

BE IT RESOLVED by the Municipal Council of the Municipality of the County of Inverness that By-law No. 5 Municipal Officers be repealed and re-enacted as follows:

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 Chair, or the Clerk if there is no Chair, shall declare that person elected to the office for he/she 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 or 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.

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/her 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 resolution 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 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 45 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 Treasurer shall perform all the duties and functions prescribed by section 50 of the Municipal Act.

SECURITY

- (2) Before entering upon or continuing in office, the Treasurer shall give security in the form required by law, in the amount of Fifteen Thousand Dollars.

SALARY

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

CLERK AND TREASURER

- (4) Where the Treasurer is also the Clerk, the Council may provide one salary for the two offices, but the amount of security required for the office of Treasurer shall be in addition to the amount of security required for the office of Clerk.

TREASURER'S REPORT

- (5) The Treasurer 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 March of the preceding year.

BOOKS

- (6) The books and accounts kept by the Treasurer shall be kept in a clear and intelligible manner and according to the methods set out in the Accounting Manual for Nova Scotia Municipalities to show the financial position of the Municipality and various bodies for which it acts; the said books shall be the property of the Municipality.

AUDITORS

9. (1) At every annual meeting, the Council shall appoint a firm of Chartered Accountants to be the Auditors of the Municipality and of the Municipal Boards and Commissions.

(2) The Auditors so appointed shall report in the manner required by law to the next annual meeting of the Council.

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

COLLECTOR

10. (1) The Treasurer 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/her roll, a collector shall pay over to the Treasurer all rates and taxes collected, and shall make his/her final return within five days of the end of the year.

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

(5) The Collector, in making his/her final return, shall deliver his/her roll to the Treasurer and furnish explanations 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/she shall hold office until he/she is removed or until his/her successor is appointed, and (unless it is otherwise specified in his/her appointment) he/she shall exercise his/her functions throughout the Municipality.

REPORTS

12. The Council may by resolution require an annual report from any fence viewer, pound keeper or other person appointed herein.

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommened for  
approval of the Minister

*Cathleen O'Grady*  
.....  
Departmental Solicitor

APPROVED this 16<sup>th</sup> day  
of September 10, 1994.

*Dorothy Kelly*  
.....  
Minister of Municipal Affairs

THIS IS TO CERTIFY that the foregoing by law is a true copy of a bylaw duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness duly held on the 11th day of July A.D., 1994.

*[Signature]*  
Clerk