

BY-LAW 5

MUNICIPAL OFFICERS

NOMINATION AND ELECTION:

1. (1) Every election for Warden, Deputy Warden or other office or position shall be by nomination and ballot.

(2) Notwithstanding the provisions of Subsection (1), the Council may, by unanimous consent, dispense with the ballot and elect by roll call vote.

(3) Where only one person is nominated for an office and nominations have been closed, the Council may by resolution instruct the Clerk or any Councillor to deposit a ballot for that person, and the Chairman, or the Clerk if there is no Chairman, shall declare that person elected to the office for which he was nominated.

(4) Where more than two persons have been nominated for an office and no nominee receives on the first vote or ballot a majority of the votes of the Councillors present, the name of the nominee receiving the least number of votes shall be dropped from the vote of ballot and the Council shall vote again; the same procedure being followed until one of the nominees has a majority of the votes of the Councillors present.

SALARIES:

2. All salaries and service charges, the charges for which are definitely fixed by-law, By-Law, or resolution of the Council and which are payable by the Municipality, shall be paid by the Treasurer out of the funds provided for this purpose, on the Certificate of the Warden.

OATH OF OFFICE:

3. The Oath of Office made by every officer of the Municipality shall be transmitted to the Clerk, who shall file the same in his office.

NOTICE OF OFFICE:

4. The Clerk shall mail or deliver a Notice to each person appointed by the Council to any office or position, and shall furnish copies of all orders or resolutions made by the Council, to the persons who may be affected thereby, or whose duty it may be to execute such order.

WARDEN AND DEPUTY WARDEN:

5. At the first meeting after the election of a Council, and whenever the office shall become vacant, the Council shall elect a Warden and a Deputy Warden.

6. In the absence of or the inability to act of the Warden, or in the case of the death of the Warden, the Deputy Warden shall perform all the duties and functions of the Warden as established by law or by resolution of the Council, until a Warden is elected.

CLERK:

7. (1) The Clerk shall perform all the duties and functions prescribed by Section 105 of the Municipal Act.

SECURITY:

(2) Before entering upon or continuing in office, the Clerk shall give security in the form required by law, in the amount of ten thousand dollars.

SALARY:

(3) The salary of the Clerk shall be fixed by the Council by resolution and according to law.

TREASURER:

8. (1) The Clerk shall be responsible for all the duties and functions prescribed by Section 109 of the Municipal Act.

TREASURER'S REPORT:

(2) The Clerk shall lay before the Council at its annual meeting in each year a report of the receipts and expenditures of the Municipality for the preceding year, and also a statement of the Collectors' Accounts and of all liabilities and assets of the Municipality as of the thirty-first day of December of the preceding year.

BOOKS:

(3) The books and accounts of the Municipality shall be kept in a clear and intelligible manner and according to the methods of bookkeeping best adapted to show the financial state of the Municipality and the various bodies for which it acts and in accordance with the Municipal Act and the Municipal Affairs Act; the said books shall be the property of the Municipality.

AUDITORS:

9. (1) The Auditors of the Municipality and of the Municipal Boards and Committees shall report in the manner required by law at the next annual meeting of the Council subsequent to their appointment.

(2) The compensation of the Auditors shall be determined from time to time by resolution of the Council.

COLLECTOR:

10. (1) The Clerk shall be the collector of rates and taxes, but the Council may appoint special collectors of rates and taxes who shall perform their duties under the direction of the Treasurer.

(2) Before entering upon or continuing in office, a Collector shall give security in the form required by law, in the amount of ten thousand dollars.

(3) At the end of each week after receipt of his roll, a Collector shall pay over to the Treasurer all rates and taxes collected, and shall make his final return within five days of the end of the year.

(4) The Collector shall perform all duties imposed on him by the Assessment Act, or by any statute or By-Law.

(5) The Collector, in making his final return, shall deliver his roll to the Treasurer and furnish expenditures for any amounts not collected.

TENURE:

11. When any person is appointed herein or under the provisions of the Municipal or any other Act of the Province of Nova Scotia, he shall hold office until he is removed or until his successor is appointed, and unless it is otherwise specified in his appointment, he shall exercise his functions throughout the Municipality.