

VILLAGE OF KINGSTON

NOMINATION DAY/ELECTION PROCESS BY-LAW

Title

1. This By-Law shall be entitled "The Nomination Day/Election Process By-Law."

Definitions

2. In this By-Law:
 - (a) "Act" means the Municipal Government Act, 1998.
 - (b) "Village" means the Village of Kingston, Kings County, Nova Scotia.
 - (c) "Commissioner or Commissioners" means commissioner or commissioners for the Village, within the meaning of the Act.
 - (d) "Clerk" means the Clerk and Treasurer appointed by the commissioners, pursuant to the Act.
 - (e) "Nomination Day" means the second Wednesday preceding Election Day.
 - (f) "Election Day" means the day the commissioners are elected to office being the Annual General Meeting of each year, and/or such other day as may be required by the commissioners, for special elections, pursuant to Section 411(1) (a) of the Act.
 - (g) "Candidate" means:
 - (i) a person who, before the close of nominations on nomination day, is declared by themselves, or others with their consent, to be a candidate, or
 - (ii) a person, who, after the close of nominations on nomination day, has been nominated as a candidate.



General Provisions

3. No person shall be eligible for election to the office of commissioner of the Village unless that person has been nominated as a candidate, in accordance with this by-law, by not less than five persons who, on nomination day, were qualified electors within the meaning of the Municipal Government Act, section 403.
4. All nominations for the office of Commissioner shall be in writing, in Form "A" in the schedule attached to this by-law, and shall be filed with the Clerk at the Village Office on nomination day, between the hours of eight o'clock in the forenoon and four o'clock in the afternoon; or by appointment during the week preceding nomination day. Form "A" will be available to all candidates (14) fourteen days prior to nomination day from the Village Office.
5. No nomination shall be valid or shall be accepted by the Clerk unless it has been completed and is signed by the candidate.
6. Only those persons duly nominated shall appear on the ballots as candidates for election on Election Day.
7. The election of Commissioner or Commissioners shall take place by a single ballot with the vacancy or vacancies being filled by the candidate or candidates receiving the highest number of votes.
8. If, upon Election Day, no nomination papers have been filed with the Village Office, the Commission Chairman may call for nominations from the floor, on Election Day, at the Annual General Meeting, or proceed to call a special meeting, pursuant to Section 411(1) (a) of the Act, for the purpose of filling the vacancy.
9. This by-law is made pursuant to the provisions of Section 410(1) of the Act.
10. The Nomination Day By-Law is repealed.

I, _____, Clerk/Treasurer of the Village of Kingston, do hereby certify that this is a true copy of a by-law duly passed at a duly called meeting of the Kingston Village Commission held on February 15, 2005.

CLERK/TREASURER



Form A

WE, the undersigned qualified electors of the Village of Kingston, within the meaning of the Municipal Government Act, S.N.S., 1998, hereby nominate _____ of _____, as a candidate for the office of Commissioner of the Village of Kingston for the election to be held on the _____ day of _____, 20_____.

SIGNED:

Signature	Name (Print)	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CONSENT AND OATH OF CANDIDATE

I, the undersigned, do solemnly declare (or affirm) that:

- I, _____, named in the foregoing nomination paper, consent to the nomination.
- I am a Canadian citizen and am of the full age of eighteen (18) years.
- I have for a period of at least six (6) months, immediately preceding Election Day, been ordinarily resident in the area now comprising the Village of Kingston.
- I will accept this office of Commissioner if elected.

SWORN (or affirmed) before me _____
CLERK/TREASURER

This _____ day of _____, 20_____. _____
CANDIDATE

