

Bill No. 124
2023

By-law No.

A by-law to authorize the form and detail of the budget of various boards, commissions or other bodies and the specific dates for which they are required to submit their budgets to The Corporation of the City of London.

WHEREAS, pursuant to ss. 291(4)(b) and ss. 290(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, in the immediately preceding year, the City is required to prepare a budget including estimates of all sums required during the year for the purposes of the City, including,

- (a) amounts sufficient to pay all debts of the City falling due within the year;
- (b) amounts required to be raised for sinking funds or retirement funds; and
- (c) amounts required for any board, commission or other body;

AND WHEREAS the City operates on a 4-year Multi-Year Budget (MYB) cycle, as permitted by ss. 291(1) of the *Municipal Act, 2001*;

AND WHEREAS pursuant to ss. 291(8) of the *Municipal Act, 2001*, for the purpose of adopting a multi-year budget for two or more years or readopting a multi-year budget for one or more remaining years, a municipality may require that a budget for the year or years of every board, commission or other body for which the municipality is required by law to levy a tax or provide money, be submitted to the municipality on or before a date specified by the municipality and that the budget shall be in such detail and form as the by-law provides;

AND WHEREAS pursuant to subsection 10(2) of the *Municipal Act, 2001*, the City may pass by-laws respecting: 1. Governance structure of its local boards; 2. Accountability and transparency of its local boards and their operations; 3. Financial management of its local boards, (where "local board" is defined in that section to mean a local board other than a child and family services review board, a board of health, a committee of management, a police services board, a public library board, or a corporation established under s. 203);

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

1. Where the City has been requested, or is required, to levy a tax or provide money to a board, commission or other body ("Body" or "Bodies"), the Body shall submit to the City its budget in accordance with the applicable attached Schedules 1, 2, 3 or 4.
2. By-law A.-7136-243 is repealed.
3. The short title of this by-law is the Boards, Commissions or Other Bodies Budget By-law.
4. This By-law comes into force and effect on the day it is passed.

PASSED in Open Council on April 25, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 25, 2023
Second Reading – April 25, 2023
Third Reading – April 25, 2023

SCHEDULE 1

(note: the authority for this Schedule is ss. 291(8) of the *Municipal Act, 2001*; this Schedule is applicable to every board, commission or other body for which the City is required by law to levy a tax or provide money)

WHEREAS pursuant to subsection 291(8) of the *Municipal Act, 2001*, for the purpose of adopting a multi-year budget for two or more years or readopting a multi-year budget for one or more remaining years, a municipality may require that a budget for the year or years of every board, commission or other body for which the municipality is required by law to levy a tax or provide money, be submitted to the municipality on or before a date specified by the municipality and that the budget shall be in such detail and form as the by-law provides;

NOW THEREFORE this Schedule 1 is applicable to the following boards, commissions or other bodies ("Body" or "Bodies") for which the City is required by law to levy a tax or provide money, pursuant to ss. 291(8) of the *Municipal Act, 2001*:

- (1) London Police Services Board;
- (2) London Public Library Board;
- (3) Middlesex-London Health Unit;
- (4) London & Middlesex Community Housing Inc.;
- (5) Conservation Authorities (Kettle Creek Conservation Authority, Upper Thames Valley Conservation Authority, Lower Thames Valley Conservation Authority); and
- (6) The Corporation of the County of Middlesex (*Ambulance Act* cost apportionment);

Budget Submission Requirements

1. The following are the City of London requirements for the budget that must be submitted to the City by the Bodies listed above in this Schedule 1:

- (1) **Date of Submission:**
 - (a) A Body shall submit its budget approved by its governing body annually to the City by September 30.
 - (b) The Body shall submit to the City a draft budget by August 15.
- (2) **Detail and form:**
 - (a) A Body is required to submit a Multi-Year Budget to the City based on the City's 4-year Multi-Year Budget cycle.
 - (b) A Body shall provide documentary evidence to the City that its governing body approved the budget.
 - (c) A Body shall submit to the City its budget and supporting budget materials (including but not limited to budget documents, assessment growth requests and business plans) in the form and level of detail that is specified in the City's annual budget guidelines document.
 - (d) The budget shall set out the Body's estimated revenues and expenses, in such detail and form as the City requires in this by-law and in the City's annual budget guidelines document.

Payments by City

2. The timing and amount of payments of budgetary amounts by the City to Bodies is entirely within the City's discretion, in accordance with and subject to applicable legislation, regulations and by-laws.

Compliance

3. Where a Body fails to comply with the requirements of this By-law, the Body's budget amount may be subject to reduction or "freezing" based on the previous year's budget, subject to any contractual or legislative requirements.

SCHEDULE 2

(note: the authority for this Schedule is section 10(2) of the Municipal Act, 2001; the City is not legally required to provide funding to the Body; a by-law or private legislation requires that the Body provide a budget to the City)

WHEREAS section 10(2) of the *Municipal Act, 2001* provides that the City may pass by-law respecting: in paragraph 2, Accountability and transparency of its local boards and their operations; in paragraph 3. Financial management of the municipality and its local boards (meaning a local board other than a child and family services review board, a board of health, a long-term care home committee of management; a police services board, a public library board, or a corporation established under s. 203);

NOW THEREFORE this Schedule 2 is applicable to the following boards, commissions or other bodies (“Body” or “Bodies”) for which the City is not required by law to levy a tax or provide money, but which are required to submit a budget to the City pursuant to a City of London By-law, or Private legislation:

- (1) Covent Garden Market Corporation;
- (2) Eldon House Corporation;
- (3) London Convention Centre; and
- (4) London Transit Commission.

Budget Submission Requirements

1. The following are the City of London requirements for the budget that must be submitted to the City by the Bodies listed above in this Schedule 2:

(1) **Date of submission:**

- (a) A Body shall submit its budget approved by its governing body annually to the City by September 30.
- (b) The Body shall submit to the City a draft budget by August 15.

(2) **Detail and form:**

- (a) A Body is required to submit a Multi-Year Budget to the City based on the City’s 4-year Multi-Year Budget cycle.
- (b) A Body shall provide to the City documentary evidence that its governing body approved the budget.
- (c) A Body shall submit to the City its budget and supporting budget materials (including but not limited to budget documents, assessment growth requests and business plans) in the form and level of detail that is specified in the City’s annual budget guidelines document.
- (d) The budget shall set out the Body’s estimated revenues and expenses, in such detail and form as the City requires in this by-law and in the City’s annual budget guidelines document.

Payments by City

2. The timing and amount of payments by the City to Bodies of budgetary amounts is entirely within the City’s discretion, in accordance with and subject to applicable legislation, regulations and by-laws.

Compliance

3. Where a Body fails to comply with the requirements of this By-law, the Body’s budget amount may be subject to reduction or “freezing” based on the previous year’s budget, subject to any contractual or legislative requirements.

SCHEDULE 3

(note: the City has a contractual obligation to provide some funding or a grant to the Bodies in this Schedule)

WHEREAS section 107 of the *Municipal Act, 2001* provides that a municipality may make grants to any person, group or body for any purpose that council considers to be in the interests of the municipality;

NOW THEREFORE this Schedule 3 is applicable to the following Bodies for which the City is not required by law to levy a tax or provide money, and which are not required to submit a budget to the City, but which have a contract with the City with respect to submitting an annual budget or business plan as a condition precedent to receiving any Grant or payment for services from the City:

- (1) Tourism London (contractual grant); and
- (2) London Economic Development Corporation (contractual payment for services).

Budget Submission Requirements

1. If an above-listed Body asks the City to provide it with a grant, in addition to any requirements set out in a contract with the City, the following are the City of London requirements for the budget that must be submitted to the City by the Bodies listed above in this Schedule 3:

(1) **Date of submission:**

- (a) A Body shall submit its budget approved by its governing body annually to the City by September 30.
- (b) The Body shall submit to the City a draft budget by August 15.

(2) **Detail and form:**

- (a) If a Body asks the City to provide it with a grant, the Body is required to submit a Multi-Year Budget to the City based on the City's 4-year Multi-Year Budget cycle.
- (b) If a Body asks the City to provide it with a grant, the Body shall provide documentary evidence that its governing body approved the budget.
- (c) If a Body asks the City to provide it with a grant, the Body shall submit to the City its budget and supporting budget materials (including but not limited to budget documents, assessment growth requests and business plans) in the form and level of detail that is specified in the City's annual budget guidelines document.
- (d) If a Body asks the City to provide it with a grant, the budget shall set out the Body's estimated revenues and expenses, in such detail and form as the City requires in this by-law and in the City's annual budget guidelines document.

Payments by City

2. The timing and amount of payments, if any, by the City to Bodies of budgetary amounts is entirely within the City's discretion, in accordance with and subject to applicable legislation, regulations, by-laws, and contracts.

Compliance

3. Where a Body fails to comply with the requirements of this By-law, the Body's budget amount may be subject to reduction or "freezing" based on the previous year's budget, subject to any contractual or legislative requirements.

SCHEDULE 4

(note: the authority for this Schedule is section 107 of the Municipal Act, 2001; the City has no obligation to provide funding to the Bodies in this Schedule. If the City provides funding, it is a discretionary grant)

WHEREAS section 107 of the *Municipal Act, 2001* provides that a municipality may make grants to any person, group or body for any purpose that council considers to be in the interests of the municipality;

NOW THEREFORE this schedule 4 is applicable to the following Bodies for which the City is not required by law to levy a tax or provide money, and which are not required to submit a budget to the City, and which do not have a contract with the City with respect to submitting an annual budget as a condition precedent to receiving any Grant from the City:

- (1) Museum London; and
- (2) Housing Development Corporation, London.

Budget Submission Requirements

1. If an above-listed Body asks the City to provide it with a grant, in addition to any requirements set out in a contract with the City, the following are the City of London requirements for the budget that must be submitted to the City by the Bodies listed above in this Schedule 4:

(1) **Date of submission:**

- (a) A Body shall submit its budget approved by its governing body annually to the City by September 30.
- (b) The Body shall submit to the City a draft budget by August 15.

(2) **Detail and form:**

- (a) If a Body asks the City to provide it with a grant, the Body is required to submit a Multi-Year Budget to the City based on the City's 4-year Multi-Year Budget cycle.
- (b) If a Body asks the City to provide it with a grant, the Body shall provide documentary evidence to the City that its governing body approved the budget.
- (c) If a Body asks the City to provide it with a grant, the Body shall submit to the City its budget and supporting budget materials (including but not limited to budget documents, assessment growth requests and business plans) in the form and level of detail that is specified in the City's annual budget guidelines document.
- (d) If a Body asks the City to provide it with a grant, the budget shall set out the Body's estimated revenues and expenses, in such detail and form as the City requires in this by-law and in the City's annual budget guidelines document.

Payments by City

2. The timing and amount of payments, if any, by the City to Bodies of budgetary amounts is entirely within the City's discretion, in accordance with and subject to applicable legislation, regulations, by-laws, and contracts.

Compliance and Administrative Penalty

3. If a Body fails to comply with the requirements of this By-law, the City may reduce or reject entirely the Body's requested grant amount, subject to any contractual requirements.