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Proposed Ordinance Respecting Hamlets

as approved by
Baffin Regional Council

Motion 2-15

March 18-23, 1978

PROPOSED ORDINANCE RESPECTING HAMLETS

SHORT TITLE

Short Title 1. This Ordinance may be cited as the Hamlet Ordinance.

INTERPRETATION

Definitions 2. In this Ordinance

- "auditor" (a) "auditor" means a person appointed pursuant to section 82 to act as an auditor.
- "chairman" (b) "chairman" means the chairman of a hamlet;
- "council" (c) "council" means the council of a hamlet;
- "councillor" (d) "councillor" means a member of the council of a hamlet;
- "Court of Revision" (e) "Court of Revision" means a Court of Revision established pursuant to subsection 19;
- "election" (f) "election" means an election of members of a council pursuant to this Ordinance;
- "elector" (g) "elector" means a person who is eligible to vote at an election;
- "hamlet" (h) "hamlet" means a hamlet established or continued pursuant to this Ordinance;
- "land" (i) "land" includes lands, tenements and hereditaments and any estate or interest therein;
- "magistrate" (j) "magistrate" includes a justice of the peace;
- "owner" (k) "owner" includes a person having any right, title, estate or interest in property other than that of a mere occupant or mortgagee;
- "road" (l) "road" includes a street, avenue, parkway, driveway, square, bridge, viaduct, trestle or other passageway designed and intended for, or used by the general public for the passage of vehicles and includes a trail on a frozen lake, river or other body of water or watercourse when such trail is maintained or kept open at public expense;
- "secretary-manager" (m) "secretary-manager" means the senior employee or manager of a municipality;
- "voter" (n) "voter" means a person who is eligible to vote at an election.

Part I

ORGANIZATION AND ELECTIONS

ESTABLISHMENT AND ORGANIZATION

Notice of establishment of hamlet.

3. (1) Where there is a settlement that is not incorporated as a hamlet and

(a) that in the opinion of the Commissioner has developed sufficiently so as to warrant participation of its residents in the governing of its local affairs, or

(b) in respect of which the Commissioner has received a petition requesting the establishment of a hamlet signed by twenty-five or more adult persons who reside in the settlement,

the Commissioner may cause a notice to be posted in at least two conspicuous places within that settlement stating that it is proposed on the date set out in the notice, which date shall be at least three months subsequent to the posting of the notice, to establish a hamlet.

Resident may appeal

(2) Any resident of a proposed hamlet may, within three months of the posting of the notice referred to in subsection (1), appeal in writing to the Commissioner against the establishment of a hamlet.

Commissioner may establish hamlet

(3) The Commissioner may by order establish a hamlet and fix the name and boundaries thereof,

(a) where no petition against the establishment of a hamlet is made, on the day set out in the notice referred to in subsection (1) or on such later day as he deems expedient; or

(b) where a petition against the establishment of a hamlet is made, on the day he refused the petition, but such day shall not be earlier than the day set out in the notice referred to in subsection (1).

Recommendation of settlement council required

(4) The Commissioner may exercise his authority under this section only upon the recommendation of the council of the settlement in respect of which such authority is to be exercised.

Body corporate

4. Every hamlet is a body corporate.

Powers to be exercised by council

5. The powers of a hamlet shall be exercised by the council of the hamlet.

Chairman of a council

9. (1) A council shall elect one of its members to be chairman of the council and one of its members to be vice chairman of the council at its first meeting after the first day of April in each year.

Powers of chairman, Chairman resigns, etc.

(2) Where a chairman or vice chairman resigns or is unable to perform the duties of his office or the office is vacant, the council shall forthwith elect another of its members to act as chairman or vice chairman until the thirty-first day of March next following.

Date of first elections

10. In any order establishing a hamlet, the Commissioner shall fix the day for the first election of the members of the council of the hamlet and shall appoint suitable persons to act respectively as registrar and returning officer for the purpose of the election.

Alteration of name or boundaries

11. (1) The Commissioner may, by order, following consultation with the hamlet council, alter the name or boundaries of any hamlet established prior to this Ordinance.

Outer boundary.

(2) The Commissioner may enter into an agreement with a hamlet council to establish an outer boundary for the Hamlet, concerning which no exploratory resource use or development will take place without the absolute agreement of the Hamlet Council.

ELECTIONS

Elections

12. Except as provided in section 6 to 9, the provisions of this Ordinance with respect to elections apply to the first and all subsequent elections.

Persons eligible for election

13. (1) Subject to this Ordinance, every person is eligible for election who

- (a) is a Canadian citizen;
- (b) has attained the age of nineteen years; and
- (c) has been ordinarily resident in the hamlet for six months immediately preceding the day of the close of nominations of candidates for election.

Persons not eligible

(2) No person is eligible for election as a member of a council or shall remain a member thereof if he

- (a) is a judge or magistrate, but does not include a justice of the peace;
- (b) is a sheriff or clerk of the court;
- (c) is the secretary-manager, auditor or any other member of the administrative or supervisory staff; other permanent employees of council may remain on and be eligible for election to council but shall not take part in nor vote on any matter affecting any employee's conditions of employment;

- (d) owes money to the hamlet;
 - (e) has guaranteed a debt for any officer or employee of the hamlet;
 - (f) is an undischarged bankrupt; or
 - (g) has been convicted of an offence punishable by imprisonment for five years or more within the preceding twenty-four months or whose imprisonment as a result of such conviction has terminated within the preceding twenty-four months.
- (3) No member of a hamlet council shall take part in any discussion nor vote on any matter affecting any company in which he is a shareholder or on any matter in which he has a personal financial interest.

Persons eligible to vote

14. Subject to this Ordinance, every person is qualified to vote at an election who

- (a) is a Canadian citizen;
- (b) has attained the age of nineteen years; and
- (c) has been ordinarily resident in the hamlet for not less than six consecutive months immediately preceding the day of the close of nominations of candidates for election.

Establishment of polling division

15. The council may by by-law establish two or more polling divisions in the hamlet.

Duties of registrar

16. (1) The council of each hamlet shall appoint a registrar who shall, on or before the fifteenth day of December in each year,

- (a) in which a hamlet election is required to be held, or
- (b) in which the council orders him to do so,

prepare a list of electors containing the names, in alphabetical order, of all persons qualified to vote at the next election.

Where polling divisions

(2) Where a hamlet is divided into polling divisions, the registrar shall prepare a separate list of electors for each such division.

List of electors

(3) On or before the fifteenth day of December in each year, the registrar shall post one or more copies of the list of electors in a public place in each polling division.

Delivery of list to magistrate

(4) The registrar shall, prior to the day fixed for revision of the list of electors, deliver to the magistrate or commission of oaths, having charge of the revision five copies of the list of electors prepared for the hamlet or, where a hamlet is divided into polling divisions, five copies of the list of electors for each polling division.

Application for
revision of
list

17. Any person who is eligible to vote at the election may apply to the magistrate or commissioner of oaths, to have the list of electors revised on the ground that the name of an eligible voter has been omitted therefrom, or the name of an eligible voter is incorrectly set out therein or the name of a person not eligible to vote is included therein.

Notice of
application

18. (1) Any person eligible to vote at the election who desires to apply for revision of a list of electors under section 17 shall, on or before the first day of January, leave with the registrar at his residence or place of business a notice in writing, as described in subsection (2), of his intention to make such application.

Form of notice

- (2) The notice shall fully set out
- (a) the names of the persons in respect of whom the application is made;
 - (b) the nature of the revision that is requested;
 - (c) the grounds upon which the application is made; and
 - (d) the name, residence or post office address of the person making the application.

Publication of
notice

19. (1) The registrar shall
- (a) post in a public place in the office of the secretary-manager of the hamlet or, where the hamlet is divided into polling divisions, in a public place in each polling division, a notice of the place and time fixed for the sitting of the Court of Revision, in Form A of Schedule A;
 - (b) cause the said notice to be printed at least once in a newspaper circulated in the hamlet, if there is such a newspaper; and
 - (c) give notice in writing to the parties making application and to the persons in respect of whom application is made of the place and time fixed for the sittings of the Court, in Form B or Form C of Schedule A as the case requires.

Idem

(2) The notices referred to in subsection (1) shall be posted, served or mailed, as the case requires, at least ten days before the day fixed for the sitting of the Court of Revision.

Hearing of
applications

20. (1) On the last Friday in January of each year the magistrate or commissioner of oaths shall hear all applications made pursuant to this Ordinance for revision of the list of electors.

Revision of list

(2) If in respect of any application the magistrate or commissioner of oaths is satisfied that the list should be corrected, he shall revise the list accordingly.

Persons entitled to be added

(3) Notwithstanding section 14, a person who will be nineteen years of age prior to the date fixed for an election, and who is otherwise qualified to vote, is entitled to have his name included in the list of electors upon application as herein provided.

Errors in description

(4) Where the name of a person qualified to vote is incorrectly spelled or where a person is not properly described in a list of electors the magistrate or commissioner of oaths may correct such spelling or description, notwithstanding the absence of any notice or application required by this Ordinance.

Certification of list

21. (1) The magistrate or commissioner of oaths shall, within ten days after the sitting of the Court of Revision has been concluded, initial all changes or additions made by him in the list of electors for each polling division, and attach to each list a certificate in Form D of Schedule A.

Delivery of list to secretary-manager

(2) When the provisions of subsection (1) have been carried out the magistrate or commissioner of oaths shall deliver two copies of each revised list of electors to the secretary-manager of the hamlet and two copies of each revised list to the returning officer for the hamlet.

Revised list

22. The list as revised in accordance with this Ordinance shall be the lists of electors for the hamlet to which they are applicable for the year in which the revision is made.

PUBLIC MEETINGS

Registrar to call public meeting

23. (1) The registrar shall call a public meeting to be held not later than the second Monday in February in any year for the purpose of discussing the conduct of hamlet business where

- (a) on or before the fifteenth day of December in that year, a resolution of a council so directs; or
- (b) on or before the fifteenth day of January in that year, a petition requesting a public meeting pursuant to this section and bearing the signatures of not less than ten per cent of the electors of the hamlet is received by the council.

Notice to be given of meeting

(2) The registrar shall ensure that a notice stating the time and place of the public meeting described in subsection (1) shall prior to the meeting be posted in not less than five conspicuous places in the hamlet.

Financial report to be made at meeting (3) The secretary-manager shall prepare and submit to the public meeting described in subsection (1) a statement of the financial operations of the district for the period from the first day of April to the thirtieth day of November of that year.

ELECTION OFFICERS

Returning officer 24. The council shall, prior to the first day of February, appoint a person to act as returning officer for the election.

Appointment of deputy returning officers 25. (1) Where a hamlet is divided into polling divisions, the returning officer shall appoint deputy returning officers who shall preside at the respective polling places in case a poll is required, but the returning officer may take charge of any one polling division and perform the duties therein to be performed by deputy returning officers.

Making of returns] (2) Each deputy returning officer shall make the returns for his polling division to the returning officer.

Duties of returning officer 26. Where there is only one polling station, the returning officer shall perform all the duties required for election purposes.

Failure to attend 27. If, at the time appointed for holding a poll, the returning officer or deputy returning officer does not attend at the poll within one hour after the time appointed, or in case a deputy returning officer is required and none has been appointed, the electors present at the time and place for holding the poll may choose from amongst themselves a returning officer or deputy returning officer, as the circumstances require, and such returning officer or deputy returning officer shall have all the powers and duties of, and shall proceed to hold the poll as, the returning officer or deputy returning officer as the case may be.

Appointment of poll clerk 28. The returning officer or deputy returning officer shall appoint a poll clerk who shall perform the duties given to him by the returning officer or deputy returning officer and who, in the absence of the returning officer or deputy returning officer, shall have all the powers and duties of the returning officer.

Conservation of the peace 29. Every returning officer and deputy returning officer shall, on the day of and during the days preceding polling day, act as a conservator of the peace, and he or any of the justices of the peace may cause to be arrested, and may summarily try and punish by a fine not exceeding fifty dollars or imprisonment not exceeding three months, or both, or may imprison or bind over to keep the peace, or for trial, any riotous or disorderly person who assaults or threatens any voter coming to, remaining at or going from the polling place; and, when so required, all constables and persons present at the polling place shall assist the returning or deputy returning officer or justice.

Special constables

30. (1) A returning officer or justice of the peace may appoint and swear in any number of special constables to assist in the preservation of the peace or of order at an election or at the polling place.

Interpreters.

(2) A returning officer or a deputy returning officer may appoint and swear in any number of interpreters required to assist in the conduct of the poll.

Oath

31. (1) Every returning officer, deputy returning officer, poll clerk, interpreter, candidate or agent authorized to be present at any polling place shall, before undertaking any of his duties or functions, take and subscribe an oath before a returning officer or any person authorized to take affidavits for use in the Territories to the following effect;

"I,.....do swear (or solemnly affirm) that I will act faithfully in my capacity of.....for (polling division No.....of the Hamlet, omit reference to polling division where not applicable) of.....without partiality, fear, favour or affection at the pending election; and I will not unlawfully attempt to ascertain the candidate or candidates for whom an elector has voted and will not in any way aid in the unlawful discovery of the same and that I will keep secret all knowledge which may come to me of the person for whom an elector has voted. So Help me God".

Notice of election

32. On or before the second Monday in February the returning officer shall give notice of election in Form E of Schedule A.

Nominations

33. (1) Any two or more persons qualified to vote at an election may nominate a candidate for any office to be filled by the election by

- (a) signing a nomination paper in Form F of Schedule A; and
- (b) delivering the nomination paper to the returning officer at any time between the giving of the notice of election and the hour fixed for the close of nominations.

Close of nominations

(2) Nominations of candidates for election close at three o'clock in the afternoon of the third Monday in February or on the next day following that is not a holiday if such Monday is a holiday.

Acclamation

(3) Where the number of persons nominated to serve as councillors for the hamlet does not exceed the required number of persons to be elected, the returning officer shall declare the persons so nominated duly elected.

Vacancies

(4) Where the number of persons nominated to serve as councillors for the hamlet is less than the required number of persons to be elected, in consultation with the council, suitable person to fill the vacancies that would otherwise exist may be appointed by the Commissioner and shall thereupon become members of the council for all purposes of this Ordinance, for the term hereinbefore specified.

Holding of a poll

34. Where the number of persons nominated to serve as members of the council of the hamlet exceeds the required number of persons to be elected, a poll shall be held on the second Monday in March next following and the returning officer shall appoint deputy returning officers to hold such poll and determine the time and place where the result of such poll shall be declared.

Posting of notice in Form G

35. Where a poll is required to be held, the returning officer shall, without any unreasonable delay after the nomination, cause to be posted in at least three public places within the hamlet a notice in Form G of Schedule A and cause a copy of the notice to be inserted in a newspaper circulated in the hamlet, if any.

Withdrawal

36. (1) Any candidate nominated pursuant to section 33 may withdraw within forty-eight hours after the close of nominations by filing with the returning officer or deputy returning officer a declaration in writing to that effect, signed by himself in the presence of the returning officer, a deputy returning officer, a justice of the peace or a notary public.

Resulting vacancies

(2) Where a candidate withdraws and there remains a number of candidates equal to or less than the vacancies in the office to be filled by the election, the returning officer shall declare the remaining candidates elected, and if there are no other offices for which an election need be held, he shall cancel the poll.

Time of poll

37. The poll shall be kept open from 10 o'clock in the morning until 7 o'clock in the evening of the same day.

Advance poll

38. (1) The returning officer shall if the council so directs provide a poll for the purpose of receiving the votes of voters who expect to be absent from the hamlet on the day fixed for polling.

Time of advance poll

(2) The poll for receiving the votes of the voters referred to in subsection (1) shall be held and kept open from 10 o'clock in the morning to 7 o'clock in the evening on either Monday or Tuesday of the week before the week during which the poll is to be held, and, if a holiday falls upon any such days, the poll shall be held on Wednesday of the same week.

- Fixing of polling places** (3) The returning officer shall fix the polling place and appoint a deputy returning officer and poll clerk for each polling place.
- Notice of poll** (4) Notice of the times and places at which polls will be opened shall, prior to the day so fixed for holding the poll, be given by the returning officer by posting up notices at each of the polling places so appointed and in public places in the hamlet and where possible by advertisement in a newspaper circulated in the hamlet.
- Declaration by voter** (5) Every person offering himself as a voter at the polling place before being allowed to vote shall be required by the deputy returning officer to make a declaration in Form H of Schedule A, which shall be kept by the deputy returning officer with the other records of the poll.
- Offence** (6) Any person signing any such declaration knowing that any statement therein is false is guilty of an offence.
- Record of application** (7) The poll clerk shall record in the poll book after the name of each person who votes pursuant to this section a note that he has made the declaration mentioned in subsection (5) and the number of the polling subdivision in which he is entered on the list of voters.
- Ballot box not to be opened** (8) The ballot box shall not be opened after the opening of the poll until 7 o'clock in the evening of the general polling day, but on adjourning the poll the deputy returning officer shall, and any candidate or agent present who desires to do so may, affix his seal to the ballot box in such manner that it cannot be opened or any ballot desposited in it without breaking the seal.
- List of persons voting** (9) At the close of the poll, the deputy returning officer shall forthwith make up and deliver or mail to the returning officer a list of the names of all persons who have voted showing in each case the number of the polling subdivision in which the voter is entered on the polling list, and the returning officer shall, at the request of any candidate, furnish him with a copy of such list.
- Noting other lists** (10) Upon receiving from the deputy returning officer the list mentioned in subsection (9), the returning officer shall make an entry in the polling list to be supplied to each deputy returning officer on polling day opposite the name of each voter whose name appears on such list and whose vote has been received at an advance poll, showing that such voter has polled his vote.

Procedure on
close of poll

(11) On the general polling day, the deputy returning officer shall, in the presence of such candidates and agents as are present at the hour fixed for the closing of the poll, open the ballot boxes, count the votes and perform all other duties required of deputy returning officers by this Ordinance.

Agents

39. Any person producing to the deputy returning officer a written authority to represent a candidate as his agent at a polling place, shall be recognized as such by the deputy returning officer.

Evidence of
having voted

40. When a voter, other than the deputy returning officer, has received a ballot paper within the polling place, it shall be considered that he has voted.

Oath to be
administered
to voter

41. At the request of a candidate or his agent or of an elector, the following oath shall be administered to any person tendering his vote at the election:

"Do you solemnly swear (or affirm) that you are the person named or purporting to be named by the name of on the voters' list now shown to you; that you have not before voted at this election; and that you have not received or been promised any consideration whatsoever for voting at this election; that you are a Canadian citizen; that you are of the full age of nineteen years; and that you have been ordinarily resident in this hamlet for not less than six consecutive months prior to the day of nomination."

Voting by
secret ballot

42. Voting at all elections shall be by secret ballot as set forth in this Ordinance.

Form of ballot

43. Every ballot paper shall contain the names of the candidates in full, alphabetically arranged, and all ballot papers shall be in Form I of Schedule A.

Provision for
ballot boxes

44. The returning officer shall obtain or cause to be obtained as many ballot boxes as there are polling divisions in the hamlet and cause to be printed a sufficient number of ballot papers for the purpose of the election.

Delivery to
deputy return-
ing officer

45. The returning officer shall at least two days before polling day deliver one of the ballot boxes to each deputy returning officer.

Other voting

46. The returning officer shall, before the poll opens, cause to be delivered to every deputy returning officer the ballot papers, materials for marking the ballot papers, and a sufficient number of printed directions for voting in Form J of Schedule A, and shall supply to each deputy returning officer before the opening of the poll a voters' list, in Form K of Schedule A, containing the names of all the electors of that polling division.

Compartment for marking ballots

47. Every returning officer or deputy returning officer shall provide a compartment at the polling place to which he is appointed where the voters can mark their ballots free from observation.

Persons authorized to attend in polling places

48. During the time appointed for polling, no person is entitled or shall be permitted to be present in a polling place other than the officers, clerks and other persons authorized to attend and persons in attendance for the purpose of voting.

Ballot boxes to be emptied and sealed

49. Every deputy returning officer shall immediately before the commencement of the poll open the ballot box and call such persons as may be present to witness that it is empty; he shall then lock and properly seal the same to prevent its being opened without breaking the seal and then place the box in view for the reception of the ballots and the seal shall not be broken nor the box unlocked during the time appointed for taking the poll.

Proceedings at poll

50. Proceedings at the poll shall be as follows:
- (a) upon any person presenting himself for the purpose of voting the deputy returning officer shall ascertain that the name of such person is entered on the voters' list at his polling division;
 - (b) if such person takes the oath or affirmation prescribed by this Ordinance, the returning officer or deputy returning officer shall cause to be entered opposite the name of such person in the proper column of the voters' list "sworn" or "affirmed", according to the fact;
 - (c) where any person required to take the oath or affirmation prescribed by this Ordinance refuses to take the same, the returning officer or deputy returning officer shall cause to be entered in the proper column of the voters' list, opposite the name of such person the words "refused to be sworn or to affirm";
 - (d) no person who has refused to take the oath or affirmation prescribed by this Ordinance when requested so to do shall receive a ballot paper or be admitted to vote;
 - (e) whenever any vote is objected to, the returning officer or the deputy returning officer shall cause to be entered in the proper column of the voters' list, opposite the voter's name, the words "objected to", and shall add thereto the name of the candidate by whom or on behalf of whom the objection is made;

- (f) after the proper entries respecting a person claiming to vote have been made in the voters' list in the manner prescribed by this section, if such person then appears to be entitled to vote he shall receive from the returning officer or the deputy returning officer a ballot paper on the back of which the returning officer or the deputy returning officer has previously put his initials so placed that when the ballot is folded they can be seen without opening it;
- (g) the returning officer, deputy returning officer or the poll clerk, shall, upon request, explain the voting procedure to any voter presenting himself for a ballot;
- (h) the returning officer or the deputy returning officer shall cause to be placed in the proper column of the voters' list a mark opposite the name of every voter receiving a ballot paper;
- (i) only one voter shall be allowed at a time in the compartment where the ballot papers are marked;
- (j) each person receiving a ballot paper shall immediately proceed to the compartment provided for marking ballots and shall mark his ballot paper opposite the name of the candidate or candidates for whom he desires to vote, he shall then fold the ballot paper so as to conceal the names of the candidates and the marks on the face of the paper but so as to expose the initials of the deputy returning officer, and on leaving the compartment shall immediately and without exposing the face of the ballot paper to anyone or in any manner making known to any person for or against whom he has voted, deliver the same to the returning officer or the deputy returning officer who shall without unfolding the ballot paper verify his initials and at once deposit it in the ballot box in the presence of all other persons entitled to be present in the polling place;
- (k) while any voter is in the compartment for the purpose of marking his ballot paper no other person shall be allowed in the same compartment or be in any position from which he can see the manner in which such voter marks his ballot paper except as follows;
- (l) in case any voter states he is unable to mark his ballot paper,

- (i) the returning officer or the deputy returning officer shall, in the presence of the interpreters, the candidates or their agents present, if required by any candidate or agent, administer an oath to such voter that he is unable to mark his ballot papers and shall then cause the vote of such voter to be marked as the voter directs and shall then place the same in the ballot box, and
- (ii) the returning officer or the deputy returning officer shall state in the voters' list opposite the name of such voter in the column for remarks the fact that the ballot paper was marked by him at the request of the voter and the reason therefor;
- (m) any voter who has spoiled his ballot paper in marking it and discovers the fact before it has been placed in the ballot box may, upon returning the same to the returning officer or deputy returning officer and proving the fact to him, obtain another ballot paper and the returning officer or the deputy returning officer shall mark upon the face of the ballot paper so returned the word "cancelled", all ballot papers so marked shall be preserved by the returning officer or the deputy returning officer and by him returned to the returning officer; and
- (n) any voter who has received a ballot paper and who leaves the polling place without delivering the same to the returning officer or the deputy returning officer in the manner provided or, after receiving the same, refuses to vote shall give up his right to vote at that election then pending and the returning officer or deputy returning officer then shall make an entry in the voters' list opposite the name of such voter in the column for remarks that such voter received the ballot paper and did not return the same or that the voter returned the ballot paper and declined to vote, in which latter case the returning officer or deputy returning officer shall mark upon the face of the ballot paper the word "declined", and all ballot papers so marked shall be preserved by the deputy returning officer and by him returned to the returning officer in the manner provided, in section 52.

Persons not named in voters' list

51. (1) A person who, under section 14, is eligible to vote but whose name does not appear on the voters' list, may vote at an election upon meeting the requirements of this section.

Oath to be administered

(2) The returning officer or the deputy returning officer shall administer to a person applying to vote an oath in the following form:

"Do you solemnly swear (or affirm) that you are a Canadian citizen; that you are of the full age of nineteen years; that you have been ordinarily resident in this hamlet for not less than six consecutive months immediately before the day of the close of nominations and that you have not yet voted at this election".

Person to be vouched for

(3) The person applying to vote shall be vouched for by a person whose name appears on the voters' list and the returning officer or deputy returning officer shall administer to the person so vouching, an oath in the following form:

"Do you solemnly swear (or affirm) that you are the person named by the name of on the voters' list now shown to you; that you know the person applying to vote and that you verily believe him to be qualified to vote pursuant to section 14 of the Hamlet Ordinance".

Proceedings upon close of poll

52. Immediately after the close of the poll the returning officer or the deputy returning officer shall, in the presence of the poll clerk and of such of the candidates and their agents (not exceeding two for any candidate) as may be present, open the ballot box and proceed as follows:

- (a) examine the ballot papers and reject all those on the back of which his initials are not found or on which more votes are given than the voter is entitled to give or on which anything appears by which the voter can be identified, and any ballot paper on which votes are given for a greater number of candidates than the voter is entitled to vote for shall be void as regards all candidates;
- (b) take a note of any objection made by any candidate or his agent to any ballot paper found in the ballot box and decide on any question arising out of the objection;
- (c) number all such notations of objection and place a corresponding number on the back of the ballot paper with the word "allowed" or "disallowed," as the case may be, and his initials;

- (d) count the votes given for each candidate by the ballot papers not rejected and make a written statement of the number of votes given to each candidate and of the number of ballot papers rejected and not counted by him, which statement shall be then signed by him and such other persons authorized to be present as may desire to sign the same;
- (e) certify under his own hand in full words on the voters' list the total number of persons who have voted at the polling place at which he is appointed and make up into seven separate packets,
 - (i) the statement of votes given to each candidate and of the number of rejected ballot papers,
 - (ii) the used ballot papers that have not been objected to and that have been counted,
 - (iii) the ballot papers that have been objected to but that have been counted,
 - (iv) the rejected ballot papers,
 - (v) the declined and cancelled ballot papers,
 - (vi) the unused ballot papers, and
 - (vii) the voters' list

and immediately transmit to the returning officer the packets, closed up, sealed, initialled by him and marked on the outside with a memorandum designating their respective contents;

- (f) before returning the said voters' list to the returning officer, make and subscribe before the returning officer, a justice of the peace or a poll clerk an affidavit in the following form, which shall thereafter be attached to the voters' list and may be inspected at any time in the presence of the returning officer by any voter of the hamlet:

"I, C.D., the undersigned, deputy returning officer for polling division No.....of the Hamlet of.....do swear (or in the case of a person permitted by law to affirm, do affirm) that to the best of my knowledge the voters' list used in and for the said polling division No.....of the said Hamlet was as prescribed by law and that the entries required by law to be made therein were correctly made."

SWORN (or affirmed) before me at day of A.D. 19...XY

C.D.
Deputy Returning Officer

- (g) upon being requested to do so, give to the persons authorized to represent a candidate under section 39, a certificate showing the total number of votes cast at such polling place for each candidate and the number of rejected ballot papers.

Counting votes

53. (1) At the time and place fixed for declaring the result of the election, the returning officer shall
- (a) open the packets containing the statement of the number of votes given for each candidate;
 - (b) in respect of those vacancies that are required to be filled, publicly declare elected the candidate or candidates for councillor who receive the greatest number of votes;
 - (c) publicly declare the term of office of each candidate elected as specified in subsection 6 (5); and
 - (d) deliver or send by registered mail to each candidate a certificate of his election showing the total number of votes cast for each candidate and those declared elected by him, together with their respective terms of office.

Deciding vote

- (2) Where it appears that two or more candidates have an equal number of votes the returning officer shall, at the time the result of the poll is determined, cast a vote for one or more of such candidates so as to decide the election, and except in such case the returning officer shall not vote at any election.

Custody of ballots, etc.

54. After the election the ballot boxes, packets and returns shall be taken to the secretary-manager who shall be responsible for their safekeeping and for their destruction when required.

RECOUNT

Application for recount

55. If within two weeks after the returning officer has declared the result of the voting, any person entitled to vote at the election applies to a judge showing by affidavit reasonable grounds for entering into a recount of the ballot papers, and enters into a recognizance before the judge in the sum of one hundred dollars, with two sufficient sureties conditioned to prosecute the petition and to pay any costs that he may be adjudged to pay, the judge may appoint a time and place within the limits of the hamlet for entering into the recount.

Notice

56. At least one week's notice of the time and place so appointed shall be given by the applicant to such persons as the judge directs, and to the secretary-manager of the hamlet.

Determination
of application

57. At the time and place appointed the secretary-manager shall attend before the judge with the ballot boxes and all books, papers and documents relevant to the inquiry, and the judge, upon inspecting the ballot papers and lists of voters and hearing such evidence as he deems necessary, and on hearing the parties, or such of them as attend, or their counsel, shall, in a summary manner, determine the result of the election.

Evidence of
persons dis-
qualified

58. The judge may take evidence as to the death or disqualification of any person whose name appeared on the list of persons eligible to vote at the election and also as to persons whose names appear on the list for more than one polling division, and he may exclude from the computation of the total number of persons eligible to vote those who had died or become disqualified, and all such repetitions of names.

Powers and
authority of
judge

59. The judge shall, on the recount, possess the like powers and authority, as to all matters arising upon the recount, as are possessed by him upon a trial of an election petition; and in all cases costs shall be in the discretion of the judge, or he may apportion the costs as to him seems just.

Destruction of
ballots

60. The secretary-manager having retained for six months all ballot and other papers taken to him, shall, unless proceedings for a recount of an election petition are pending, then destroy the same in the presence of two other persons, who shall join with the secretary-manager in a statutory declaration setting out the time and place when and where the ballots were destroyed, how destruction was effected and that this took place in the presence of the declarants.

Election
expenses

61. All reasonable expenses incurred on behalf of the hamlet for printing, providing ballot boxes, ballot papers, balloting compartments for an election and for the transmission of materials, and reasonable fees and allowances for services rendered under this Part, shall be paid by the hamlet upon production of accounts verified as the council of the hamlet may direct.

CORRUPT PRACTICES AND CONTROVERTED ELECTIONS

Corrupt
practices

62. The provisions of the Municipal Ordinance for corrupt practices and controverted elections contained in sections 70 to 116 inclusive shall apply to hamlets.

Part II

PROCEEDINGS OF THE COUNCIL, OFFICERS, ETC.

MEETINGS

Transaction of
business of
council

63. (1) A council shall hold its meetings and transact all the business of the corporation within the boundaries of the hamlet, unless otherwise provided by resolution of the council.

Quorum

(2) At all meetings a majority of the total number of members that constitute the council is necessary to form a quorum.

Meetings to
be held open-
ly

64. (1) Subject to subsection (2), every council shall hold its regular, special, committee, and committee of the whole meetings openly and no person shall be excluded therefrom except for improper conduct.

In private
meetings

(2) Where in the opinion of council it is in the public interest to discuss matters privately, the council at a regular or special meeting may authorize the holding of a council or committee of the whole meeting in private by the resolution of two thirds of the councilors present and voting in favour thereof.

Prohibition

(3) Where council holds an in private meeting it has no power at such meeting to pass any by-law or resolution apart from the resolution necessary to revert back to an open meeting.

First meeting
of council
following
election

65. (1) The first meeting of a council following the first election shall be held within thirty days following the date of the election.

First meeting
of council
following
election

(2) the first meeting of council following any election shall be held not later than the 15th day of April immediately following the day of the election or at such other date as fixed by by-law.

Subsequent
meetings

66. (1) A council shall hold at least one regular meeting each month at such time and place as may be fixed by resolution of the council.

Advertising of
meetings

(2) The time and place fixed for each regular meeting of a council shall be publicly advertised at least three days prior to the date fixed for the holding in a manner prescribed by the council.

Special meet-
ing of coun-
cil notice

67. (1) A special meeting of council shall be called by the secretary-manager when he is requested to do so by the chairman or in writing by any two members of council.

(2) A written notice stating the time when, the place where and, in general, the nature of the business to be transacted at a special meeting shall be given by the secretary-manager by posting a copy thereof at his office and by sending one copy of the notice to each member of the council to the place where the member has directed notices to be sent or in a manner prescribed by council.

Business at meeting

(3) Forty-eight hours shall elapse between the time of posting and the sending of a copy of the notice of a special meeting and the holding of the meeting.

Waiver of notice

(4) If all councillors are present, the council, by unanimous consent, may do away with notice of any meeting and may hold a meeting at anytime.

Emergency meetings

(5) The chairman, in the event of an emergency, may call a meeting at anytime to transact business directly related only to the emergency.

Chairman to preside

68. The chairman shall preside over all meetings of the council and shall maintain order and proper behaviour and decide all questions of order subject to appeal to the council as a whole.

Acting Chairman

69. In the absence, illness or other incapacity of the chairman and deputy-chairman the members of council present at the meeting of the council may, after fifteen minutes from the hour appointed for the meeting, appoint an acting chairman from among themselves who shall have the same authority and shall exercise the same functions in presiding at the meeting as the chairman might have had or exercised if present.

Protection of members from actions

70. (1) No member of a council shall be liable to any civil action or prosecution, arrest, imprisonment or damages by reason of

(a) any matter or thing brought by him by petition, resolution, motion or otherwise, or

(b) anything said by him

in the council or any committee thereof.

Exception

(2) Subsection (1) does not apply in respect of any matter or thing maliciously said or done by a member of a council while in the council or any committee thereof.

Council Powers and Remuneration

Procedures of council

71. Subject to this Ordinance, a council may make rules and regulations for calling meetings, governing its proceedings, the conduct of its members, the appointment of its committees and generally for the transaction of its business.

Remuneration

72. (1) The council of a hamlet may, by by-law, provide for the payment of

(a) an indemnity to its members, and

(b) the travelling and other expenses of the members of council and of the officers and servants of the hamlet while travelling outside the municipality in their capacity as councillors, officers or servants of the hamlet

and the by-law may provide for deductions from the councillor's indemnity for failure to attend meetings of the council.

Approval of by-law

(2) A by-law, pursuant to subsection (1) shall have no effect until approved by the Commissioner."

Oath of councillor

73. Every member of a council shall before entering upon his duties take an oath before a magistrate, notary public or commissioner of oaths in and for the Northwest Territories, to the following effect:

"I,.....,do solemnly and sincerely promise and swear that I will duly and faithfully, and to the best of my skill and knowledge, execute the powers and trust reposed in me as a (name of office). So help me God."

Failure to attend meetings

74. In the event of any member of a council refusing or neglecting to attend the meetings of the council for a period prescribed by the council pursuant to section 71, he shall be deemed to have resigned as a member of the council unless he has received permission to absent himself from the council by a majority vote of the council at a regular meeting thereof, which permission shall in no case be for a period in excess of six months.

Chief executive officer

75. (1) The chairman shall be the chief executive officer of the hamlet.

Duties of council

- (2) It is the duty of the council
 - (a) to be vigilant and active in causing the laws for the government of the hamlet to be duly executed and obeyed;
 - (b) to oversee the conduct of all officers and employees of the hamlet and as far as practicable, cause appropriate measures to be taken against any negligence, carelessness or violation of duty; and
 - (c) to take such measures as may tend to the improvement of the finances, health, safety, cleanliness, comfort and ornament of the hamlet.

Deputy chairman

76. The council may, by resolution, appoint from among its members a deputy chairman who shall, while acting as the head of the council in the absence, illness or other incapacity of the chairman, perform and exercise the powers and duties of the head of the hamlet.

SECRETARY MANANGER

Secretary Manager

77. The council shall by by-law appoint a secretary-manager who shall hold office during pleasure of council.

Secretary
Manager to be
bonded

78. As soon as possible after appointment the Secretary-Manager shall be bonded by a guarantee company authorized to do business in Canada. The council shall by resolution or by-law specify the sum of the bond and shall be responsible for all costs of acquiring the bond.

Duties

79. (1) The secretary-manager shall attend all meetings of the council, truly record all resolutions, decisions and other proceedings of the council and if so required by the council shall record the name of every member voting and whether aye or nay on any question coming before the council; he shall keep the books, records and accounts of the council and shall preserve them and file all accounts acted upon by the council and shall keep the original or certified copies of all by-laws of the council, and shall perform all such other duties as the council may direct.

Financial
reports

(2) The secretary-manager shall, at the first regular meeting of the council in each month, submit a financial report including statements of payroll, revenues and expenditures and bank reconciliation to the council and the Commissioner.

Making of
Deposits,
Cheques, etc.

80. The secretary-manager shall collect and receive all moneys belonging or accruing to the hamlet from whatever source and shall deposit the same to the credit of the municipality in a chartered bank designated by resolution of the council, and shall conjointly with the chairman sign all cheques on such bank ordered to be issued by the council.

Acting
secretary-
manager and
his duties

81. (1) In the absence of the secretary-manager the council may by resolution appoint an acting secretary-manager who shall during the absence of the secretary-manager perform and exercise the powers and duties of the secretary-manager.

Acting
secretary-
manager to
be bonded

(2) The acting secretary-manager shall, if he continues in office for more than one month, furnish security in the same manner as is required of the secretary-manager by section 78.

Appointment
of auditor

82. The Commissioner may appoint an auditor to perform the duties specified in this ordinance and such other duties as he may deem necessary.

Auditor

83. (1) The auditor shall, at such intervals as the council may by resolution prescribe but at least annually

- (a) examine, audit and report upon all books and accounts relating to the affairs of the hamlet or relating to any matter under its control or within its jurisdiction;

- (b) prepare a report of any expenditures made contrary to this Ordinance or any by-law or resolution of the hamlet;
- (c) prepare in such form as the Commissioner may direct a report in abstract of the revenues and expenditures of the hamlet to the end of the preceding financial year of the hamlet;
- (d) send a copy of each such report and statement to the Commissioner and to the chairman; and
- (e) stamp in indelible ink on each amount, voucher and receipt examined the work "audited" and initial the same.

**Time of
annual report**

(2) The annual reports and statement referred to in subsection (1) shall be prepared and sent to the Commissioner and to the chairman, not later than the first day of July of each year in respect of the preceding fiscal year of the hamlet

**Auditor's
report to be
submitted
to council**

(3) The secretary-manager of the hamlet shall submit to the council each report and statement sent to him by the auditor at the first meeting of the council held following receipt of the report and statement.

**Publication of
report**

(4) The secretary-manager of the hamlet shall publish forthwith in a newspaper circulated in the hamlet, if there is such a newspaper, a copy or summary of each report and statement prepared by the auditor and shall print such numbers of each report and statement as the council may direct.

Inspection

84. (1) Any person eligible to vote at an election in the hamlet may inspect any report or statement prepared by the auditor and may by himself or his agent and at his own expense, take a copy thereof or extract therefrom.

(2) Any person eligible to vote at any such election is entitled to be supplied with printed copies of any report or statement prepared by the auditor, if there are sufficient copies available, on payment of a fee prescribed by the council.

**Other
employees**

85. The council of every hamlet may pass by-laws.

- (a) providing for the appointment of such officers and employees under such names as the council deems necessary for the proper carrying out of the business of the hamlet, defining their duties and providing for their remuneration, housing and other supplementary benefits.

- (b) providing for the payment of superannuation benefits to such officers and employees of the hamlet as the council may specify, and determining the contributions, if any, required to be made by any such officer or employee for such purpose; and
- (c) providing for the suspension, discipline and dismissal of employees.

Part III

POWERS OF THE COUNCIL, BY-LAWS, ETC.

GENERAL PROVISION AS TO BY-LAWS

- | | |
|-------------------------------|---|
| How power exercised | 86. The council of every hamlet shall act in the exercise of its powers and duties by resolution or by by-law. |
| Idem | 87. The council may act in the exercise of any of its powers and duties by resolution unless by this Ordinance it is required so to act by by-law. |
| Majority vot of | 88. Except as otherwise herein provided, no resolution or by-law of the council shall be valid unless passed by a majority vote of the members of the council present at a duly constituted meeting of the council. |
| Form of by-law | 89. Every by-law shall be in writing under the seal of the hamlet and shall be signed by the chairman or the person presiding at the meeting at which the by-law is finally passed, and by the secretary-manager or the person acting as the secretary-manager at such meeting. |
| By-law to have three readings | 90. Every by-law shall have three distinct and separate readings before it is finally passed, but no more than two readings of a by-law shall be given at any one meeting except with the unanimous consent of the members of the council present. |
| Evidence of by-law | 91. A copy of a by-law under the seal of the hamlet and certified by the secretary-manager of the hamlet to be a true copy of the by-law shall be received as evidence of the by-law without further proof thereof. |
| Copy of by-law to be posted | 92. A copy of every by-law made by a council shall be posted promptly in a conspicuous place in the office of the secretary-manager, and a copy of every such by-law shall be forwarded to the Commissioner within ten days after the passing thereof. |

Acts done
at expense
of person
liable

93. Where the council has authority to require that a matter or thing shall be done by any person the council may, where a matter or thing is not done by a person, direct that the matter or thing be done at the expense of that person, and the hamlet may recover the expense thereof with costs of action in any court of competent jurisdiction.

INFRACTION OF BY-LAWS

Infraction
of by-laws

94. Every person who contravenes any of the provisions of this Ordinance or any by-law thereunder in respect of which no penalty is thereunder specified is guilty of an offence and liable on summary conviction to imprisonment not exceeding one month or to a fine not exceeding one hundred dollars, or to both such fine and imprisonment.

Payment in
lieu of
prosecution

95. The council may by by-law provide that any person may pay to the secretary-manager a fixed sum of money in lieu of prosecution under this Ordinance for the breach of any by-law or any provision thereof specified in the by-law so providing.

Municipal
constables

96. (1) A council may by by-law, appoint constables to enforce the by-laws of the hamlet with power to lay an information and represent the hamlet before a justice in the prosecution of any person who is charged with contravention of a by-law.

Constables
ex officio
officers

(2) A constable appointed pursuant to subsection (1) is ex officio an officer within the meaning of section 195 of the Vehicles Ordinance with power to enforce and carryout the provisions of that Ordinance.

Duties of
constables

(3) The council shall regulate and define the duties of constables appointed pursuant to subsection (1) and set their remuneration.

Powers

(4) A constable appointed pursuant to subsection (1) shall have the powers and immunities of a peace officer insofar as such powers and immunities relate to and are necessary for the carrying out of his duties.

QUASHING OF BY-LAWS

Application
to quash
by-law

97. (1) A judge, upon application by any resident of a hamlet or by any person interested in a by-law of the hamlet, may quash the by-law in whole or in part, for illegality, and may award costs of the application according to the result thereof.

Notice of
application

(2) Notice of the application shall be served upon the hamlet at least seven days prior to the date upon which the application is to be made, and the applicant shall pay into court the sum of one hundred dollars as security for any costs that may be awarded against him.

Limitation period

98. (1) Any resident of a hamlet wishing to apply to a judge to quash a by-law must do so within two months of the passing of the by-law.

Idem

(2) Notwithstanding subsection (1) where a by-law requiring the approval of the voters of the hamlet has not been submitted to or has not received approval of such voters, application to quash the by-law may be made at any time.

Idem

99. (1) Where a by-law is illegal in whole or in part and where anything has been done under it that caused loss or damage to any person or property as a result of the by-law being illegal, that person may take legal action to recover loss or damage, but no such legal action may be taken until one month after the by-law is quashed or repealed or until one month after the person taking legal action has advised the secretary-manager of his intention to bring legal action.

Action to be brought against hamlet

(2) Every such action shall be brought against the hamlet alone and not against any person acting under the by-law.

Revenue

100. (1) The Commissioner may make an annual grant payable in equal quarterly instalments to every hamlet in an amount calculated by subtracting the total estimate of revenue that the hamlet will receive in a year from the total estimate of expenditures of the hamlet in that year.

(2) where in respect of a hamlet

(a) the expenditures were less than those estimated in any year, or

(b) the revenue was greater than that estimated in any year,

the hamlet need not return the resulting excess of funds but the annual grant payable to that hamlet may be reduced by the amount of such excess in the following year.

HIGHWAYS

Highways

101. All allowances made for roads in any hamlet, all roads laid out pursuant to any Ordinance, and all roads properly dedicated to the public use shall be deemed, for the purposes of this Ordinance, to be common and public highways.

**Jurisdiction
over highways**

102. Subject to this Ordinance and the Public Highways Ordinance, every hamlet has jurisdiction over all highways within the limits of the hamlet and the management and control of all such highways shall be vested in the hamlet subject to any rights reserved by any other person laying out or dedicating the same.

**Acts done in
good faith**

103. If it appears that any hamlet within whose jurisdiction a road or road allowance is situated has opened and improved a road or road allowance upon a site which the council believed to be the true site thereof, and if the hamlet, its officers and servants have acted in good faith and have taken all reasonable means to inform themselves of the correctness of their lines and work, and if it appears that the highway so opened, although not or not altogether upon the true lines of the road or road allowance, is, nevertheless, as near to or as nearly upon the true lines as under the circumstances could then be ascertained, no action shall be brought by any person against the hamlet, its officers or servants, for or in respect of the opening or improving of such road or road allowance, or for any other act or matter connected therewith.

Nuisances

104. No person shall cause or create an encroachment or nuisance in or upon a highway within a hamlet.

**Highways to
be kept in
repair**

105. (1) Every highway, and every portion thereof, shall be kept in reasonable repair by the hamlet within which it lies.

By-laws

(2) Every hamlet is responsible for and may make by-laws regulating the installation, construction, maintenance and repair of sidewalks, poles or other works on any highway within the hamlet.

**Private
roads**

(3) A hamlet is not liable to keep in repair any highway laid out by a person other than the hamlet unless such highway has been established by by-law as a common and public highway or otherwise assumed by the hamlet as such by public user.

**Damages
sustained
by reason
of non-re-
pair**

106. (1) If a hamlet makes default in keeping in reasonable repair a portion of any highway on which work has been performed or improvements made by the hamlet, it is liable for all damages sustained by any person by reason of such default.

Liability

(2) A hamlet is not liable for damages caused by the overflow of water from any sewer, road drain, ditch or watercourse, unless the overflow is owing to the negligence of the hamlet.

**Snow and ice
on sidewalk**

(3) Except in case of gross negligence a hamlet is not liable for any personal injury caused by ice or snow upon a sidewalk or highway.

Limitation
period

107. (1) Subject to section 108 no action shall be brought to enforce any claim for damages arising out of the failure of a hamlet to repair a highway including a sidewalk unless notice in writing of such claim indicating the place where the failure to repair exists as well as the nature and cause of the damage alleged is served upon or sent by registered mail to the secretary-manager of the hamlet within fourteen days after the occurrence of the accident complained of.

Duty to exam-
ine damage
to vehicle

(2) The secretary-manager or, in his absence, any other officer of the hamlet designated by the council for the purpose shall cause any such damaged vehicle to be examined forthwith by a qualified person to determine the cause of the accident and the particulars of the damage alleged.

Commencement
of action

(3) All such action shall be commenced within three months after the service or mailing of such notice.

Where death
results

108. Where death results from any accident arising out of the failure of a hamlet to repair a highway, the want of notice is not a bar to any action in respect thereof and in all other cases the want or insufficiency of the notice is not a bar to an action if the judge before whom the action is brought considers that there was reasonable justification for such want or insufficiency and that the hamlet has not thereby been prejudiced in its defence of the action.

Examination
of claimant

109. (1) The hamlet may, at any time after it has received notice of any claim for damages arising out of any alleged failure to keep any highway in a proper state of repair or become aware that an accident has taken place, and either before or after any action in respect thereof has been commenced, examine the claimant or the person who met with the accident concerning such accident and any injuries complained of and any damages claimed before the clerk of the Court, who shall administer the appropriate oath to such claimant or other person, but where a duly qualified medical practitioner, other than the medical officer of health of the hamlet, certifies that the person who met with the accident is not in a fit state to be examined owing to personal injuries he shall not be compelled to be examined.

Proceedings
as for examina-
tion for dis-
covery

(2) The proceedings leading up to such examination and the conduct thereof shall, so far as practicable, be the same as those prescribed for examinations for discovery under the Rules of Court established under the Judicature Ordinance.

Regulation of
highway
traffic

110. (1) Subject to the Vehicles Ordinance, the council of every hamlet may pass by-laws for the regulation of highway traffic within the hamlet.

Opening of
highways; etc.

(2) Subject to this Ordinance, a council may pass by-laws.

- (a) providing for the opening, establishing, making, preserving, maintaining, improving, repairing, widening, enlarging, altering, diverting or closing of highways within its jurisdiction and for entering upon, breaking up, taking or using any land required for any such purposes, and for preventing or removing any obstruction upon such highways;
- (b) for setting apart such portion of any highway within the jurisdiction of the hamlet as it deems necessary in order to provide for a sidewalk, providing for the construction and maintenance thereof and imposing penalties on persons travelling thereon with dog teams, on bicycle, snow-mobile, or other vehicle.
- (c) requiring persons to remove and clear away all snow, ice, dirt and other obstructions from the sidewalks adjoining premises owned or occupied by them; and providing for the clearing of sidewalks adjoining vacant premises and the premises of persons who for twenty-four hours neglect to clear the same, and charge the owner or occupier of the said premises with the expense.
- (d) for determining the compensation to be paid by the hamlet to any person for any lands taken for or injuriously affected by any work of the kind contemplated by paragraphs (a) or (b) and for authorizing the payment thereof to such person.

Provision for
access to re-
sidence

111. No hamlet shall close up any road, road allowance or highway properly established whereby any person is excluded from going to and coming from his lands or place of residence over such road, allowance or highway, unless, in addition to reasonable compensation, it also provides for the use of such person some other convenient means of access to his lands or place of residence.

Notice of by-
law to close
highway

112. Before passing a by-law for opening, establishing, closing, altering, widening, diverting, selling, conveying or leasing any highway,

- (a) notice of the proposed by-law shall be published at least once a week for four consecutive weeks in a newspaper circulated in the hamlet within which the land is situated, and a similar notice shall be posted up for a period of not less than one month in six public places in the immediate neighbourhood of such highway; and

- (b) the council shall hear in person or by agent, any person who claims that his land will be prejudicially or injuriously affected by the by-law and who applies to be heard by the council.

Consent of owners

113. (1) Where the owners of any land that is required to be taken for the purpose of establishing, opening or widening a highway consent in writing to the passing of the by-law, or where any such land is vested in the hamlet, the provisions of section 112 do not apply.

By-law necessary

(2) Nothing in this section shall be held to authorize the hamlet to dispense with the passing of a by-law in any such case.

Approval of Commissioner

114. Every by-law for opening, establishing, widening, enlarging, altering, diverting or closing a highway shall, before the coming into force thereof, be approved by the Commissioner or a person designated by him.

COMMUNITY AIRPORTS

115. For the purposes of this section all fixed wing aircraft landing facilities other than those operated by Transport Canada or a private individual or corporation which are located within the boundaries of a hamlet shall be deemed to be Community airports.

116. (1) Council may pass by-laws

- (a) providing for the regular maintenance of all community airport runways, aprons, terminal buildings, garages, lighting systems and access roads, either through direct employment of the necessary staff or through contracts.
- (b) regulating the hours of operation of the air terminal building.
- (c) determining the hours during which regular communication services are available to aircraft and the amount of notice which must be given by aircraft for service outside these hours.
- (d) determining and collecting all rental and landing fees from scheduled, charter and private carriers.
- (e) regulating all vehicular and pedestrian traffic in and around the airport and provide for appropriate legal sanctions against the contravention of such regulations.
- (f) providing for a schedule of ground services to aircraft and appropriate charges for these services.
- (g) designating an area in the immediate vicinity of the airport as a fuel cache for aircraft.

(h) designating approved landing places for rotary winged aircraft within the boundaries of the hamlet.

(2) Every by-law passed under section 116 (1) shall, before the coming into force thereof, be approved by the Commissioner or a person designated by him.

PUBLIC HEALTH

Public Health

117. A council may pass by-laws,
- (a) in the interest of the public health of the hamlet and the prevention of contagious and infectious diseases;
 - (b) appointing and defining the duties of a medical officer of health and other public health officers and employees;
 - (c) requiring the removal of dirt, filth, dust and rubbish from highways, streets, lanes, alleys and byways in the hamlet by the persons depositing the same or by the owner or occupier of any adjacent property and in default thereof for removing the same at his expense;
 - (d) requiring the removal of anything deemed dangerous to the health and safety of the inhabitants, preventing or regulating the construction of outdoor and indoor toilets and providing for keeping the same in a proper state of cleanliness and repair, preventing or regulating the erection or continuance of slaughter houses, gas works, tanneries and other factories, and trades that, in the opinion of the council may prove to be nuisances, and preventing and abating nuisances generally;
 - (e) preventing the putting of anything prejudicial to the health of the hamlet in any stream or body of water within the hamlet or from which water is supplied to the hamlet for any purpose;
 - (f) respecting the burial of the dead within the hamlet.

FIRE PREVENTION

Fire prevention

118. A council may pass by-laws,
- (a) establishing a fire department, appointing the officers thereof and providing for their remuneration and prescribing their duties;

- (b) requiring the inhabitants to assist and aid in the extinguishment of fires, requiring the pulling down or levelling of any building, structure or other thing in the vicinity of a fire for the purposes of preventing the spreading of such fire;
- (c) establishing and regulating fire districts;
- (d) providing for the destruction, alteration or removal of any building, structure or portion thereof or of any weeds, grass, rubbish or other thing that, in the opinion of the council, constitutes or is likely to constitute a fire hazard or that should be removed for the protection of health, life or property, and providing for charging the costs and expenses of such destruction, alteration or removal against the property concerned to the owner or occupant.
- (e) generally establishing such measures as the safety and welfare of the hamlet may require for the prevention and extinguishment of fires.

BUILDING BY-LAWS

Building by-law 119. The council may pass by-laws regulating the construction and maintenance of buildings and porches, garages and other outbuildings and without restricting the generality of the foregoing, may by such by-laws,

- (a) prohibit the erection of any wooden building or addition thereto or any wooden fence in any specified portion of the hamlet;
- (b) prohibit the erection or placing of buildings or other structures that in the opinion of the council might constitute a fire hazard;
- (c) regulate the erection of radio aerial wires or of poles or standards connected therewith;
- (d) regulate the construction of chimneys, stoves and furnaces, require proper care and cleanliness of the same and provide for their period inspection;
- (e) provide for the destruction, removal or alteration at the expense of the owner thereof of any building or structure constructed or placed in contravention of any by-law of the hamlet and for the recovery of any expense thereby incurred from the owner or occupant; and
- (f) provide for the issuance of building, construction, alteration and removal permits and for the fees to be paid for those permits.

BUSINESS LICENCES

- "Business" defined 120. (1) In this section, "business" includes a profession, trade, manufacture or undertaking of any kind related thereto but does not include a person who has the status of an employee or officer in any of the above.
- Power of council to be license, etc. businesses (2) A council may make by-laws for the licensing, regulating and controlling of all businesses that are carried on within the hamlet and are not licensed or regulated under an Ordinance of the Territories.
- Idem (3) Without restricting the generality of subsection (2), the council may make by-laws
- (a) fixing the fees to be charged for business licences;
 - (b) providing the method of collection or payment of fees;
 - (c) fixing the period during which licences are to be valid;
 - (d) providing for the suspension or forfeiture of any licence for the breach of any condition thereof; and
 - (e) governing the conduct of the place of business and of the persons who use or frequent the place.
- Approval of Commissioner (4) Every by-law enacted by the council of a hamlet providing for the licensing, control or regulation of a business shall be submitted to the Commissioner prior to the third reading thereof for approval by him and no such by-law shall be valid unless it has been approved by the Commissioner.
- Where insurance of employees required (5) No business licence shall be issued by a hamlet unless the application therefor is accompanied by a certificate in the form prescribed by the Commissioner stating that the applicant has complied with the requirements of the Workmen's Compensation Ordinance.
- Report to Commissioner (6) The secretary-manager shall, at such times as the Commissioner may direct, make a report to the Commissioner in the form prescribed by him of the business licences issued by the hamlet.

TAXI - CABS

- Taxi-cabs and taxi-cab operators 121. (1) A council may pass by-laws
- (a) providing for the supervision, regulation and licensing of taxi-cabs and all persons carrying on within the hamlet the business of conveying passengers by automobile or other vehicle for hire or profit;
 - (b) prescribing and regulating the use of taxi-cab stands and depots;

- (c) requiring taxi-cab operators to provide waiting room accommodation for patrons and requiring them to maintain such accommodation in a clean and sanitary condition;
- (d) establishing a tariff of fares which taxi-cab operators or drivers shall charge or collect, including, if deemed expedient, maximum and minimum fares; and
- (e) regulating the transfer of licences relating to taxi-cabs, operators and drivers.

Public convenience

(2) A council shall, in issuing any licence referred to in subsection (1), consider the public convenience and necessity in respect of the number of taxi-cabs required in the hamlet and to that end may limit the number that may be operated at any one time, but may issue temporary permits permitting an additional number of taxi-cabs to be operated during stated seasons, on stated days and on special occasions.

Suspension and cancellation of licences

(3) A council, after notice to show cause has been given to the licensee and upon hearing the same and being satisfied that the public interest so requires, may, by resolution,

- (a) suspend any licence referred to in subsection (1) for a period not exceeding one month; or
- (b) cancel any such licence.

GARBAGE COLLECTION AND DISPOSAL, WATER SUPPLY

Garbage collection

122. A council may by by-law provide for the collection, removal and disposal of garbage, refuse and ashes, and may, by such by-law,

- (a) specify the person by whom it shall be so collected, removed and disposed of, the times at which and the manner in which such collection, removal and disposal shall be effected;
- (b) provide that the by-law shall be in force throughout the hamlet, or in such area or areas thereof as may be specified therein;
- (c) provide that the cost of such collection, removal and disposal or any part thereof shall be paid out of the general revenue of the hamlet, or that the cost or such portion thereof as is not paid out of the general revenue shall be paid by the owners or occupants of lands in respect of which the service is provided, specifying the amounts to be so paid; and

- (d) provide for the collection of any amount payable by an owner or occupier of land for the collection, removal or disposal of any garbage, refuse or ashes, and fix the time or times when the places where such sums shall be payable; provide for a discount for prompt payment and impose penalties for late payment, and in case of any default in payment provide for the enforcement of payment by action in any court of competent jurisdiction.

Water supply
garbage disposal

- 123. A council may make by-laws,
 - (a) for the purpose of operating and maintaining a water supply and purification system, sewage and drainage system and garbage disposal system, and establishing a tariff of charges to be assessed against the owners or occupants of lands in respect of which the service or services are available;
 - (b) authorizing the hamlet to enter into a contract with any person for the delivery of water and the collection, removal or disposal of any garbage, refuse or ashes and for any other municipal services;
 - (c) providing for the collection of water and sewage charges and fixing the time or times when and the places where such charges shall be payable, and providing for the allowance of a discount for the prompt payment thereof and for the imposition of penalties for failure to pay the same punctually;
 - (d) providing, in case of default of payment of water and sewage charges, for the enforcement thereof by shutting off the water, by action in any court of competent jurisdiction or by distress or seizure of the goods and chattels of the person liable for such charges; and
 - (e) for authorizing the fluoridation of the public water supply of the hamlet.

DOMESTIC ANIMALS

Domestic animals 124. A council may pass by-laws applicable to the whole or any specified portion of the hamlet

- (a) for restraining, prohibiting and regulating the running at large of dogs, having regard to the sex, breed, size and weight of the dog and the purpose for which the dog is used;

- (b) for imposing a tax on the owners, possessors or harbourers of dogs, other than working dogs, and for grading the tax according to the sex, number, size and weight of the dogs and the number of dogs so possessed or harboured;
- (c) for issuing dog tags and requiring every dog in respect of which the owner, possessor, or harbourer is required to pay a tax to carry a tag, and for providing that a tag shall not be issued in respect of any dog known to be vicious or a public nuisance;
- (d) providing for restraining, selling, destroying, or impounding dogs and other animals running at large, and regulating or prohibiting the keeping by any person of domestic animals where, in the opinion of the council, that keeping is likely to cause a nuisance; and
- (e) for determining the amount payable by the owner in respect of any dog or other domestic animal impounded or destroyed; and
- (f) generally for the prevention of cruelty to dogs and other animals within the hamlet.

GENERAL BY-LAWS RELATING TO PROTECTION OF PERSON AND PROPERTY

- Protection of person and property 125.
- (1) A council may make by-laws
 - (a) for preventing, regulating and controlling the creation and use of billboards, signs or other advertising devices, and for preventing the defacing of private or other property by printed or other notices or markings;
 - (b) for the prevention of public exhibition and display in or near any street, lane, or other public place, of placards, play bills, posters, drawings, writings, pictures, or films of an indecent nature or that are designed or may tend to corrupt, demoralize or offend the public or individuals, and for the removal of the same;
 - (c) for prohibiting or regulating the discharge of guns and other firearms and the firing and setting off of fireworks, and other explosives,
 - (d) for regulating and controlling the use of public address systems and similar devices; and

- (e) for preventing children below a specified age from being on the streets or other public places in the hamlet after a specified hour at night or at any other time fixed by the by-law, and providing for public daily curfew notice and for the imposition of a fine or other penalty upon any child or the parent or guardian of any such child for the breach of same.
- (2) Notwithstanding the provisions of the Game Ordinance, a council may make by-laws for prohibiting or controlling the setting of snares and traps in any area within the boundaries of the hamlet.
- (3) Notwithstanding section 7 of the Game Ordinance, where a snare or trap is set contrary to a by-law made pursuant to subsection (2), the snare or trap may be removed and disposed of in a manner set out in the by-law.

MISCELLANEOUS BY-LAWS

Miscellaneous
by-laws

- 126. (1) A council may pass by-laws
 - (a) subject to subsection (2), authorizing the hamlet to acquire, hold, sell, lease or otherwise dispose of any real or personal property;
 - (b) regulating the location of mobile units and the standard of services that are to be supplied within mobile unit parks;
 - (c) for the purpose of creating and proclaiming, any day or days as a civic holiday;
 - (d) for taking a census of the hamlet;
 - (e) for the acquisition, operation and maintenance of public parks and recreational facilities;
 - (f) for prohibiting or regulating the sale or offering for sale of goods or merchandise in streets, lanes or other public places;
 - (g) for erecting and operating on a highway meters for the control and regulation of the parking of vehicles on a highway and to require the use of such meters by drivers of the vehicles so parked and imposing a charge for the use of such meters;
 - (h) regulating the keeping and transporting of combustible or dangerous materials;
 - (i) for naming or numbering streets and avenues within the hamlet, and for changing the names or numbers of any such streets or avenues; and
 - (j) with the approval of the Commissioner cancelling the payment of any debts owing to the hamlet, that, in the opinion of the council, are not collectable.

By-law for acquisition of land.

(2) A by-law for the acquisition of land passed by the council of a hamlet in the exercise of its powers under paragraph (1) (a) is not valid, unless the by-law has been approved by the Commissioner.

Council may make grants

127. (1) Subject to section 129, a council may make grants to any person or organization, excluding members of council or its committees, for any purpose that, in the opinion of council, advances the general welfare of the hamlet.

Grant to be included in budget

(2) The total amount of grants to be made by a council in any year pursuant to subsection (1) shall be included as a specified detail in the budget of the hamlet for that year.

Grants by hamlet

128. The council of a hamlet may make grants to any person or organization not exceeding, except with the approval of the Commissioner, a total of five hundred dollars in grants in any year.

Grants by Commissioner

129. Notwithstanding section 128, a hamlet may make a grant to any person or organization in any amount granted to the hamlet by the Commissioner for such purpose and under such terms and conditions and for such additional amount as the Commissioner may prescribe.

PLANNING ORDINANCE

Planning ordinance

130. The council of a hamlet may pass by-laws pursuant to the provisions of the planning ordinance.

COMMUNITY SERVICE CHARGE

Community service charge

131. (1) A community service charge may be levied in any hamlet in such amount not exceeding twenty-five dollars per annum, as is fixed by by-law, upon every inhabitant of the hamlet who has attained nineteen years of age and who

(a) has resided in the hamlet for a period of not less than six consecutive months; and

(b) has been employed and has been in receipt of wages or salary in respect thereof at any time during the year.

Saving provision

(2) Subsection (1) does not apply in respect of any person who

(a) is a member of any of the components of the Canadian Forces referred to in the National Defence Act as the regular forces; or

(b) is a member of a visiting force as defined in the Visiting Forces Act;

Demand by collector

132. Any person liable to pay a community service charge shall pay the same to a collector appointed by the council for the purpose within ten days after demand therefor by such collector, unless payment thereof has previously been made by or on behalf of such person in the manner contemplated by section 135.

Penalties

133. The by-laws of the hamlet may provide for the imposition of a penalty not exceeding the amount of the community service charge and in addition thereto, upon any person, who, being liable to pay a community service charge, neglects, refuses, or otherwise fails to pay the same as required by section 131.

Debt due to hamlet

134. Any unpaid community service charge or penalty for which a person is liable under this Part constitutes debt due by that person to the hamlet and may be recovered by the hamlet upon filing with the clerk of the Court a certificate in form approved by the Commissioner, as a judgment of the Court.

Return to be made by employer

135. (1) Where a by-law imposing a community service charge is passed by a council, every person who employs any person liable for payment of a community service charge shall furnish to the secretary-manager

- (a) on or before the fifteenth day of February in each year, a list showing in respect of each employee of nineteen years of age or more employed by him during the preceding month
 - (i) the name and address of such employee,
 - (ii) whether such employee claims exemption from the community service charge and if so, under what provision of this Ordinance, and
 - (iii) whether the community service charge payable by such employee for the current year has been paid, and if so, the number of the receipt issued to him by the hamlet; and
- (b) on or before the fifteenth day of each and every month except February in such year, a list showing the same particulars in respect of each employee of nineteen years of age or more employed by him during the preceding month and not previously shown on any other list for that year.

Employer to collect service charge

(2) Every employer shall collect the service charge hereinbefore referred to from every person employed by him for a period of one week or more who is liable for such service charge and who does not present on demand made by such employer a receipt for payment issued to him by the hamlet.

Idem

(3) Any employer collecting the community service charge as required by subsection (2) may do so through payroll deductions in which case the employee's statement of payroll deductions which indicates that the service charge has been deducted shall constitute sufficient proof that the employee has paid the service charge to the hamlet.

Remission of service charge

(4) Every employer shall remit the service charge collected by him to the secretary-manager of the hamlet within one month after collecting the same.

Failure to comply

(5) Every employer who fails to comply with the provisions of this section is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five dollars.

MISCELLANEOUS PROVISIONS

GENERAL OFFENCES AND PENALTIES

Interference with officer of hamlet

136. Every person who interrupts, hinders or molests any person while engaged under the authority of a hamlet in making an examination of or in constructing, maintaining or repairing any public work in the hamlet or any work connected therewith on any land in the hamlet is guilty of an offence and liable upon summary conviction to imprisonment for a period not exceeding thirty days or to a fine not exceeding fifty dollars or to both such fine and imprisonment.

Recovery of fines and penalties

137. All fines and penalties imposed by or under the authority of this Ordinance shall, upon recovery, be paid to the secretary-manager and form part of the general fund of the hamlet.

PROHIBITED ACTIONS BY COUNCIL

Prohibited acts after polling day

138. Where after the day

(a) a poll is held for the election of a new council; or

(b) all members of council are elected by acclamation or are appointed by the Commissioner pursuant to section 33,

the existing council shall not

(c) pass any by-law or resolution that involves directly or indirectly the expenditure of money other than that provided in the estimates for the current year,

(d) enter into any contract or obligation on the part of the hamlet, or

(e) appoint to or dismiss from office any officer under the control of the council.

or do any other corporate act, except

- (f) in the case of extreme urgency, or
- (g) if the council is authorized to do such act pursuant to a by-law or resolution passed prior to the day set out in paragraph (a) or (b), as the case may be.

APPOINTMENT OF ADMINISTRATOR

Appointment of administrator

139. (1) In any case where a hamlet is in serious financial difficulty and the Commissioner is satisfied that the council and secretary-manager have been given every reasonable opportunity to resolve the difficulty without success, the Commissioner may, in the best interests of the hamlet and its creditors, direct that a fit and proper person be appointed as the administrator of that hamlet.

Council deemed to have retired

(2) From and after the date of such appointment, the then existing council of the hamlet shall be deemed to have retired from office and to be no longer qualified to act for or on behalf of the hamlet, or to exercise any of the powers and duties vested in the council by this or any other Ordinance.

(3) Unless the Commissioner is satisfied that sufficient cause has been shown for the dismissal or demotion of the secretary-manager, the secretary-manager shall, following the appointment of an administrator, continue as an employee of the hamlet under the direction of the administrator with no decrease in salary.

Powers and duties of administrator

140. From and after the time when the appointment of the administrator becomes effective and he assumes office, the administrator, subject to this Ordinance, shall have, possess, enjoy and may exercise all the powers and duties of a hamlet duly constituted, and shall be subject to all the restrictions and responsibilities attached thereto.

Right to receive documents

141. (1) The administrator may demand and is entitled to receive from the proper officers of the hamlet all moneys, securities, evidences of title, books, by-laws, papers and documents of or relating to the affairs of the hamlet, in their possession or under their control.

Failure to comply with demand of administrator

(2) Any person who fails or refuses to comply with such demand of the administrator is guilty of an offence and liable upon summary conviction to a fine not exceeding one hundred dollars.

Administrator to be bonded

142. The administrator shall, before entering upon his duties, be bonded by guarantee bond for such amount as the Commissioner determines for the due and faithful performance of his duties.

Administrator to be guided by advice of Commissioner

143. (1) In the administration of the affairs of the hamlet, and prior to the making of any expenditure or the incurring of any liability on account of the hamlet, the administrator shall consult with and be guided by the advice and directions of the Commissioner, as the order appointing the administrator or any subsequent order from time to time provides.

Committee of eligible voters

(2) The Commissioner may appoint a local committee of two or more eligible voters with whom the administrator may consult in relation to the conduct of the affairs of the hamlet.

Release of outstanding assets

144. (1) For the purpose of realizing upon the outstanding assets of the hamlet the administrator shall have all the powers and duties of the council under this Ordinance and shall use all lawful means for collecting and realizing upon the same.

Expenditure of amounts realized

(2) All amounts realized upon such assets shall be devoted to the payment of the then existing liabilities of the hamlet in such manner and to such extent as is determined by the Commissioner.

Books of account

145. (1) The administrator shall keep proper and correct books of account relating to the affairs of the hamlet, showing the true and exact financial condition thereof, and such books shall, at any time, be open to the examination and inspection of the Commissioner or any person authorized by him in that behalf.

Statements of account

(2) At least once every month or as specified in the order of appointment, the administrator shall furnish to the Commissioner a statement of the financial condition of the hamlet including its assets and liabilities.

Records

(3) A record of all proceedings had and taken by the administrator from time to time, relating to the affairs of the hamlet shall be kept by the administrator.

By-laws to be approved by Commissioner

146. All by-laws passed by the administrator for the purposes of the hamlet shall, before becoming effective be submitted to and approved by the Commissioner.

Compensation

147. The administrator shall be paid out of funds of the hamlet such compensation for his services, in addition to all reasonable travelling and other expenses incurred by him, as the Commissioner determines.

Revocation of appointment of administrator

148. In any case where the Commissioner in his discretion considers it advisable to provide that the affairs of the hamlet shall again be conducted by a council, he may by order revoke the appointment of the administrator and make suitable provisions for the election of a new council for the hamlet, and may, if he deems proper, require the hamlet and its officers to submit to him from time to time for approval its program of expenditures as provided in this Part in the case of a hamlet under the supervision of an administrator.

COMMISSIONER

Inspectors

149. The Commissioner may appoint inspectors who shall as required by the Commissioner examine and inspect all books of record and account and all other papers and matters whatever belonging to a hamlet.

Powers of inspectors

150. An inspector has the power to require the attendance of any official of the hamlet or any other person whose presence he deems necessary during the course of the inspection and such official or other person shall produce for examination and inspection all books, records, pages, documents and other property of the hamlet in his possession.

Statement of accounts

151. A bank or similar institution shall upon the request of the Commissioner furnish him with a statement showing the balance of condition of the accounts of the hamlet having an account with the bank or similar institution together with any particulars of the accounts that may be required.

Accounting and audit

152. Inspectors appointed pursuant to section 149 shall ensure that the regulations made by the Commissioner respecting the methods of bookkeeping, accounting, recording and auditing of hamlet affairs are carried out by officials of every hamlet.

Regulations

153. The Commissioner may make regulations

- (a) governing the methods of bookkeeping, accounting, recording and auditing to be used in the hamlets
- (b) prescribing sample sets of books and forms that he deems necessary for the proper carrying out of the regulations; and
- (c) respecting such other matters and things as are in his opinion conducive to the thorough and systematic conduct of the affairs of the hamlets by the managers and other officials thereof.

Variation of time fixed

154. (1) Where a thing that is to be done within a number of days or at a time fixed by or under this Ordinance cannot be so done or is not so done, the Commissioner, or a person designated by him in writing, may appoint a further or other time for so doing it, whether the time at or within which it ought to have been done has or has not arrived or expired, as the case may be.

SCHEDULE A

FORM A

[Subsection 19 (1)]

Notice is hereby given that a Court will be held pursuant to the Hamlet Ordinance in the.....aton.....the..... day of.....A.D., 19....., at.....o'clock in the.....noon before.....for the purpose of hearing all applications for revision of the list of electors for the Hamlet of.....for the year

All persons having business at the Court are hereby required to attend at the time and place mentioned.

Dated this.....day of.....A.D., 19.....

.....

Registrar.

FORM B

[Subsection 19 (1)]

You are hereby notified that, pursuant to the Hamlet Ordinance, a court for the revision of the list of electors for 19.....for the hamlet of.....will be held before.....a.....at.....on the.....day of.....19.....at.....o'clock in the.....noon, at which time all applications for revision of the said list will be heard and determined.

Dated this.....day of.....A.D., 19..... To (giving the names of the parties complaining).

.....

Registrar.

FORM C

[Subsection 19 (1)]

You are hereby notified that, pursuant to the Hamlet Ordinance, a Court for the revision of the list of electors for 19.....for the hamlet of.....will be held before.....a.....at.....on the.....day of.....19.....at.....o'clock in the.....noon and that.....has made application for revision of the said List in respect of your name, alleging that (state grounds of application concisely).

Take notice that.....may proceed to hear and determine the application whether or not you appear.

Dated this.....day of.....A.D.,
19.....
To (giving the names of the parties complained against).

.....
Registrar.

FORM D

[Subsection 21 (1)]

I certify that the foregoing is a correct list of el-
ectors of polling division No.....in the Hamlet of...
.....as revised by me this.....
.....day of....., 19.....

.....
Magistrate or Commissioner
of Oaths

FORM E

NOTICE OF ELECTION

(Section 32)

Public notice is hereby given to the electors of the
Hamlet of.....that an election
will be held for the purpose of electing persons to re-
present them in the conduct of the affairs of the ham-
let

1. The list of offices to be filled by the said elec-
tion is as follows:
2. The period for the delivery to the returning
officer of nomination papers shall be at any time from
the giving of this notice to three o'clock in the after-
noon of Monday, the.....day of February, 19.....
3. The place of delivery of the nomination papers to
the returning officer shall be at.....or wher-
ever he may be found.
4. The date for polling the electors (if required)
is Monday, theday of March, 19.....
Dated at.....this.....day
of.....19.....

.....
Returning Officer

FORM F
NOMINATION PAPER
[Subsection 33 (1)]

We,.....residing at.....
.....in the Hamlet of.....
..,(occupation), and.....residing
at.....in the Hamlet of.....
.....(occupation), hereby no-
minate (full name of candidate) residing at.....
.....(occupation), as a candidate at the election
now about to be held for.....
.....in the Hamlet of.....

Each of us hereby declares that to the best of his
knowledge, information and belief, the above-named can-
didate:

- (a) is nineteen years of age or over;
- (b) is a Canadian citizen;
- (c) is legally qualified to be nominated, elected
and to hold the office of councillor in this
hamlet
- (d) is not subject to any of the disqualifications
set out in subsection 13(2) of the Hamlet Ordi-
nance.

Dated at.....this.....
day of....., 19.....

.....
Nominator

.....
Nominator

I consent to the
above nomination.

.....
Candidate

FORM G
NOTICE OF POLL
(Section 35)

Hamlet of.....
Public notice is hereby given to the electors of the Hamlet aforesaid that a poll has been granted for the election now pending for the said Hamlet and that such poll will be held on.....the.....day of.....19....., from ten o'clock in the morning (standard time) until seven o'clock in the evening (standard time), at (name of Hamlet), in each of the following polling divisions:

In polling division No. 1 (or other designation bounded as described or otherwise describing it clearly) at (describing the polling place, and so on for all the other polling divisions and places in the hamlet).
Given under my hand at.....this.....day of....., 19.....

G.H.,

.....

Returning Officer

FORM H
(Section 38)

DECLARATION AT ADVANCE POLL

I,....., declare that I expect to be absent from the hamlet of.....where I am ordinarily resident on the day for holding the poll for the coming hamlet election.

Dated at....., in the Northwest Territories, this.....day of....., 19.....

Witness

.....
Deputy Returning Officer

.....
Signature of Voter

FORM I
FORM OF BALLOT PAPER
(Section 43)

Ballot Paper for Election of Councillors.

FOR COUNCILLORS

- ABEL, James.....
- BRUCE, Donna.....
- FERGUSON, John.....
- MILTON, Tom.....
- PETER, James.....

FORM J
(Section 46)

