (the "Corporation") for funding capital renewal and replacement costs on the Corporation's material recovery facility.
3. The City Treasurer shall deposit into the fund, on a yearly basis, up to 25% of revenue from the sale of Blue Box recyclable materials in excess of operating costs for processing Blue Box recyclable materials. The amount shall be determined by the City Treasurer or designate.
4. Any subsequent monies raised through the annual property tax levy to be used as a contribution to the Fund shall be deposited to the Fund by the City Treasurer.
5. The City Treasurer or designate is authorized to allocate funds from the Material Recovery Facility Reserve Fund.
6. The City Treasurer may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1) of the *Municipal Act, 2001* and in so doing, may consolidate the monies standing in the Fund with other funds that the Corporation may hold from time to time provided that any earnings derived from the monies standing in the Fund shall accrue to and form part of the Fund.
7. Notwithstanding that provision may not be made by the Council in the estimates of the current or any subsequent year for contributions to the Fund, it shall continue and be maintained, and the Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law comes into force on the day it is passed.

PASSED in Open Council on June 11, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - June 11, 2013
Second Reading - June 11, 2013
Third Reading - June 11, 2013