

MUNICIPALITY OF THE DISTRICT OF YARMOUTH

**MUNICIPAL OFFICES BY-LAW
M-067-93**

Effective Date:
April 7, 1993

By-law No. 6, and amendments thereof, of the By-laws of the Municipality of the District of Yarmouth are hereby repealed and replaced with the following:

1. (1) Every nomination for Warden, Deputy Warden, or for any office or position shall be made by motion duly made and seconded.
- (2) The election of the Warden, Deputy Warden, or other nominee for office, and of all Municipal Officers shall be by ballot, PROVIDED THAT, except in the case of appointment of the Clerk-Treasurer, the Council may, by unanimous consent, dispense with the ballot, and appoint by roll call vote.
- (3) Where more than two persons are nominated for election by the Council to any office, and no such nominee receives a majority of votes of the Councillors present on the first vote or ballot, the name of the nominee receiving the least number of votes shall be dropped, and the Council shall this continue to vote or ballot until one of the nominees has a majority of the votes of the Councillors present.
2. All salaries, 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 the purpose, on the certificate of the Warden.
3. The oath of office made by any officer of the Municipality shall be transmitted to the Clerk who shall file the same in his office.
4. The Clerk shall mail a notice to each person appointed by the Council to any office or position, or furnish each Councillor with blank notice forms for all persons appointed in the district of such Councillor, 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 exercise such order.
5. At the first meeting after the election of a Council and whenever the office becomes vacant, the Council shall elect a Warden.
6. In the absence or inability to act of the Warden or in the case of the death of the Warden, the Deputy Warden shall perform all duties and functions of the Warden as established by law or resolution of the Council, until a warden is

**MUNICIPAL OFFICES BY-LAW
M-067-93**

Effective Date:
April 7, 1993

elected.

7. (1) The Clerk-Treasurer shall perform all the duties prescribed by Section 45 of the Municipal Act, Revised Statutes of Nova Scotia, 1989, Chapter 295, as amended, and by any other law, By-Law or Resolution of the Council.
- (2) Before entering upon or continuing in office, the Clerk-Treasurer, shall give security in form required by law in the amount of ten thousand (\$10,000) dollars. The premium for such bond shall be paid by the Municipality.
- (3) The salary of the Clerk-Treasurer shall be fixed by the Council by Resolution and according to law.
8. (1) The Clerk-Treasurer shall lay before the Council at its Annual Meeting in each year a report of the receipts and expenditures of the Municipality of the preceding year, and also a statement of the collectors' accounts and of all liabilities and assets of the Municipality as of the 31st day of March of the said preceding year.
- (2) The books and accounts kept by him as such Clerk-Treasurer 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 its acts; the books shall be the property of the Municipality and shall be open to inspection in accordance with Section 48 of the Municipal Act, Revised Statutes of Nova Scotia, 1989, Chapter 295.
9. (1) At every Annual Meeting the Council shall appoint a firm of Chartered Accountants, to be the auditors of the Municipality.
- (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 by Resolution of the Council from time to time.
10. The Council may appoint at the Annual Meeting a Sanitary Inspector for the Municipality.
11. Where any person is appointed herein or under the provisions of the Municipal Act or any other law,

**MUNICIPAL OFFICES BY-LAW
M-067-93**

Effective Date:
April 7, 1993

- (1) the said person shall hold office until he is removed or his successor is appointed, and shall exercise his functions through the Municipality unless it is otherwise specified in his appointment.
 - (2) The Council may, by Resolution, require an annual report from any fence viewer, pound keeper or any other person appointed herein.
12. All former By-laws of the Municipality heretofore enacted relating to Municipal offices are hereby repealed.

This is to certify that this is a true copy of By-law No. 6 duly passed at a duly called Meeting of the Municipal Council, Municipality of the District of Yarmouth, held at Yarmouth, Nova Scotia, on Wednesday, the 7th day of April, A.D., 1993

William R. Scott,
William R. Scott,
Municipal Clerk-Treasurer