

General Acct.	
Sisters of Good Shepherd	87.50'
Safety Supply Co.	5.44'
Mrs. R. B. Haley	6.00'
Mr. G. R. Chesley	12.00'
Mr. A. L. Strong	93.00'
Mr. Donald Morton	30.00'
Mr. Everett Millen	15.00'
Mr. George Yorke	10.00'
Mr. Alden Keddy	15.00'
Mr. Clifford Adams	10.00'
Mr. Theodore Bezanson	15.00'
Minas Basin Pulp & Power Co.	10.00'

Carried

BY-LAWS

Moved by Councillor Larsen seconded by Councillor Easson the attached revised By-laws be approved as the Town of Berwick's By-laws and all existing By-laws be repealed as soon as the revised By-laws are approved by the Minister of Municipal Affairs.
Carried

Moved by Councillor Cleveland seconded by Councillor Heffler the Chief of Police report be received for discussion and filing.
Carried

Moved by Councillor Heffler seconded by Councillor Larsen the Superintendent of Streets report be received for discussion and filing.
Carried

ANNA. VALLEY
CANNERS LTD.

Moved by Councillor Easson seconded by Councillor Cleveland the Clerk write the Annapolis Valley Cannery regarding their processing, pointing out the necessity of screening their solids from the water before it enters the sewer. Also a check be kept on their processing throughout the season.
Carried

Agreed Councillor Easson advise the Clerk on the date that M. W. Graves & Co. Ltd. start processing peas.

M.W.GRAVES &
CO. LTD.

Moved by Councillor Cleveland seconded by Councillor Easson the Clerk investigate the operation of M. W. Graves & Co. Ltd. screening process to see it is operating properly and if he finds it is not he immediately contact Mr. Graves and point out that solids cannot be allowed to enter the sewer system.
Carried

LAGOON

Moved by Councillor Burgess seconded by Councillor Easson that if the obnoxious odor from the lagoon does not improve, Mayor Horsburgh be authorized to spend a sum of money to contact or bring in an expert authority if necessary.
Carried

GARBAGE
COLLECTION

Moved by Councillor Burgess seconded by Councillor Larsen a notice be put in the Register notifying the public that in the future only packaged garbage will be collected.
Carried

MSA

BOORUM &

Moved by Councillor Larsen seconded by Councillor Easson the Electrical Superintendent's report be received for discussion and filing. Carried

Moved by Councillor Larsen seconded by Councillor Burgess the supplies listed in Mr. Champion's report be purchased. Carried

Moved by Councillor Burgess seconded by Councillor Easson the Clerk contact the Nova Scotia Light & Power Co. Ltd. to see if they would buy our surplus power if the plan to increase our power production is put into effect. Carried

Mayor Horsburgh reported the pipe line at our Factorydale power plant was over twenty-five years old and was in very poor condition and might break at any time. This pipe line should be replaced, but due to the possibility of expanding our power output and relocating our power plant it would not be a very economical thing to do at present because this pipe line could be abandoned if this new plant was built. Mayor Horsburgh suggested that the pipe line be put in as good repair as possible for the time being.

Moved by Councillor Burgess seconded by Councillor Larsen that while the Electric Committee is studying a proposal to increase our power production, the present pipe line be repaired and everything possible done to keep it repaired until a definite plan for the future has been reached. Carried

Moved by Councillor Heffler seconded by Councillor Cleveland the Electric Committee reports of June 21 and July 4, 1963 be accepted. Carried

Moved by Councillor Burgess seconded by Councillor Easson the attached Electrical Regulations be approved. Carried

Moved by Councillor Burgess seconded by Councillor Cleveland an old type street light be installed by M. W. Graves & Co. Ltd. office. Carried

Agreed the Clerk advise the Maritime Fire Chiefs' Association that the Mayor or Councillors are unable to attend.

Moved by Councillor Burgess seconded by Councillor Larsen the Mayor and Clerk be authorized to attend the Union of Nova Scotia Municipalities Annual Conference at Amherst on August 25 to 28, 1963. Carried

Agreed if the Mayor is unable to attend he be authorized to contact any other Councillor to see if he could attend in his place. *MA*

PIPE LINE

BOORUM & PEASE "NOISEAR" ®

ELECTRICAL REGULATIONS

BOORUM & PEASE "NOISEAR" ®

DESK
LIBRARY

Moved by Councillor Burgess seconded by Councillor Easson the Clerk be authorized to purchase, at the best possible price, a desk for the Regional Library. Carried

Moved by Councillor Burgess seconded by Councillor Cleveland the request to build a cinder track at Rainforth Memorial Park be denied. Carried

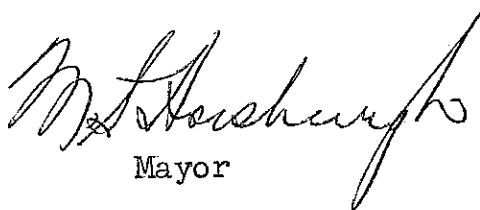
Correspondence was presented by Mayor Horsburgh from the Continental Can Company of Canada Limited, dated July 5, 1963.

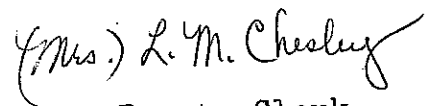
Mayor Horsburgh presented to Council a progress report on the Vocational High School.

Moved by Councillor Larsen seconded by Councillor Burgess that Mayor Horsburgh's report be received and placed on file. Carried

On motion meeting adjourned.

Mayor Horsburgh expressed his appreciation to Councillor Heffler for extending greetings on his behalf at the Church Meeting and to Councillor Larsen for participating in the opening of the Dog Show in his absence.


Mayor


Deputy Clerk

BOORUM & PEASE "NOISEAR" ®

PEASE "NOISEAR" ®

1922

SCHEDULE "B"

RULES
&
REGULATIONS

In this Schedule the word "Town" means the Town of Berwick.

1. APPLICATION FOR SERVICE. The Town may, before rendering service, require a regular application form signed by the prospective customer.
2. DEPOSITS. When required, each applicant for service shall deposit with the Town a sum equal to estimated charges for approximately two months' service. This deposit is to be held by the Town as collateral security for the payment of its bills, and when the customer ceases to use the service and pays all bills, the deposit is to be returned to him, with interest at the rate of 3% per annum.
3. CONNECTION CHARGE. There shall be an initial charge of \$2.00 for each connection or re-connection to any premises. This is to cover a part of the cost of setting up customer records, special meter reading, etc.
4. PAYMENT OF BILLS. Bills shall be rendered to each customer at intervals of not more than two months and are payable within thirty days after the date rendered.
5. PROMPT PAYMENT DISCOUNT. The net rates set by the Board of Commissioners of Public Utilities shall be applicable only when electric bills are paid within ten days after the date rendered, which date shall be shown clearly on the bill. Bills rendered shall be computed at a higher gross rate as indicated in the Schedule of Rates and a corresponding reduction shall be made when payment is received within the discount period.
6. DISCONNECTION FOR NON-PAYMENT OF BILLS. The Town shall have the right to discontinue service if a bill remains unpaid more than forty days after the date rendered. Each customer shall pay the regular connection charge. (See Clause 3.)
7. SEAL OF METER. If the seal of a meter is broken, or if from any cause the meter does not register correctly, then the probable amount of energy consumed shall be estimated on the basis of the consumption in a corresponding period of the next preceding year, or in the preceding billing period in the current year, whichever is more appropriate under the existing conditions.
8. CHARGE FOR EXTRA METERS. Whenever, because of the arrangement of the customer's wiring, or for any reason outside of the discretion of the Town, it is necessary to use two or more meters on the same premises, for the same class of service for the same customer, the Town shall add to each bill a rental charge of fifty cents net per month for each extra meter.
9. ACCESS TO METERS. The representatives of the Town shall have the right of access to meters or other appliances at all reasonable hours for the purpose of reading, testing or removing the same.
10. PREMISES JOINTLY USED FOR RESIDENCE AND COMMERCIAL PURPOSES. When a customer uses part of his premises as a residence and part for a small store or office or other commercial use, the domestic rate shall be applied to the entire premises, provided the connected load in the commercial portion is not greater than 300 watts. Otherwise, the commercial service rate shall be applied to the entire premises, or, at the customer's option, the domestic service and the commercial service shall be separated and the Town shall install one meter on each. Then the service shall be billed at the domestic service rate and the commercial service rate.

11. CHANGES IN CONNECTED LOAD. Whenever a commercial light or power customer, whose charges are based on connected load, makes any change in his installation which would effect the measurement of his connected load, he shall at once notify the Town so that his bills may be properly adjusted.

12. INSPECTION OF CONNECTED LOAD. Representatives of the Town shall have the privilege of visiting the premises of all customers during all reasonable hours for the purpose of checking the connected load. If such an inspection shows the load to have been increased without notification to the Town, the customer, at the option of the Town, may be billed for such increased installation back to the time of the previous inspection (but not for more than six months if a longer interval than that has elapsed since the last inspection) or back to the date when the change was made.

13. TEMPORARY SERVICE. When the Town is called upon to furnish temporary service the customer shall be billed for the cost of installing and removing the necessary connections. If the service is discontinued within 30 days, the service charge and the kilowatt hours block on the bill shall be prorated at the regular monthly rate, but shall not be less than one-half the regular monthly charge. Temporary service shall mean and include service provided for temporary and non-permanent purposes, such as, construction jobs, garden parties, picnics, circuses, exhibitions and the like.

13A. SHORT TERM SERVICE. Where electric energy is used for a less period than twelve months, a consumer shall pay to the Town the cost of the energy consumed, at the regular rate, plus the cost of making and discontinuing the connection, and in addition ten per cent shall be added to the gross amount of the bills for electric energy consumed.

14. CUSTOMER'S INSTALLATION TO BE SATISFACTORY. The installation of all conductors, conduit, control and other devices and equipment for conveying, distributing, controlling or utilizing electric power and energy which are used by a customer and are not the property of the Town shall comply in all respects with the requirements of "The Inside Electrical Installation Act." The Town shall not be required to make a connection to the said electrical installation until the applicant for service has satisfied the Town that these requirements have been met. The supply of electricity to any customer may be discontinued at any time, if, in the opinion of the Town, the electrical installation hereinbefore mentioned fails in any way to comply with the above requirements. Service shall not be re-established until such condition has been corrected to the satisfaction of the Town.

15. METER TESTING. Meters shall be tested by the Town upon the request of the customer, and if the test shall establish the accuracy to within two per cent (2%) either way, the customer shall pay to the Town the cost of making such test, minimum \$5.00.

16. PROHIBITED APPLICANCES. Service may be refused or discontinued by the Town to any customer who installs or uses any device or appurtenance which may occasion sudden large demands of short or long duration, thereby overloading the Town's plant and equipment or interfering with voltage regulation thereof, or which, in the opinion of the Town, is unsafe or hazardous or has not been properly designed and constructed and satisfactorily maintained.

17. FLUORESCENT AND OTHER TYPES OF LIGHTING HAVING SIMILAR CHARACTERISTICS. POWER FACTOR CORRECTION. The Town shall have the right to refuse electric service for the operation of fluorescent or other types of lighting equipment having similar characteristics, which is not equipped with power factor correction devices, so that the power factor of such lighting equipment when in operation is not less than 90% lagging.

18. DISCONTINUING SERVICE FOR VIOLATION. Whenever, in the opinion of the Town, violation of any of these rules and regulations is existing or has occurred, the Town may discontinue service to the premises where such violation is existing or has occurred. Service shall not be re-established until the Town is satisfied that the cause for discontinuance has been removed.

19. SERVICE EXTENSIONS. Service extensions shall be erected, owned, and maintained by the Town over a cleared right-of-way provided by the customer. The length of a service extension shall be the distance in feet from the centre of the highway opposite the Town's nearest line pole to the customer's service entrance or outdoor distribution center. When the use is domestic and the length of the service extension is greater than three hundred feet, the customer shall contribute to the cost of the service extension twelve dollars (\$12.00) for each fifty feet, or part thereof, by which the length of the service extension is greater than three hundred feet, and the contribution shall be the same whether the service extension be primary or secondary, two or three wire. When the use is other than domestic, the contribution which the customer shall make towards the cost of the service extension shall be a matter for negotiation between the customer and the Town. If the customer and the Town fail to agree on said last mentioned cost, it shall be fixed by the Board of Commissioners of Public Utilities.

DOMESTIC SERVICE

20. AVAILABILITY. The rate for domestic service shall be applicable to all electric energy used by any customer in his private residence for his own domestic or household lighting, cooking, heating or refrigeration purposes and for ordinary domestic or household appliances except as provided in regulations 10, 22 and 23.

21. TWO WIRE SERVICE. Any service which is satisfactorily supplied at 115 volts with two wires and 30 ampere fuses shall, for billing purposes, be considered to be a two wire service.

22. THREE WIRE SERVICE. Any other domestic service shall be considered to be a three wire service.

DOMESTIC WATER HEATING

23. AVAILABILITY. The domestic rate shall apply to water heating when the simultaneous operating capacity is not in excess of 1500 watts and when service is supplied through the same meter as the regular domestic service to the premises. If the water heater is in excess of 1500 watts simultaneous operating capacity, the service charge shall be increased by \$2.00 per month for each 1000 watts simultaneous operating capacity in excess of 1500 watts taken to the nearest 100 watts.

The tanks of all such water heating installations shall be insulated with at least one inch of hair felt or equivalent insulation.

Installations where the simultaneous demand exceeds 1500 watts but does not exceed 3000 watts may be approved by the Town for use without increased service charge provided the following requirements are met:

- (1) The equipment shall be of the automatic storage type.
- (2) The tank or tanks shall be insulated with at least one inch of hair felt or equivalent insulation.
- (3) The capacity of any tank shall be twenty (20) or more Imperial gallons.
- (4) The installation shall be subject to inspection and approval by the Town.

Energy for domestic water heating may be controlled by the Town to limit or discontinue service over peak hours, but shall be available for not less than 18 hours daily.

COMMERCIAL LIGHTING

24. AVAILABILITY. This rate shall apply to electric energy used for lighting in all premises other than private residences, except as provided in the power rates, and shall apply to small meters and other appliances served through the same meter, whose aggregate capacity is less than one kw.

25. MEASUREMENT OF CONNECTED LOAD.
(a) The total rated capacity of all installed electrical equipment taken to the nearest hundred watts, shall be used as the basis of the charges, except as hereinafter provided.

(b) Portable motors or appliances of less than 500 watts aggregate capacity shall not be included.

(c) Empty sockets shall be counted as 25 watts each.

(d) In colleges, schools, and other public institutions of learning and in buildings or parts of buildings used for public worship, one-half of the connected load shall be used as the basis of the charges instead of the full connected load; with the exception, however, that when colleges or school buildings or portions of them are used for residential purposes, the full connected load shall be used in such buildings or portions of buildings.

(e) When any customer's total connected load is less than 500 watts, his charges shall be based upon a load of 500 watts.

(f) For electric ranges, other cooking equipment, and water heating equipment installed on premises other than residences, 50% of their rated capacity shall be used.

(g) In electrical supply stores, fixtures connected for purposes of demonstration only shall not be included in the connected load.

(h) A reduction in the connected load as used for billing purposes may be made where lighting fixtures are installed for decorative purposes in excess of ordinary lighting requirements.

26. TRAFFIC SIGNALS. Traffic signals shall be billed at commercial lighting rates. The demand may be determined by taking the maximum wattage of red, green and amber combination burning at one time. The approximate monthly kilowatt hours may be estimated by timing the operation or by inserting a test meter, particularly if the lights are controlled by a traffic pad. To provide uniform billing, a month shall be taken as 30 days.

27. MAXIMUM DEMAND AS AN ALTERNATIVE FOR CONNECTED LOAD. Upon the request of any customer having a connected load of more than 10 kw., or at its own option, the Tewa may install a suitable demand indicator and thereafter instead of the connected load shall use, as a basis for the charges, the maximum 15 minute demand as recorded in the period preceding each bill. The basis of the charges shall in no case be less than 10% of the highest maximum demand recorded during the preceding twelve months.

28. ALTERNATING CURRENT POWER - GENERAL USE.
AVAILABILITY. This rate shall be applicable to alternating current electric energy supplied at 6600 volts or less, for all uses, except for domestic uses, commercial lighting and small appliances incidental thereto, municipal street lighting and street lighting other than municipal.

29. MEASUREMENT OF CONNECTED LOAD.
(a) The total rated capacity in horse power of all motors and other electrical equipment installed shall be used as the basis of the charges, except as hereinafter provided.

(b) For elevator motors 50% of their maximum rated capacity shall be used.

(c) For all motors used in churches, colleges and schools 50% of their rated capacity shall be used.

(d) For X-ray machines 50% of their rated capacity shall be used.

(e) Where two or more motors are connected by means of a double-throw switch or are arranged in any way so that they cannot be operated simultaneously, the connected load shall be taken as the largest total horse power which can be operated simultaneously.

(f) When any customer's connected load is less than one h.p., his charge shall be based on a load of one h.p.

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30. FACTORY LIGHTING. In factories where the connected load for lighting is not more than 10% of the total connected load, and where the lighting can be supplied from the same transformers and meters as the power load, the lighting service may be furnished under this rate. If these conditions do not apply, commercial lighting rates shall be charged for the lighting service. This clause does not apply to lighting in office buildings and stores.

31. MAXIMUM DEMAND AS AN ALTERNATIVE FOR CONNECTED LOAD. Upon the request of any customer having a connected load of more than 10 h.p., or at its own option, the Town may install a suitable demand indicator, and thereafter instead of the connected load shall use, as a basis for the charges, the maximum 15 minute loads as recorded in the period preceding each bill. The basis of the charges shall in no case be less than 10% of the highest maximum demand recorded during the preceding twelve months.

STREET LIGHTING - MUNICIPAL

32. AVAILABILITY. These rates shall apply to electric energy furnished to the Town of Berwick for street lighting purposes and for lighting municipal free public parking areas and for lighting such other areas designated by the Town where safety of the public and/or public property is involved.

33. PAYMENT OF BILLS. Should be for the calendar year and rendered once yearly, not later than December 1st.

STREET LIGHTING - OTHER THAN MUNICIPAL

34. AVAILABILITY. These rates shall apply to electric energy furnished an individual, government agency or company for lighting yards, free parking lots and roadways where the safety of the public and/or public and private property is involved subject to the following conditions:

- (a) Life of contract: 4 years.
- (b) The number of lights available shall not exceed 4.
- (c) Should it be necessary to install poles and anchors on private property the customer will be required to pay for such materials including the cost of installation.
- (d) Should the customer require disconnection of this service prior to the expiry of 4 years the customer shall be billed for the cost of installing and removing the necessary equipment and connections. A charge of 10% of the cost of the material used shall be added for wastage.

35. PAYMENT OF BILLS. Bills shall be rendered the same as in Clause 4, and 5.

BY-LAWS
of the
TOWN OF BERWICK

It is hereby resolved by the Town Council of the Town of Berwick that all the existing By-laws of the Town of Berwick be repealed and it is further resolved by the Council of the Town of Berwick that the following shall be the By-laws of the Town of Berwick and shall be in force and effect when approved by the Honourable Minister of Municipal Affairs.

INTERPRETATION

The Council of the Town of Berwick under and by virtue of the powers conferred upon it by the Legislature of the Province of Nova Scotia does make and publish the following By-laws:

1. In these by-laws unless the context otherwise requires:
 - (a) Clerk means the Town Clerk of the Town of Berwick.
 - (b) Council means the Town Council of the Town of Berwick.
 - (c) Mayor means the Mayor of the Town of Berwick.
 - (d) Presiding Councillor includes the Deputy Mayor or any Councillor presiding at a meeting of the Town Council or any meeting called under these by-laws.
 - (e) Any time referred to in these by-laws shall mean Atlantic Standard Time unless by resolution of the Council Atlantic Daylight Time is in effect in the Town in which case it shall refer to Atlantic Daylight Time.
 - (f) Town means the Town of Berwick.
 - (g) The boundaries of the Town are as follows: Beginning at Buchanan's Bridge, so called; thence easterly following the course of the Dead Brook to the Cornwallis River; thence easterly following the course of the Cornwallis River to the east line of the former C. H. Norwood estate; thence following the said eastern line of the said C. H. Norwood estate southerly until it reaches the Morse Brook; thence following the said Morse

Brook until it reaches the Dominion Atlantic Railway; thence westerly along the line of said Dominion Atlantic Railway until it reaches the western boundary of lands of A. L. Morse; thence southwesterly to the northeast corner of lands formerly owned by William Lee; thence along William Lee's north line until it reaches Commercial Street; thence westerly parallel to the Old Post Road until it reaches a point on the western boundary of lands formerly owned by S. B. Chute; thence in a northwesterly direction to the place of beginning.

Meetings: 2. There shall be a regular meeting of the Council held on the second Tuesday of every month at eight o'clock p.m. at the Council Chamber or at such other place as the Mayor or Council may decide.

3. A meeting of the Council, duly called, shall stand adjourned until the next day, at the same place and hour (not being Sunday or a holiday, in which event it shall stand adjourned till the day following) if within one half hour from the time appointed a quorum shall not appear.

Minutes: As soon as the chair is taken and the meeting opened, unless otherwise provided, the minutes of the previous meeting shall be read by the Clerk, if they have not been circularized, when any mistakes therein shall be corrected by the Council after which or in the event of no mistake being found they shall be approved, a copy of the same shall be entered in the minute book of the proceedings of the Council and shall be signed by the Mayor or presiding Councillor and the Clerk and such entry so made in the minute book shall be deemed to be the original minutes of the Council.

Order of Business: Before it shall be competent for any Councillor to make a motion, the Mayor or presiding Councillor shall have the privilege of bringing such matters as he may have in

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charge or may deem expedient, before the Council, he shall have the same privilege at any time except when a question is actually under debate.

6. The Town Clerk shall under the direction of the Mayor or presiding Councillor make out an arranged list of the business matters which it appears requisite to lay before the Council for their consideration. The list shall be termed the Order of the Day, a copy of which shall be laid before each member of the Council and before the Mayor or presiding Councillor.

7. The following shall be the Order of the Day as nearly as may be subject however to alterations by the Council at any meeting as the exigencies of business may require:

1. Call to order
2. Reading of minutes of previous meeting, unless otherwise provided.
3. Business arising from minutes.
4. Old business.
5. Bills and accounts
6. Reports of committees etc.
7. Correspondence.
8. New business.
9. Announcements.
10. Adjournment.

Provided however that it shall be the privilege of the Mayor or presiding Councillor to take up any item of business out of its usual order or to bring before the Council any matter that he may have in charge or deem expedient, or otherwise to alter the order of business except when any question is actually under discussion.

8. A motion must be seconded and afterward repeated from the chair or read aloud before it is debated. It shall be reduced to writing if the Mayor or any Councillor requires it.
9. A motion or resolution moved and seconded may be withdrawn by the mover with the leave of the seconder before it is debated, but after it is debated it can be withdrawn only by leave of the Council.
10. All questions shall be decided by a majority of votes. In case of equality the Mayor or presiding Councillor shall have a casting vote but shall not otherwise vote.
11. The Mayor or presiding Councillor shall preserve order and decorum and shall decide all points of order subject to an appeal to the Council by any two Councillors. His decision on points of order shall not be debatable, unless entertaining doubts upon the subject he invites discussion. He may speak to points of order in preference to Councillors. When an appeal is made from his decision he shall put the question: "Shall the decision of the chair be sustained?".
12. It shall be the duty and the privilege of any Councillor to appeal to the Mayor or presiding Councillor for order whenever a member violates any established regulation or rule of order.
13. Every member who speaks in Council shall address the Mayor or presiding Councillor.
14. No member shall speak more than twice on the same question and no longer than seven minutes on each such occasion, unless by special leave of the Council. A member

however who has spoken to the question may speak again once more upon every distinct amendment proposed to the original question. A member who introduces a resolution or motion, being the original resolution or motion, shall have the privilege of closing the debate.

15. If objected to by the Mayor or a Councillor no resolution shall be discussed and voted on at the same sitting in which it is moved unless the Council shall by a two thirds vote determine it expedient so to do or unless notice thereof was given at the previous meeting.

16. When a question is regularly under debate no other question or motion shall be entertained until it is decided unless it be:

1. A motion in amendment of the original.
2. A motion to refer the question to a committee.
3. A motion to postpone the question to some future day or time, to be named.
4. A motion to postpone the question indefinitely.
5. A motion that the question be put now.
6. A motion to adjourn.

17. After the vote has taken place upon a question or resolution any member may call for the names of the yes and ^{and} no votes have the same recorded.

18. No debate shall be allowed on any motion of adjournment.

19. Every member shall confine himself to the question under discussion and shall abstain from all personal reflections and irritating language.

20. While any Councillor is speaking no other member of the Council shall be allowed to speak or whisper so as to interrupt him unless it be to speak to order or to ask

the chair for leave to explain. Leave to explain shall only permit the explanation on an actual misunderstanding of language.

21. Every member present when a vote is taken shall vote upon it unless excused by the Council upon good grounds stated.

22. No member shall leave the room during the transaction of business without the permission of the Mayor or the presiding Councillor.

23. Any member called to order by the chair shall do so at once but may by leave of the chair afterwards explain.

24. If two or more members begin to speak at the same time the Mayor or the presiding Councillor shall name the member who in his opinion first began to speak and that member shall have the right to speak first unless on motion duly moved and seconded and passed without debate the Council shall decide that another member be heard first.

25. Any member of Council offending against any of the foregoing rules or refusing or neglecting to obey the orders of the Mayor or the presiding Councillor when called to order, may be censured by the Mayor or presiding Councillor, and until the censure is removed shall not attempt to speak or vote in Council or in any way interrupt the meeting. If he does so he may be removed from the Council room by any policeman or constable or any other person on the verbal order of the Mayor or the presiding Councillor and kept excluded therefrom until he apologizes and the censure is removed. The Mayor or the presiding Councillor may remove the censure. In case he refuses so to do, the censure may be removed by a two-thirds vote of the Council.

26. After any question has been decided either in the affirmative or negative any member of the Council may, after the decision has been announced from the chair and at the same session, give notice that he will move a reconsideration thereof at the next session of the Council. No discussion of the matter to be reconsidered shall be allowed on the giving of notice of motion to reconsider. No question shall be reconsidered more than once nor shall a vote on a motion to reconsider be reconsidered. Unless by unanimous consent of the Council no matter shall be reconsidered except as herein provided. No such notice of reconsideration shall have the effect of delaying or impeding the action necessary to give effect to any resolution unless the Council shall by majority vote otherwise order.

27. All meetings of the Council shall stand adjourned at eleven o'clock p.m. unless the Council by unanimous consent shall agree to sit later than eleven o'clock p.m. at any meeting thereof.

28. In all cases not provided for in these rules of order the laws or rules of Parliament shall govern proceedings of the Council.

29. No person except members of the Council, the Town Solicitor and the Clerk or Deputy Clerk or Stenographer appointed by the Council shall come or be within the bar during the sitting of the Council without permission of the Mayor or of the presiding Councillor.

30. No person except members of the Council shall address the Council or interfere with or interrupt the proceedings of the Council without permission of the Council. Any person so addressing the Council or interfering with or interrupt-

ing the proceedings of the Council without such permission may be removed from the Council Room by any policeman or constable or any other person on the verbal order of the Mayor or of the presiding Councillor and kept excluded therefrom until the Council meeting adjourns.

COMMITTEES OF THE COUNCIL

- General: 31. The Council shall appoint the following standing Committees at the first meeting of the Council in each year:
1. Finance.
 2. Electric.
 3. Public Property and Town Planning.
 4. Police, Social Assistance, license and insane.
 5. Streets and sewers.
 6. By-laws and privileges.
 7. Fire.
 8. Joint Service.
 9. Civil Defence.
 10. Apple Blossom Festival Committee and Gala Day.
 11. Appeal Court.
32. The members of the Council who are to serve as required by Acts of the Province of Nova Scotia, relating to various organizations and boards within the town shall be appointed by the Council from time to time as required.
33. The Council may appoint special committees at any time.
34. The Mayor is a member ex-officio of every committee.
35. The first Councillor named on any committee shall be the Chairman thereof, the Clerk shall notify the Councillors of their appointments to any committee and furnish them with a copy of the resolution appointing the committee.

36. The report of special Committees and of all standing Committees when ordered shall be in writing and signed by the Chairman when unanimous, but when there is a difference of opinion the report shall be signed by all who concur in it. The minority may also report their views in writing to the Council if they see fit and a minority report shall be signed by all concurring in it.

37. All standing Committees shall report annually at the last regular monthly meeting of the Council on all matters which have come before them during the proceeding year and may make such recommendations to the Council as they may deem expedient to improve the services coming under their jurisdiction.

Finance:

38. It shall be the duty of the Committee on Finance to examine and certify all accounts rendered the Town which shall be referred to them and report thereon to the Council, to carry out, investigate and report upon any other matter referred to them by the Council and to supervise the investments, endowments and sinking funds of the Town. All accounts rendered the Town shall be certified by two members of the various committees concerned.

Public
Property:

39. It shall be the duty of the Public Property Committee to take charge and have a general supervision of the Town lands, buildings and other property belonging to the Town, to supervise the sale, leasing, repairs, preservation, care and management of the same, to see that the buildings and other property belonging to the Town are properly insured against damage by fire, to supervise the purchase or lease of other property by the Town, to see that the caretakers, janitors and other persons engaged to look after the said

buildings and property perform their duties faithfully, and to perform all functions required of the Town Planning Board under the Town Planning Act and to perform such other duties as may be imposed upon them by the Council.

License,
Police,
Social
Assistance,
Insane:

40. It shall be the duty of the License, Police, Social Assistance and Insane Committee, to:

(a) Supervise the granting of licenses, the regulating and licensing of trade or trades within the Town.

(b) Have a general oversight of all persons who carry out police duties within the Town whether they be policemen appointed by the Town, special and extra constables or otherwise, and to see that they perform their duties faithfully, and the Committee shall report to the Council any irregularity, or neglect of duty on the part of any policeman or constable or any irregularity, neglect or omission in the carrying out and enforcement of the laws in force in, or by-laws of, the Town or any regulation or resolution of the Council, and the Committee shall report to the Council from time to time on the general condition of law and order within the Town.

(c) To have a general supervision of the poor and insane of the Town, to report to the Council all such matters as they may deem expedient for the Council to deal with, to supervise the relief of the poor of the town applying for aid, and insure that the law and these by-laws and the regulation or orders of the Council concerning care, custody and relief of the poor and insane of the Town are properly enforced. The committee shall annually submit to the Council an estimate of all sums required for the support of the poor and insane of the town for the current year.

(d) To perform such other duties and services as the Council may direct.

Streets: 41. It shall be the duty of the committee on streets and sewers to exercise a general supervision over the street, roads and sewers of the Town, to direct the superintendent of streets in the performance of his duty, to see that the streets, roads and sewers are kept in proper repair, the streets lighted and the dust laid, to supervise the construction of new sewers, and to perform such other duties as may be required of them by the Council or imposed on them by the Towns' Incorporation Act or by these by-laws. They shall annually and at such other times as the Council may order make up and submit to the Council estimates of the amounts required to be expended on the streets, roads and sewers of the Town for the current year or for such other length of time as they may be asked to estimate for, and also from time to time make such reports and recommendations to the Council concerning the streets, roads and sewers of the Town as they may deem in the best interests of the Town.

Laws and Privileges: 42. It shall be the duty of the Committee on Laws and Privileges to have a general supervision over the laws governing or referring to the Town and the by-laws of the Town and from time to time to make such recommendations to the Council as they may deem expedient in reference to necessary amendments to or changes in the laws affecting the Town and the by-laws of the Town and to investigate and report on all such matters as shall be referred to them by the Council.

Fire:

43. It shall be the duty of the Fire Committee to have a general supervision of the Town Fire Department and fire apparatus and the management, operation and repair thereof and all other matters connected therewith, and of the Chief of the Fire Department and the members thereof, and to see that the property of the Town in the care of or used by the Fire Department is kept in good order, repair and condition and is not destroyed, injured or wasted, that the Fire Chief and members of the Fire Department perform their duties faithfully, to report to the Council any infraction or neglect of duty or any irregularity on the part of the Fire Chief or any member of the Fire Department to supervise the preparation of the estimates of the Fire Department, to report to the Council any other matter they may deem expedient, to see that the rules and by-laws of the Fire Department are properly enforced, to make such recommendations to the Council concerning the Fire Department and the prevention of fire within the Town as they may deem in the public interest and to investigate and report on all such other matters as may be referred to them by the Council.

Joint
Service:

44. The Joint Service Committee shall have power on behalf of the Town to meet with representatives of the Municipality of the County of Kings and to discuss with them the objects and the amounts of municipal expenditure which are for the joint benefit of the Municipalities and the Towns in Kings County, and to determine subject to the approval of the Council, the share of such expenditure to be borne by the Town of Berwick.

Public
Meetings
and
Plebiscites:

45. The approval of the rate payers of the Town required under the provisions of the Municipal Affairs Act and under the provisions of the Towns' Incorporation Act, shall be sought by a plebiscite whenever the subject matter requiring such approval as the borrowing and expenditure of a sum of money exceeding twenty-five thousand dollars (\$25,000.00).
46. Voting at a plebiscite shall be only by ballot and the Town Clerk shall cause a sufficient number of ballot papers to be printed, setting out the question or questions respecting which the voting is to be taken.
47. The voting at plebiscites shall be taken between the hours of nine o'clock in the forenoon and seven o'clock in the afternoon on the day fixed by the Town Council.
48. The procedure of the taking of the vote at plebiscites and the counting of the ballots after vote has been taken shall be as nearly as possible the same as is the case in elections for a Mayor or Councillors of the Town.
49. After the close of the poll the Presiding Officer shall count the ballots and sum up the votes given "for" and "against" on each question submitted, and shall certify the same to the Town Council.
50. The procedure at the taking of the ballot and the counting of the ballots at the close of the poll where not herein provided for shall be as nearly as circumstances permit according to the procedure provided by the Towns' Incorporation Act in the case of voting for Mayor or Councillors.
51. Whenever the provisions of any Act of the Legislature or the by-laws of the Town require a public meeting of the ratepayers of the town to be held or whenever the Town Council

deems it expedient that a public meeting be held the following procedure shall be observed in addition to the provisions of the Towns' Incorporation Act:

- (a) The meeting shall be held at a time and place appointed by the Council and on such notice as the Council may direct.
- (b) The Mayor or in his absence the Deputy Mayor shall preside at the meeting. If both the Mayor and Deputy Mayor be absent the senior Councillor present shall preside. In the absence of all members of the Council the ratepayers present at the meeting may appoint one of their number to act as Chairman. The Town Clerk or in his absence the Deputy Town Clerk shall act as Secretary of the meeting. In the absence of both the Town Clerk and the Deputy Clerk the Chairman may appoint a Secretary for the meeting.
- (c) No person unless he is a ratepayer of the Town shall be entitled to speak or to vote at any such meetings, provided that the Chairman may permit or request a person not a ratepayer to be present and speak thereat.
- (d) All questions brought before the meeting and which may properly be decided thereat shall be decided by a majority of the ratepayers present.

SEAL

52. The common seal of the Town made of metal and having engraved thereon "Town of Berwick, Berwick, Nova Scotia", shall continue to be the seal of the Town.

53. Any person requiring the Mayor or Town Clerk to affix the seal to any proper certificate or document for the purpose of the authentication of the same shall pay to the Town the sum of One Dollar therefor which sum shall be paid into and form a part of the general revenues of the Town.

ASSESSMENT

54. A Chief Assessor and his assistants when appointed by the Council shall have the powers, functions and duties set out in Section 9 (2) of the Assessment Act. Three assessors shall be appointed by the Council for the whole

town.

(1) Rule 4(a) of Section 18 of the Assessment Act and not Rule 2 thereof shall apply to the assessment of Household Furnishings and Personal Effects in the Town of Berwick.

(2) Household furnishings and personal effects in any house, apartment, or other place of residence in the Town of Berwick shall be assessed to the owner thereof at twenty percent of the assessable value of the Real Property wholly or partly occupied by such household furnishings and personal effects.

POLICE REGULATIONS

56. The police officers and all special and extra constables appointed by the Council shall be under the direction, control and authority of the Police Committee and of the Mayor.

57. Every police officer or constable shall be prompt to obey and carry out all orders and directions from time to time given by the Mayor or Police Committee and shall serve all processes, civil and criminal, issued out of the Municipal Court and make arrests within the Town when requested by the Town Clerk so to do.

58. The Police Committee shall cause to be entered in a book kept for that purpose any special order or direction in regard to police matters which book shall be in the custody of the Town Clerk and shall be open at all times to the inspection of the police officers and constables in the discharge of their duty and which orders and

directions the police officers and constables shall be bound at once to obey and carry out.

59. The Council shall from time to time fix and appoint the fees, salaries and emoluments to be paid to the police officers and constables except such fees as are fixed by Statute.

STREETS

Superintendent: 60. It shall be the duty of the Superintendent of Streets under the direction and control of the Committee of Streets and Sewers, to attend to the laying out, widening, elevations and repairs of the streets of the Town, the sweeping, cleaning, and dust laying of the same, the clearing away of the snow in the following priority, that is to say, snow shall be cleaned,

(1) From in front of the doors of the fire station

(2) The approaches and private roadways to the Western Kings Memorial Hospital

(3) Public Streets

(4) Man holes, cleaning of ditches and drains,

the care of all trees bordering the right-of-way of the Town, and the making, repairing and improving of the bridges, drains, sewers, pavements, and sidewalks within the same and to give notice to the Mayor or Chairman of the Streets Committee of any nuisance, obstructions or encroachments thereon or of any injury thereto or of any breach of the laws or of the by-laws relating thereto and to do all such other acts and things as shall be required of him by law or by the by-laws of the Town or may be ordered by the Town Council or Committee on Streets.

61. The Superintendent shall keep such accounts of his proceedings as shall be ordered by the Council or Committee on Streets and furnish accounts properly vouched whenever required to do so by the Council or Committee on Streets.

62. No gate shall be hung or constructed to open or swing outwardly across a sidewalk or any part thereof.

63. No team shall be left unattended in any of the streets of the Town unless properly hitched and secured. Teams standing on the streets of the Town shall be in line with and close to the edge or curbing of the sidewalk so as to obstruct the street as little as possible.

64. All ornamental trees within the limits of any of the streets within the Town shall be under the care and custody of the Street Committee. No person shall break, bark, remove, root up or otherwise cut, destroy or damage the whole or any part of any tree, sapling or shrub planted for ornament or left growing in any street or highway or in any public square or park of the Town without the permission of the Committee on Streets.

65. No person shall post, stick, stamp, paint or otherwise affix or cause to be posted, stuck, stamped, painted or otherwise affixed any bill, poster, notice, advertisement or any indecent or immoral placard, picture, drawing, writing or printing, on any property of the Town nor on any tree within the limits of any of the streets, squares or parks of the Town, without the permission of the Committee on Streets.

66. No person shall erect, build, put up, place, or permit or suffer to remain on or over any sidewalk or street in front of the premises owned or occupied by him or for which he is agent, any sign post or sign board or other sign or thing of any kind which projects more than eight feet over the sidewalk or is less than eight feet above the sidewalk.

67. MOVING BUILDINGS ON STREETS

Any person desiring to move a building over or along a public street in the Town shall before commencing to move the building shall apply in writing to the Town Council or Committee on Streets and shall fully set out the place from and to where and the parts of the public streets over which he desires to move the building and the estimated length of time it will take to move the same. The Town Council or Committee on Streets may thereupon, in their discretion grant permission to move the said building over the public streets.

68. Before receiving permission pursuant to by-law 67, the applicant shall file with the Clerk a bond in the amount of \$200.00 with two sureties with the condition that he will reimburse the Town for damage done in the course of moving a building.

69. If it is necessary in order to move the said building to cut or interfere with any such wire or pole or with any private property the grantee of the privilege shall make the arrangement with and obtain permission from the companies or persons owning or possessing the same to do so before proceeding to move the building.

SEWERS

70. No person may make a connection to the Sewerage Disposal System of the Town without first obtaining the consent of the Town Clerk.

71. Any person, corporation or organization making an application pursuant to Section 70, who intends to use the system for other than domestic purposes shall submit the following information with his application:

- (a) Nature of the intended operation.
- (b) The anticipated volume of sewage to be discharged per day in gallons per minute.
- (c) The type and strength of discharge, and,
- (d) The primary treatment proposed to be carried out by the user.

72. No person may empty unpolluted colling water, storm water, petroleum products, roof or other drains nor solids from industrial wastes into the system.

73. All lateral tile connecting to the sewer mains shall be four inches in diameter unless otherwise approved by the Town Clerk (Engineer).

74. The Town shall install, for domestic users, all lateral tile four inches in diameter connecting to the sewer system to the outer edge of the concrete sidewalks on Commercial Street, and on all other Streets to a point twenty feet from the edge of the existing pavement or from the centre line of the travelled portion of gravelled streets.

75. The Town or a person acting under the supervision of the Superintendent of Streets, shall install all lateral tile connecting to the sewer mains.

ANIMALS

76. "Owner" of a dog includes any person who possesses or harbours a dog.
77. No dog under the age of one month shall be subject to this By-law.
78. on or before the first day of May in each and every year the owner of each dog within the Town of Berwick shall procure such dog to be registered, described, numbered and licensed at the office of the Town Clerk of the Town, and shall on such registration pay to the Town Clerk for each male dog or spayed bitch, a tax of three dollars (\$3.00) and for each bitch, other than a spayed bitch, a tax of five dollars (\$5.00), and every license shall be in force until the first day of May next ensuing.
79. Any dog born between May 1st in any one year and May 1st in the ensuing year when attaining the age of one month shall be registered as set forth in the preceding section hereof and shall be subject to this by-law in every respect that may be applicable.
80. Every one who shall after the first day of May become the owner of any unregistered dog within the Town, shall immediately register the same and pay a registration fee as set forth in section 78 and such registration fee shall be sufficient until the first day of May in the year next ensuing when such dog shall be again registered.
81. No dog shall be at large at any time in the Town of Berwick.
82. It shall be the duty of all Police Officers of the Town to take and impound and it shall be the duty of the Pound-Keeper appointed by the Town to receive and impound;
- (a) Any dog found at large within the Town.

(b) Any dog not registered in accordance with the provisions of this by-law;

83. On any dog being impounded as aforesaid, the pound-keeper shall forthwith prepare a notice in the following form:

Dog Notice

Take Notice that a dog (giving a short description) has been this day impounded at _____ of the Town of Berwick and unless such dog is claimed by the owner on or before the _____ day of _____ A.D., 19____, at _____ o'clock in the _____ and registered according to law, the said dog will then be the property of the town.
Dated at the Town of Berwick,
this _____ day of _____ A.D., 19____ .

.....
Pound-keeper

84. The said notice shall be posted in the Town Hall and shall be published in a newspaper regularly circulated in the Town for a period of not less than forty-eight hours before the time fixed by said notice.

85. If at the expiration of the time fixed by said notice no claim of ownership for such dog is made, then the Town may either sell such dog or cause the same to be killed.

86. If any person before the time fixed by said notice appears and claims to be the owner thereof, the said dog shall be delivered up to him on his immediate compliance with this by-law and payment of poundage or other expenses.

87. The Police Officers of the Town shall annually in the month of May take a census of the dogs in the Town and report the same to the Town Clerk.

88. The Town Clerk shall keep a record wherein he shall register the name of every dog and its owner so reported to him either by the Police Officer or the owner together with the description of the said dog, and the

person by whom reported, and the date of the payment of the tax in each year.

89. A dog may be allowed on the streets only while under the effective restraint of a responsible person.

90. The owner of a dog that:

- 1. Is found at large contrary to this by-law;
- 2. Without provocation shall injure any person by attacking or biting or attempting to bite any such person; or
- 3. Without provocation injures or kills any domestic animal or fowl; or
- 4. Without provocation damages any property

shall be liable on summary conviction to a penalty not exceeding ten dollars (\$10.00) and in default of payment to imprisonment for a period not exceeding ten days.

91. In any case where a dog unlawfully running at large cannot be captured, the Chief of Police or any person authorized by him may immediately kill such dog.

92. Horses, colts, asses, mules, oxen, cows and other cattle, sheep, swine, goats, geese, turkeys, and other fowl shall not be allowed to go at large within the Town. The owner of any of the above mentioned, going at large in the Town shall on conviction be liable to a penalty of Two Dollars (\$2.00) for the first offence and for every subsequent offence the sum of Five Dollars (\$5.00).

PUBLIC PERFORMANCES

93. No exhibition, circus, or itinerant amusement performance shall be offered to view, set up, maintained, carried on, published or performed within the Town without a license first had therefor, which license may be issued by the Clerk on the recommendation of the License Committee on the payment of a fee of \$300.00 per day.

Every license shall express the number of days it is to be continued in force.

94. The Council may in their discretion grant the said license free or at a lesser charge if the exhibition, show, concert or lecture is for a moral, benevolent or religious purpose.

95. Every person who shall offer to view, set out or up, set on foot, maintain, carry on, or shall publish or deliver or otherwise assist in any exhibition, circus or other itinerate amusement performance of whatsoever name or nature without first obtaining a license under Section 93 of these by-laws shall, for every offence, forfeit and pay a fine not exceeding One Hundred Dollars (\$100.00) including costs, in addition to the license fee, and in default of payment shall be liable to be imprisoned in the lock-up or County Jail for a term not exceeding two months.

96.

TAXI CABS

In by-laws numbered 97 to 99 inclusive the expression

- (a) "Driver" shall mean and include any person licensed to drive a taxi-cab as hereinafter provided;
- (b) "Owner" shall mean and include the owner of any automobile for which a license to operate the same as a taxi-cab has been granted;
- (c) "Taxi-Cab" shall mean and include any automobile of any description whatsoever, other than busses, used for the conveyance of passengers for hire.

The Masculine shall include the feminine.

97. No person shall operate a taxi-cab in the Town without first having obtained a license therefor.

98. The Council of the Town shall, subject to the provisions of this by-law, have the authority to grant, suspend and cancel all licenses for the operation of taxi-cabs in the said Town.

99. (1) The Council shall not grant any license to operate a taxi-cab to any applicant therefor unless the Council is satisfied;

- (a) That each automobile to be licensed is the property of or registered in the name of the applicant and
- (b) That each automobile to be licensed is in good mechanical condition and
- (c) That the applicant carries passenger liability insurance for his fares in a minimum amount of Fifty Thousand Dollars (\$50,000.00) covering his liability in any event.

(2) Any license granted under this clause shall become cancelled and invalid if at any time during the term of such license the owner shall fail to comply with the provisions of subsection 1 herein, or that the automobile so licensed shall fail to comply with such provisions.

100. The fee payable for a license to operate a taxi-cab shall be the sum of Twenty-five Dollars (\$25.00) for one vehicle and the sum of Five Dollars (\$5.00) for each additional vehicle operated by the same.

101. The license issued in respect to each taxi-cab shall be carried at all times in such taxi-cab and shall be produced upon request. Every vehicle licensed as a taxi-cab shall carry a sign with the word "taxi" printed or stamped thereon or affixed in a conspicuous place on said vehicle while the same is being operated as a taxi-cab.

102. Every license to operate a taxi-cab and or renewal thereof issued under this by-law shall remain in force until the thirtieth day of April next after the issue thereof unless sooner cancelled or suspended by the Council or having become invalid under the provisions of this by-law.

103. Every person who contravenes or fails to comply with any of the foregoing provisions of this by-law respecting Taxi-cabs shall be liable to a penalty not exceeding Twenty Dollars (\$20.00) for each such offence, and in default of payment to imprisonment for a period not exceeding ten days and in case of any such contravention or failure to comply by any holder of any such license the Council shall suspend the license of the owner until he complies with these by-laws.

AUTOMATIC MACHINES

104. In by-law 105 to 110 inclusive the expression

- (a) "Automatic Machines" shall have the same meaning as set forth in Clause 57, Section 243 of Chapter 293 of the Revised Statutes of Nova Scotia 1954.
- (b) "Person" includes any Company, Firm or Corporation.

105. No person in the Town shall have in his possession or on premises occupied by him any automatic machine to which members of the public have access unless he has first obtained a license therefor.

106. Applications for such license shall be made in writing to the Town Council and shall state the number of automatic machines in respect to which such license is to be issued and shall state where such automatic machines are and will be situated during the currency of such

license and how each such machine may be identified.

107. (a) The Town Council shall grant all licenses in respect to such automatic machines and such licenses when granted shall be signed by the Town Clerk and issued to the applicant upon payment of the license fee therefor.

(b) The Council shall refuse to grant any such license to any person who has been convicted of an offence against this by-law.

108. The license fee payable on granting of such license shall be the sum of Ten Dollars for each automatic machine in the possession of or on the premises occupied by the person applying therefor.

109. Every license granted under this by-law shall state the number of automatic machines so licensed and where the same are situate, and how identified and shall be valid for one year from the date of its issue unless sooner terminated as herein provided.

110. Any person who has in his possession or upon premises occupied by him any automatic machine to which any member of the public has access and in respect to which no license has been issued as herein provided shall be guilty of an offence and upon conviction shall be liable to a penalty of Seventy-five Dollars; and in default of payment shall be liable to imprisonment for a period of thirty days.

LICENSES

111. Where a person who is not a resident ratepayer of the Town wishes to hawk, peddle or solicit sales of goods or services from door to door, he shall obtain a license, called a "Transient Traders License", from the Clerk,

authorizing him to do so.

112. Where the person hawking or peddling or soliciting sales of goods or services is acting as the servant or agent of a principal or employer who is not a resident ratepayer of the Town, the principal or employer shall obtain a license mentioned in by-law 111 whether or not the servant or agent is a resident ratepayer.

113. The foregoing sections in reference to hawkers and pedlars shall apply to any person asking or soliciting persons to subscribe for or take any book, paper, magazine, chart, drawing, photograph, picture or other thing.

114. Any person violating any of the provisions of the foregoing sections in reference to pedlars and hawkers, shall on conviction thereof, for each offense be liable to a penalty not exceeding Fifty Dollars and on non-payment to imprisonment for a term not exceeding thirty days. Each day on which any person violates any of the foregoing by-laws in reference to hawkers and pedlars shall constitute a separate offence.

115. Every person applying for a license under Sections 111 and 112 of these by-laws shall, if said license is granted, pay a fee for such license and the amount of such fee shall be as follows:

- To entitle such person to hawk, peddle and go from door to door and sell or offer for sale:
- Electrical appliances \$25.00 per three month period
- Household Furnishings and Appliances \$25.00 per three month period
- Photographs and Supplies \$25.00 per three month period

Builders Supplies	\$25.00 per three month period
Cosmetics	\$25.00 per three month period
Automobile parts and Accessories	\$25.00 per three month period
Groceries	\$100.00 per year
Office Supplies	\$25.00 per three month period
Magazines, Books and Periodicals	\$25.00 per three month period
Clothing and Wearing Apparel	\$25.00 per three month period
Drugs	\$25.00 per three month period
Silverware and Kitchen Utensils	\$25.00 per three month period
Established Mail Order Offices	\$100.00 per year

116. Any person issued a license pursuant to by-laws 111 or 112 shall show the license to any prospective purchaser or client who requests to see it. Where the licensee fails or refuses to show the license he is guilty of an offence in the same way as if he had not obtained such license.

117. Nothing in the foregoing sections shall apply to the case of any milkman vending milk, nor to any farmer or market-gardner selling within the Town the produce of the farm or dairy, nor to any fisherman selling within the Town any fish nor to any person selling goods, meat, provisions or supplies to retail or other dealers being ratepayers of the Town and doing business therein to be re-sold or re-shipped by such dealers nor to any person bringing wood or other products of the forest into the Town and selling the same to be used for fuel or other purposes in the Town.

118. No person shall within the Town exercise the office or business of auctioneer nor sell or offer for sale at auction within the Town any real or personal property of any nature, kind or description without first obtaining a license authorizing him personally to do so. Provided however that this section shall not apply to sales at church socials or benevolent bazaars or entertainments.

119. No person shall establish, open or keep any shop or store known as a rag or junk store within the Town nor deal in rags, junk or other similar articles without first obtaining a license for that purpose.

120. The holder of every such license as in the last section mentioned shall keep a book or books at his place of business in which he shall enter or cause to be entered all such articles as may be purchased, taken or received by him or offered to him for purchase and he shall therein describe as accurately as possible the said articles so purchased, taken or received by him and he shall keep the said book or books open to the inspection of the policemen and constables of the Town and of all persons who shall desire to see the same for the purpose of obtaining information in reference to lost or stolen property. If the licensee has reason to suspect that any article presented to him for purchase has been unlawfully obtained by the person who presents it or by any other person it shall be the duty of the licensee to retain the article and to furnish the name and description of the person presenting the same for sale and a description of the article to the Mayor or Police Officer of the Town

in order that investigation may be made of the facts and a memorandum of all the facts and circumstances connected with the offering of the said goods for sale shall be entered in the said books by the licensee or keeper of the shop or store.

121. Licenses may be issued to Hawkers, Pedlers, Auctioneers, Rag and Junk Dealers for the purposes hereinbefore mentioned by the Town Clerk on the Recommendation of the License Committee.

122. The fee for an Auctioneer's License shall be Ten Dollars for one year, Seven Dollars for six months and Four Dollars for three months.

123. All licenses issued in the Town shall be signed by the Town Clerk and sealed with the seal of the Town and shall bear date of the day of issue.

124. The sum to be paid for a license issued under any of these by-laws shall be paid to the Town Clerk.

125. Licenses shall only be granted on the recommendation of the License Committee or by order of the Council.

126. A Hawker's and Pedler's or Rag and Junk Dealer's license shall not authorize the holder to sell anything at auction nor in any other way than in the manner set out in the license and an Auctioneer's license shall not authorize the holder to sell in any other way than by auction.

127. A license shall be personal to the person to whom it is granted and it shall not entitle more than one person to sell nor shall any person except the person named therein sell under it.

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NUISANCES

128. Slaughter-houses shall only be erected and used for the slaughter of animals in such places within the Town as the Town Council shall appoint and according to regulations to be made by the Town Council or Board of Health, and no animal shall be slaughtered or dressed for food within the Town except at a slaughter-house erected or being in the place appointed by and in conformity with the regulations made by the Town Council and Board of Health.

129. An owner or occupier of lands in the Town shall cause all thistles and other noxious weeds growing on the land owned or occupied by him in the Town to be cut and destroyed and prevent the same so far as possible from growing on the said lands.

130. Should any person after being notified by a public constable or any officer of the Town to cut or destroy the thistles or weeds growing on the land so owned or occupied by him refuse or neglect for five days so to do he shall be liable to a penalty not exceeding Ten Dollars, or in default of payment to imprisonment for a term not exceeding five days.

131. Such notice may be served on the owner or occupier personally or on his agent. In case the owner does not reside in the Town and the lands are vacant or unoccupied the notice may be served by mailing the same in the Post Office in an envelope addressed to him at his usual or last place of abode or business with the proper postage prepaid thereon. In case the owner or his address is unknown such notice may be given by posting the same on the vacant lands.

132. Where the owner or the address of the owner is unknown and the said land is managed by an agent may be deemed the owner or occupier as the case may be, and notice may be given to him and he may be proceeded against for the said penalty and expenses as though he were the owner or occupier.

133. In case the owner or occupier of such lands after being notified so to do as in the preceding section provided, refuses or neglects for five days to cut the said thistles or other noxious weeds the Superintendent of Streets of the Town or such other person as the Town Council may direct may cut or otherwise destroy the same and the Town Council may collect the costs and charges for so doing from the owner or occupier or from the agent as hereinbefore provided as a private debt due to the Town by such owner, occupier or agent.

DANGEROUS AND UNSIGHTLY PREMISES

134. Sub-sections 2, 3, 4 and 5 of Section 243(A) of the Towns' Incorporation Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1954, apply to the whole area of the Town of Berwick.

BUILDING BY-LAW

135. The short form of the National Building Code, 1953, as contained in the by-law to regulate the erection and provide for the safety of building and structures published by authority of Hon. R. Clifford Levy, Q.C., Minister of Municipal Affairs, 1958, shall apply in the Town of Berwick.

136.

ADVERTISING IN PUBLIC PLACES

In by-laws No. 137 to 140 inclusive the expression "Bill" or "Placard" means any advertising matter or device advertising any article or goods or any public meeting or entertainment, but it does not mean any notice required by statute to be posted by a sheriff or other government or municipal official.

137. The expression "Billboard" means any sign, fence, building or any other structure of wood, metal or other material erected, maintained or used for the display of bills or placards, the subject of which does not relate to the property on which said billboard is placed.

138. No Billboard shall be erected or maintained within the Town without the annual permission therefor of the Street Committee. This does not apply to billboards placed inside of buildings.

139. Every billboard shall

(a) Be constructed and maintained in a substantial manner to the satisfaction of the Committee.

(b) At all times be kept in neat and clean condition.

140. No billboard shall be erected in any public park, square, playground or on any property under the control of the Town.

141. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to advertising in public places shall be liable to a penalty not exceeding Twenty Dollars, and in default of payment to imprisonment for a period not exceeding thirty days.

DANGEROUS THINGS

142. No person shall discharge any gun or other firearm or set fire to any cracker, squib, serpent, rocket or other fireworks in or throw any cracker, squib, rocket or other fireworks within the Town and no demonstration with fireworks shall take place in the limits of the Town without permission from the Mayor in writing and such permission in writing shall set forth the names of the streets, squares, lanes and other public places in the Town in which such demonstration shall be held.

143. No person shall have or keep any quantity of gunpowder, blasting powder or other explosive material exceeding twenty-five pounds in weight in any one place or building in said Town, for a longer period than five hours and in the event of any such case occurring the Police Department must at once be notified so as to take charge of the same, except on such powder magazine as may be approved of by the said Council and all such powder and explosive material not exceeding twenty-five pounds as aforesaid shall be kept in boxes of copper, tin or lead well secured nor shall any person sell or deliver or permit to be sold or delivered any gunpowder, blasting powder or other explosives after dark or by artificial light and all such gunpowder and blasting powder shall be kept near the entrance of any place or building where it is kept for sale or delivery so as to be quickly removed to a safe distance in case of fire, and the Chief of the Fire Department shall be notified in writing of the location of such powder or other explosives and any such powder or other explosives found

in contravention of this section shall be dealt with summarily by the Chief of the Fire Department in the public interests as the necessity of the case may demand.

FIRE DEPARTMENT

144. The officers of the Fire Department shall be the Chief, Executive Chief, Deputy Chief and Secretary-Treasurer who shall be elected at the annual meeting by the members of the Department and such other officers as may be elected or appointed by the Department from time to time.

145. These elections and appointments named in the next preceeding by-law shall be subject to the approval of the Town Council.

146. The officers and members of the Fire Department shall be subject to the approval of the Town Council.

TRESPASSING ON TOWN PROPERTY

147. Anyone who, without the consent of an official of the Town, enters upon lands of the Town used as a sewerage disposal lagoon or lands of the Town adjacent thereto, is guilty of an offence and liable to a fine not exceeding ten dollars, or in default thereof to imprisonment for a period not exceeding ten days.

COLLECTION OF ARREARS OF TAXES

148. Where a Taxpayer has failed to pay taxes assessed to him for the previous year, the Town Clerk shall, on or after June 15th of each year, institute legal proceedings in order to obtain immediate payment thereof without further notice to the Taxpayer.

PENALTIES

149. Every infraction of these by-laws shall be punishable on summary conviction by a fine not exceeding One Hundred Dollars (\$100.00) and in default of payment of such penalty, imprisonment for a term not exceeding two (2) months unless by these by-laws otherwise perscribed.

I certify that the foregoing is a true copy of By-laws duly passed by the Town Council of the Town of Berwick at a duly called meeting of the Town Council of the said Town duly held on the 9th day of July, A.D., 1963.


.....
Town Clerk