

By-laws of Village of Bible Hill

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1. General

1.1 Commission Governs

- .1 The Commission shall consist of five Commissioners.
- .2 Three Commissioners shall constitute a quorum.

1.2 Bank and Signing Authority

- .1 The Commission may maintain and operate a bank account(s) in any branch of any chartered bank in Canada.
- .2 All cheques drawn on such account(s) shall be signed by two Commissioners.
- .3 All electronic fund transfers drawn on such account(s) shall be supported by the written endorsement of two Commissioners.
- .4 All pre-authorized amounts drawn on such account(s) shall be supported by resolution of the Commission.

2. Commission Meetings

2.1 Notice

- .1 The Commission shall meet on the third Tuesday of each month at 7:00 p.m. at the Village Office, 67 Pictou Road, Bible Hill, or at such other date, place, or time that the Village may decide by resolution.
- .2 No notice of the meeting shall be required unless there is to be a change of date, place, or time of the meeting in which case the Clerk and Treasurer shall advertise notice of the meeting on the Village's website at least 14 days before the date of such meeting.
- .3 If quorum is not established within fifteen minutes from the scheduled start time of a meeting, the Clerk and Treasurer or designate shall record the names of Commissioners present, and the meeting shall then stand adjourned.
- .4 Where the Chair, or in the absence of the Chair, the Deputy Chair or majority of Commissioners, determines that there is an emergency, the Commission may meet without notice or with such notice as is possible in the circumstances.

2.2 Order of Business

The order of business shall be:

- Review and approval of the minutes of the last regular meeting, and of any special meeting(s) held since such meeting;
- o Review of agenda and call for new or other business and approval of the agenda;
- Declaration of conflict of interest;
- o Miscellaneous business including delegations;
- Business arising out of minutes;
- Review of correspondence;
- o Reports of Commissioners and Clerk and Treasurer;
- Accounts; and
- New business.

2.3 Order at Meeting

The Chair shall preside and maintain order and shall have the right to order the removal of any person interfering with the business of the meeting or acting in a disorderly manner.

2.4 Voting

All voting matters before the Commission shall be decided by voting on a motion duly moved and seconded. Such motions shall be decided by a vote of yeas and nays, after which time the Chair shall state whether the motion has been carried or defeated. In the event of an equality of votes for and against the motion, the Chair shall declare the motion lost.

3. Meeting of Electors

3.1 Notice

The Clerk and Treasurer shall advertise notice of the date, place, and time of the meeting in a newspaper circulating in Bible Hill at least 14 days prior to the date of such meeting. Such notice shall contain brief particulars of the purpose and, if applicable, the amount of the proposed borrowing.

3.2 Order of Business

The Chair shall state the purpose of the meeting and shall call for a discussion thereof.

3.3 Order at Meeting

The Chair shall preside and maintain order and shall have the right to order the removal of any person interfering with the business of the meeting or acting in a disorderly manner.

3.4 Voting

- .1 The Clerk and Treasurer shall, as each elector enters the place of the meeting, issue, or cause to be issued, ballots to each elector qualified to vote at such meeting.
- .2 After the meeting has been opened for discussion of business for a sufficient length of time, the Chair shall call for a motion that the discussion shall cease and that the voting takes place. Upon the passing of such motion, the electors shall mark their ballots for or against the motion.
- .3 The Chair shall appoint two electors to act as scrutineers. The scrutineers shall collect the ballots, and the Chair in the presence of each of the two scrutineers shall examine the ballot papers, count the ballots for and against the motion, and declare whether result of the count indicates the motion has been carried or defeated. In the event of an equality of ballots for and against the motion, the Chair shall declare the motion lost.

4. Annual Meeting of Electors

4.1 Notice

The annual meeting of electors of Village of Bible Hill shall take place on the first Monday of June at 7:00 pm. The Clerk and Treasurer shall advertise notice of the date, place, and time of the meeting in a newspaper circulating in Bible Hill at least 14 days prior to the date of such meeting.

4.2 Order of Business

The order of business shall be:

- Review and approval of the minutes of the last annual meeting of electors and any subsequent special electors' meeting(s);
- o Reports of Commissioners;
- Auditor's Report;
- o Bible Hill Fire Brigade Report;
- Business arising out of minutes;
- Adoption of reports; and
- o Miscellaneous business.

4.3 Order at Meeting

The Chair shall preside and maintain order and shall have the right to order the removal of any person interfering with the business of the meeting or acting in a disorderly manner.

4.4 Voting

- .1 All voting matters before the electors, except the election of one or more Commissioners, shall be decided by voting on a motion duly moved and seconded. Such motions shall be decided by a vote of yeas and nays, after which time the Chair shall declare whether the motion has been carried or defeated. In the event of an equality of votes for and against the motion, the Chair shall declare the motion lost.
- .2 Any two electors may call for a standing vote, in which case the Chair shall conduct a standing vote on the motion. The Clerk and Treasurer shall count those standing in favor of the motion and those standing against the motion and shall declare the numbers for and against the motion and record the same.
- .3 Prior to a standing vote taking place, the Chair shall inquire of the electors on whether any barrier exists that prevents a person from standing to vote and, if such a barrier is declared, the Chair shall permit a show of hands or other indicator to be used as an accessible alternative to standing as the circumstances demand.

5. Elections

5.1 Interpretation

In this by-law:

- a. "advance polling day" means the Tuesday immediately proceeding election day;
- b. "candidate" means a person who, at the close of nominations, has been nominated for election to the office of Commissioner;
- c. "election day" means the day one or more Commissioners are elected to office, being the first Saturday after the annual meeting of electors;
- d. "elector" means a person resident within the Village entitled to vote at a municipal election, and who will have resided in the Village for at least six months immediately prior to the village election;
- e. "nomination period" means the period from and including the fifth Thursday preceding election day to and including the fourth Thursday preceding election day;
- f. "returning officer" means a person appointed by the Commission to conduct all regular and special elections required under these by-laws; and
- g. "special election" means an election held pursuant to 5.3 to fill a vacancy of the office of Commissioner.

5.2 Nominations

- .1 The Clerk and Treasurer shall take, or appoint a designee to take, the position of returning officer for a nomination period and election.
- .2 A person is eligible for election to the office of Commissioner who:
 - has been nominated by not less than five electors;
 - is a Canadian citizen;
 - o is of the full age of nineteen years; and
 - o has, for a period of six months immediately preceding the date of nomination, been ordinarily resident in the area comprising Village of Bible Hill and continues to so reside.
- .3 All nominations shall be in writing on Form "A" (enclosed herein) and shall be filed with the returning officer at the Village Office, 67 Pictou Road, Bible Hill, on a business day during the nomination period between the hours of 8:30 a.m. and 4:30 p.m.
- .4 The returning officer shall advertise notice of the date, place, and time for the nomination of candidates in a newspaper circulating in Bible Hill at least 14 days prior to the nomination period.
- .5 No nomination shall be valid or accepted by the returning officer unless it has been completed and signed by the candidate. Only the names of those duly nominated shall appear on the ballots as candidates for election.

- .6 Every nomination paper shall be accompanied by a deposit of two hundred dollars.
- .7 Upon the removal of all advertising material within seven days after ordinary polling day and the filing of an affidavit of the candidate in prescribed form confirming the removal, or to the like effect, with the Clerk and Treasurer, the Clerk and Treasurer shall:
 - o refund the deposit to a candidate who was elected or who polled at least half of the number of votes polled by the successful candidate; or
 - refund half of the deposit to a candidate who polled less than half of the number of votes polled by the successful candidate.
- .8 If a candidate dies before the close of the poll, the Clerk and Treasurer shall refund the whole of the deposit to the candidate's official agent or personal representative.
- .9 Where no more than the number of candidates authorized to be elected are officially nominated and as a result no poll is granted, the returning officer shall declare the nominated candidate(s) duly elected as of the first meeting of the Commission after ordinary polling day or, in the case of a special election where holding a poll is no longer necessary, as of the next meeting of the Commission.
- .10 Where one or more candidates is elected by acclamation under 5.2.9, upon the filing of the affidavit referred to in 5.2.7, the Clerk and Treasurer shall refund the whole of the deposit to the candidate(s) or official agent(s).
- .11 A candidate who fails to file an affidavit referred to in 5.2. 7 within seven days after the date of the election shall forfeit his deposit.
- .12 Before 4:00 p.m. of the day after nomination day, a candidate or a candidate's official agent may appear in person before the returning officer and file a declaration signed by either of them for withdrawal as a candidate, whereupon the person shall be deemed not to have been nominated and the person's deposit forfeited.
- .13 If a candidate dies before the close of nominations on nomination day, the candidate shall be deemed not to have been nominated.

5.3 Vacancy

- Subject to 5.3.5, within 30 days after a vacancy occurs in the office of Commissioner because an insufficient number of candidates are nominated to fill the vacancies at a regular or special election; or a Commissioner dies, resigns, becomes disqualified or forfeits office, a special election shall be held on a date set by the returning officer.
- .2 The date fixed for a special election shall be a Saturday not more than 30 days after the vacancy occurs.
- .3 A special election shall be conducted as nearly as may be in accordance with the provisions governing regular elections.
- .4 A Commissioner elected at a special election shall hold office from the time when a prescribed oath of office is taken until a successor is sworn into office or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor.
- .5 Notwithstanding 5.3.1, a vacancy need not be filled until the next annual meeting of electors or the election held in accordance with nomination and election by-laws immediately following the next annual meeting of electors if the vacancy occurs within six months of the next annual meeting of electors unless the Minister or the Commission determines otherwise.

5.4 Elections

- .1 Elections for the office of Commissioner shall take place on Election Day between the hours of 9:00 a.m. and 7:00 p.m. and on the advance polling day between the hours of 11:00 a.m. and 7:00 p.m.
- .2 The returning officer for the advance poll and the election 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.
- .3 Voting for the office of Commissioner shall be held at such place(s) in Bible Hill, to be called poll(s), as may be designated by the returning officer.
- .4 The returning officer shall advertise notice of the date, place, and time of election day and of advance polling day in a newspaper circulating in Bible Hill at least 14 days prior to the advance polling day.
- .5 Any elector who expects to be unable to vote on election day may vote on the advance polling day at an advertised poll.
- .6 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 for the office of Commissioner. All candidates' names shall appear on the ballot papers. An elector may vote only once for each office to be filled and may vote only once for any candidate and these conditions shall appear on the ballot papers.

5.5 Procedure at Completion of Vote

- .1 Upon the completion of voting on election day, the returning officer, in the presence of two scrutineers, shall open the ballot box, examine the ballot papers, and proceed to count the votes.
- .2 The candidate obtaining the greatest number of votes at an election shall be deemed to have been elected to the vacant office of Commissioner having the longest term, and the candidate having the second greatest number of votes shall be deemed to have been elected to the vacant office of Commissioner having the second longest term, and so on.
- .3 After the votes are counted the returning officer shall make up a written statement containing the number of votes polled, the names of the persons receiving votes, and the number of votes received by each candidate. The statement shall be signed by the returning officer and filed with the minutes of the next meeting.
- .4 The provisions of Sections 64, 65, 66, 67, 69, 70, 83, 84, 85, 86, 89, 90, 91, 93, 95, 96, 97, 98, 100, 101, 102, 103, 105, 108, 109, 116, 117, 119, 120, 121, 122, and 123 of the Municipal Elections Act, C. 300 R.S.N.S., 1989, where not inconsistent with this by-law 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.
- .5 When there is a tie at an election for the office of Commissioner, the returning officer shall determine the successful candidate by lot as prescribed by the Municipal Elections Act.

5.6 Vote Recount

- .1 If, within three days after the election, an elector requests a recount of the votes cast at the election, the Clerk and Treasurer shall schedule a date and time within three days to recount the votes at the Village office and shall, at the date and time scheduled, in the presence of no less than one Commissioner and the requesting elector, proceed to recount the votes.
- .2 As soon as the result of the poll is ascertained, the returning officer 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.

6. Committees

6.1 Advisory committees

- .1 The Commission may appoint one or more of its members to advisory committees for any of the following matters:
 - o Protective Services (fire station building operation, crossing guards program implementation and supervision, Bible Hill Fire Brigade liaison, police liaison);
 - Environmental Services (development and maintenance of storm and sanitary sewer systems, flood control planning, urban forest matters, community beautification);
 - Transportation Services (development and maintenance of sidewalk, crosswalk, and streetlight programs, ice and snow removal operations);
 - Recreation and Cultural Services (development and implementation of parks, playgrounds, trails and H. Douglas Boyce Village Hall, including programming, volunteer awards, member of the Bible Hill Parks and Recreation Advisory Committee);
 - Personnel (interpretation and implementation of personnel policy, collective agreement bargaining, supervision of Clerk and Treasurer); and
 - Accessibility (identification, prevention, and elimination of barriers to persons with disabilities)
- .2 The Commission may appoint one or more of its members, electors, or other members of the general public to standing or advisory committees.
- .3 The Commission may, from time to time, appoint such special committees as it deems necessary for the purpose of inquiring into and reporting upon any matter referred to such committees.
- .4 The Chair shall be ex officio a member of all committees.

7. Sanitary Sewer System

7.1 Application

Where land development incorporates the implementation of a sanitary sewer system which discharges into the sanitary sewer system of the Village, the following conditions shall apply. This by-law shall apply in combination with the requirements of Municipality of the County of Colchester's Subdivision By-law.

7.2 Design and material quality

- .1 A sanitary sewer system shall be designed by a professional engineer, at a minimum, in accordance with the latest standard specifications applicable to such system.
- .2 Sewerage pumping stations shall be designed using pre-cast reinforced concrete structures and a minimum of two three-phase submersible sewerage pumps such that if one unit is out of service, the remaining unit will be able to handle the maximum sewerage flows. Pumps shall be capable of passing 50 mm diameter solids and shall be designed with level control system to automatically alternate the pumps in use.

7.3 Construction inspection

Full-time construction inspection shall be provided by a professional engineer or qualified representatives of such engineer as retained by the subdivision developer. Construction inspectors shall ensure that all work and materials meet the technical specifications and shall conduct and record performance tests as specified. All costs for sanitary sewer system construction inspection shall be borne by the subdivision developer.

7.4 Acceptance by the Village

On condition that all requirements under this by-law have been fully met by the subdivision developer, and upon deposit with the Clerk and Treasurer of required information specified in Municipality of the County of Colchester's subdivision by-law including, but not limited to, as-built record drawings of the sanitary sewerage system, the Village shall accept such

sewerage system as a contributed capital asset. Such acceptance is subject to a minimum one-year warranty from date of acceptance by the subdivision developer with respect to any materials and/or work defects of the sanitary sewer system.

7.5 Duties

Village of Bible Hill may delegate one or more of its roles under this by-law to Municipality of the County of Colchester. Such arrangement shall not supersede the Village's formal acceptance mechanism under 7.4.

7.6 Lateral repair and replacement

- .1 Where between the main trunk sewer and the private property line no lateral exists or an abandoned lateral exists but is no longer in serviceable condition, the owner of a residential property shall be responsible for the costs of installation of a lateral from the serviced building to the main trunk sewer.
- .2 The Village shall be responsible for the costs of maintenance, repairs, and replacement of an existing active lateral from the main trunk sewer to the boundary of a serviced residential property of no more than two housing units, unless such maintenance, repair, or replacement is attributable to the property owner serviced by the lateral in which case the Village may, at its discretion, charge part or all of the costs to the property owner serviced by the lateral.
- .3 The owner of a commercial or institutional property or residential property of more than two housing units shall be responsible for the costs of installation, maintenance, repairs, and replacement of a lateral from the serviced building to the main trunk sewer.
- .4 The Village shall not be responsible for the costs of installation, maintenance, repairs, or replacement of sanitary sewers including all appurtenances thereto located on or in private property, unless expressly agreed to by the Village and where a right-of-way easement has been granted by the private property owner(s) for that purpose.

8. Boulevard

8.1 Snow removal

At no time shall a person obstruct, or cause to be obstructed, the sidewalk in such a way that impedes the act of sidewalk snow clearing by the Village.

9. Resolutions, policies, by-laws

9.1 Decisions

- .1 The Commission shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.
- .2 The Commission may exercise by resolution any of its powers and duties unless a policy or a by-law is required by an enactment.
- .3 The Commission may exercise by by-law any of its powers and duties that it may exercise by resolution or policy.
- .4 The Commission may exercise by policy any of its powers and duties that it may exercise by resolution.
- .5 The Commission may make and carry out a contract, perform an act, do any thing or provide a service for which the Village or the Commission is authorized by an Act of the Legislature to spend or borrow money.

9.2 Policies

.1 Before a policy is passed, amended, or repealed the Commission shall give at least seven days' notice to all Commissioners.

- .2 The Commission may adopt different policies for different areas of the Village.
- .3 In addition to matters specified in the Municipal Government Act or another Act of the Legislature, the Commission may adopt policies on any matter that the Commission considers conducive to the effective management of the Village.
- .4 The Commission may make policies setting the interest rate to be charged on overdue taxes, area rates, water charges, sewer charges, and any other charges or sums owing to the Village.

10. Virtual meetings

10.1 General

- .1 In this by-law, "meeting" means a regular or special meeting of the Village Commission or committee of the Village, but does not include a meeting of electors, annual or otherwise, where a vote of electors is required.
- .2 This by-law applies to committees established by the Village Commission, with such changes as the context requires.
- .3 Except as provided in this by-law, Commissioners and committee members must attend meetings in person.

10.2 Virtual meeting and attendance

- .1 The Clerk and Treasurer may require all Commissioners appear at a meeting by videoconference if:
 - a. a meeting by videoconference is supported by a majority of Commissioners;
 - b. at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
 - c. the electronic means enables the public to see and hear the meeting as it is occurring;
 - d. the electronic means enables all the meeting participants to see and hear each other; and
 - e. any additional requirements established by regulation have been met.
- .2 Notice referred to in 10.2.1b shall be given in a manner that satisfies virtual meeting notice requirement(s) of the Municipal Government Act.
- .3 The Commission may by resolution require all Commissioners appear at a future meeting by videoconference as described in this by-law except that notice to the public need not be provided where such resolution is passed at a previous meeting two or more days in advance of the meeting to be attended virtually.

10.3 Virtual attendance of in-person meeting

- .1 One or more Commissioners may appear at a meeting or part of a meeting by videoconference to participate if:
 - a. at least two days prior to the meeting, the Commissioner provides written notice to the Clerk and Treasurer indicating that the Commissioner wishes to attend the meeting by videoconference;
 - b. the Commissioner has not participated in more than three meetings by videoconference in the preceding 12 months in addition to meetings in which all Commissioners participated by videoconference;
 - c. the Commissioner utilizes videoconferencing equipment that will:
 - a. enable the public to see and hear the Commissioner participate in the meeting by videoconference; and
 - b. enable the Commissioner to see and hear each of the Commissioners who are attending the Commission meeting by videoconference or in person.
 - d. the Village utilizes videoconferencing equipment that will:

- a. enable the public to see and hear the Commissioner participate in the meeting by video conference;
- b. enable the Commissioner to see and hear each of the Commissioners who are attending the Commission meeting by videoconference or in person; and
- c. enable every Commissioner who is attending the meeting by videoconference or in person to see and hear all other Commissioners who are attending the meeting by videoconference or in person.

10.4 Presence

Any Commissioner participating in a meeting by videoconference shall be deemed to be:

- a. Present at those parts of the meeting in which a Commissioner is permitted to participate by videoconference under this by-law; and
- b. Absent for any parts of the meeting in which a Commissioner is not permitted to participate by videoconference under this by-law.

10.5 Technological problems

- .1 If technological problems prevent a Commissioner from participating in a meeting prior to the meeting commencing, the Commissioner shall be marked absent from the meeting.
- .2 If a Commissioner becomes disconnected from the meeting due to technical problems or other reasons, the minutes shall reflect that the Commissioner left the meeting at the time of the disconnection.
- .3 If a Commissioner becomes reconnected after becoming disconnected from the meeting due to technical problems or other reasons, the minutes shall reflect that the Commissioner rejoined the meeting at the time of the reconnection.

11. Child Care Commercial Tax Reduction

11.1 Interpretation

In this by-law, "tax" and "taxes" means all property taxes, charges, or area rates levied by the Village, unless otherwise indicated.

11.2 General

- .1 All properties containing a day care centre with a valid and subsisting license under the Early Learning and Child Care Act, and:
 - a. not containing any other commercial use, shall have their taxes reduced; or
 - b. containing other commercial use, shall have a prorated portion of their taxes reduced to those which would be applicable if the properties were residential properties and not commercial properties.
- .2 The calculation to be used for proration of reduced taxes referred to in .1b shall be the result of dividing the total square footage of the subject property used exclusively as a day care centre and occupied by children in the normal course of day care centre operations, by the total square footage of the subject property.
- .3 The owner of property seeking to make use of the tax reduction provided in this by-law shall provide a floorplan and proof of child care licensing satisfactory to the Village and shall thereafter provide proof of ongoing licensing upon request by the Village from time to time in order to continue to maintain eligibility for the tax reduction.
- .4 When a property ceases to meet the requirements of this by-law, the tax reduction shall cease, and the owner of the property shall immediately be liable for the additional taxes that would have been payable but for this by-law for the portion of the fiscal year then unexpired.
- .5 Where the owner of property described in this by-law has received approval from Municipality of the County of Colchester pursuant to a by-law for a reduction of taxes levied by Municipality of the County of Colchester, the owner of property shall be automatically approved for a

reduction of taxes under this by-law provided that all requirements of this by-law are met by the earlier approval process.

- .6 The Village may obtain and use proof required by this by-law from Municipality of the County of Colchester.
- .7 For the fiscal year in which this by-law is enacted, the tax reduction pursuant to this by-law shall be applied to the entire year's taxes, notwithstanding that it comes into force part way through the fiscal year.

12. Penalties

- .1 Any person who:
 - a. violates or causes to be violated;
 - b. fails to comply with;
 - c. neglects or refrains from doing anything required under; or
 - d. obstructs or seeks or attempts to prevent or obstruct a person who is involved in the execution of duties under

any provision of a by-law of Village of Bible Hill is deemed to have committed an offence and is liable upon summary conviction to a penalty not exceeding five thousand dollars and, in default of payment, to imprisonment not exceeding ninety days.

.2 A penalty issued pursuant to 12.1 shall be no less than one-hundred dollars.

13. Repeal

All by-laws of Village of Bible Hill made prior to the date of approval of these by-laws by the Minister of Municipal Affairs and Housing are repealed, effective on such date of approval.

Form A - Nomination Form for Office of Commissioner

Endorsement of Electors

Elections Act, Section 14, and the	ne Municipal Gov	vernment Ac	ithin the meaning of the Municipal t, Section 403, hereby nominate Nova Scotia, as a candidate for the
	ige of Bible H	ill. The e	election is to be held on the
In witness whereof, we have hereu		ur signatures	this day
Name :	Signature		Address
	d in the foregoing	nomination	form, do solemnly swear (or affirm)
	e first advance po e entitled to be re e resided in the vil the village election	olling day; egistered on lage for at lea on; and	e polling day; the list of electors and to vote at a ast six months immediately prior to
Sworn (or affirmed) before me this day o	of)))) Candid	date
Commissioner of the Supreme Coulof Nova Scotia	 rt)))	

By-law Document Attestation						
Date of approval of first reading: 2022-09-20 Date of advertising of notice of intent to consider: 2022-10-06 Date of approval of second reading: 2022-11-15 Date of approval of Minister of Municipal Affairs: XXXX-XX-XX Date of advertising of adoption of by-law: XXXX-XX-XX Date of filing a certified copy of by-law with the Minister of Municipal Affairs: XXXX-XX-XX						
I certify that this by-law was adopted by Village Commission and published as documented above:						
Chair	Dated					
Clerk and Treasurer	Dated					