

BE IT RESOLVED that the following Bylaw be and is hereby approved as the Election Day Bylaw for the Village of New Minas and that same be forwarded to the Minister of Service Nova Scotia and Municipal Relations, with the request that the Minister of Service Nova Scotia and Municipal Relations approve same.

ELECTION DAY BYLAW

1. This Bylaw shall be entitled **“The Election Day Bylaw”**

2. In this Bylaw:
 - (a) “Act” means the Municipal Government Act, R.S.N.S. 1998, Chapter 18;

 - (b) “Advance Polling Day” means the Saturday immediately preceding Election Day;

 - (c) “Village” means the Village of New Minas, Kings County, Nova Scotia;

 - (d) “Commissioner” or “Commissioners” mean a Commissioner or Commissioners for the Village of New Minas within the meaning of the Act;

 - (e) “Clerk” means the Village Clerk Treasurer appointed by the Commissioners pursuant to the Act;

 - (f) “Nomination Day” means the second Wednesday preceding election day;

 - (g) “Election Day” means the day the Commissioners are elected to office, being the first Wednesday in May of each year and each other day as may be designated by the Commissioners pursuant to Section 411 of the Municipal Government Act;

(h) "Candidate" means:

1. a person who, before the close of nominations on Nomination Day, is declared by himself, or others with his consent, to be a candidate, or,
 2. a person, who, after the close of nominations on Nomination Day, has been nominated as a candidate.
3. Election for office of Commissioner or Commissioners shall take place on Election Day between the hours of nine o'clock (9:00) in the forenoon, and seven o'clock (7:00) in the afternoon, and on the Advance Polling Day between the hours of eleven o'clock (11:00) in the forenoon and seven o'clock (7:00) in the afternoon.
 4. The Clerk Treasurer shall act as Returning Officer for the Advance Poll and the Election, and may appoint such persons as Deputy Returning Officers, who shall act as scrutineers or otherwise to assist in the conduct of the election and to be present at the poll(s) during the balloting.
 5. Voting for the offices of Commissioner shall be held at such place(s), to be called poll(s), as may be designated by the Clerk Treasurer. The Clerk Treasurer shall cause a notice to be inserted in a newspaper circulating in the Village, at least two (2) weeks prior to the Nomination Day, a notice specifying the times, date and place for the nomination of candidates, Advance Polling Day and for voting on Election Day. For purposes of this Bylaw, the provisions of this section may be satisfied by the insertion of the Notice in the Chronicle Herald, but nothing herein shall preclude the Clerk from giving notice in addition to the notice provided herein.
 6. Any elector who expects to be unable to vote on Election Day may vote on the Advance Polling Day at an advertised poll.
 7. A single ballot shall be held and a single ballot paper shall be used at an election even if there is more than one vacancy in the office of Commissioner to be filled at the Election.

All candidates' names shall appear on the ballot. An elector may vote once and no more than once for each Commissioner to be elected, and may vote no more than once for any candidate.

8. Upon completion of the voting and pursuant to Section 411 of the Act, the Chair, or in that person's absence, the Clerk Treasurer shall complete the statement indicating which candidate, or if more than one Commissioner is to be elected, which candidate(s), have the greatest number of votes.
9. Provisions of Section 62, 64, 65, 66, 67, 69, 70, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 116, 117, 119, 120, 121, 122 and 123 and any related forms prescribed pursuant to the Municipal Elections Act, R.S.N.S. 1989 C.300, where not inconsistent with this Bylaw or the Municipal Government Act, shall, with respect to procedure for balloting, the conduct of the election, and the procedure at an Advance Poll, apply Mutatis Mutandis.
10. Where there is a tie at an election of a Village Commissioner, the Clerk Treasurer shall determine the successful candidate by lot as prescribed by the Municipal Elections Act.
11. If within three days after the election, any elector requests a recount of the votes cast at the election, the Clerk Treasurer shall appoint a time within three days to recount the votes at the Village Office and shall, at the time and place appointed, in the presence of the Chair of the Village and the elector, proceed to recount the votes.
12. Pursuant to Article 11 herein, the Clerk Treasurer, as soon as the result of the poll is ascertained, shall declare to be elected the candidate or candidates having the highest number of votes, and in the event of a tie determine the successful candidate by lot as prescribed by the Municipal Elections Act.

I, Terry Silver, Clerk Treasurer of the Village Commission of the Village of New Minas, do hereby certify that the foregoing is a true copy of the bylaw, duly passed at a duly called meeting of the Village Commission of the Village of New Minas, duly convened and held on the 20th day of March, A.D., 2007.

DATED AT NEW MINAS, in the County of Kings, this 21st day of March, A.D., 2007.

Terry Silver, Clerk Treasurer