



BE IT RESOLVED that the following By-law be and is hereby approved as the Election By-law for the Village of Chester and that same be forwarded to the Minister of Municipal Affairs, with the request that the Minister of Municipal Affairs approve same.

ELECTION BY-LAW

Be it enacted by the Village Commission of the Village of Chester as follows:

1. This By-law shall be entitled "The Election By-law"
2. In this By-law:
 - (a) "Act" means the Municipal Government Act, R.S.N.S. 1998, Chapter 18;
 - (b) "Advance Polling Day" means the first Saturday immediately following the Annual Public Meeting;
 - (c) "Village" means the Village of Chester, Lunenburg County, Nova Scotia;
 - (d) "Commissioner" or "Commissioners" mean a Commissioner or Commissioners for the Village of Chester with 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, the first Tuesday immediately following the Annual Public Meeting or another day as may be designated by the Commissioners pursuant to Section 411 of the Municipal Government Act;

(h) "Elector" means a person resident within the village entitled to vote at an election day, and who will have resided in the village for at least six months immediately prior to the village election.

(i) "Candidate" means:

I 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,

II If, upon the Annual Public Meeting, no nomination papers have been filed with the Village Office, the chair of the village may call for nominations from the floor at the Annual Public Meeting, or proceed to call a special meeting, pursuant to Section 411 (1)(a) of the Act, for the purpose of filling the vacancy.

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.
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 event 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, the Chair, or in that person's absence, the Clerk Treasurer shall, pursuant to section 417 of the Act, as amended from time to time, 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, as amended from time to time, 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, which procedure is governed by section 418 of the Act, as amended from time to time.
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.

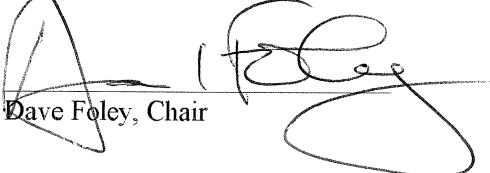
REPEAL

13. By-Law number [VOC-1] of the Village of Chester entitled the Election Day By-Law is hereby repealed and replaced by this By-Law

EFFECTIVE DATE

This By-Law shall be not come into force and effect until it is approved by the Minister of Municipal Affairs.

DATED AT CHESTER, in the county of Lunenburg, this *14* day of *March* A.D., 2018


Dave Foley, Chair


Bill Nauss, Vice Chair

This is to certify that the foregoing is a true copy of a by-law passed at a duly convened meeting of the Commission for the Village of Chester, held the *14* day of *March* 2018.

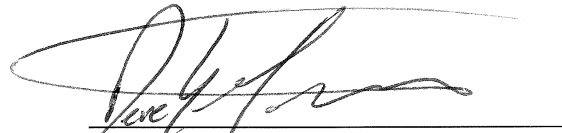
Given under the hand of the Chair of the Village Commission and the Clerk Treasurer and the seal of the Village of Chester this *15* day of *March*, 2018.

Certificate of Approval

“The Election By-law”, Village of Chester

This is to certify that, pursuant to subsection 433(1) of the *Municipal Government Act*, “The Election By-law” submitted by the Village of Chester, Lunenburg County, Nova Scotia, passed at a duly convened meeting of the Village Commission of the Village of Chester on the 14th day of March, 2018 is hereby approved, and the said by-law hereby has the force of law pursuant to subsection 433(1) of the *Municipal Government Act*.

DATED this 29th day of March, 2018.



Honourable Derek Mombourquette
Minister of Municipal Affairs