

CHAPTER 103-ACTS OF 1981

An Act to Incorporate

the Union of Nova Scotia Municipalities

(As amended up to and including May 2003)

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Union of Nova Scotia Municipalities Act.

Definitions

2 In this Act,

- (aa) "former member unit" means a municipal unit that was, immediately prior to the coming into force of this Act, a member of the unincorporated Union;
- (b) "member unit" means a municipal unit that is a member of the Union;
- (c) "municipal unit" means a regional municipality, town or municipality of a county or a municipality of a district; (1996)
- (ca) "regional municipality" means a municipal unit incorporated as a regional municipality by or pursuant to an Act of the Legislature; (1996)
- (d) "unincorporated Union" means the Union of Nova Scotia Municipalities prior to the incorporation of the Union;
- (e) "Union" means the Union of Nova Scotia Municipalities incorporated by this Act.

Objects

3 The former member units and such municipal units which become members of the Union in accordance with the provisions of this Act and by-laws made thereunder are hereby created a body corporate under the name of the "Union of Nova Scotia Municipalities".

4 The objects of the Union are,

- (a) to represent the interests of local governments in the Province, and to act as the advocate for member units on all such matters as are properly within the jurisdiction of the government of the Province;
- (b) to carry out, or cause to be carried out such research activities as will assist in the betterment and encourage a higher degree of efficiency of local government in the Province;
- (c) to act as a clearing house for the collection, exchange and dissemination of statistical data and general information on all matters of municipal practices and procedures;
- (d) to hold Annual Conferences for information, discussion and resolutions, and to hold a general workshop and discussion sessions at each Annual Conference to give delegates an opportunity to present problems of concern;
- (e) to promote and strengthen what is best in local government and service;
- (f) to protect the rights and privileges of responsible government in municipal affairs;
- (g) to further municipal interests by encouraging cooperation between municipal units;
- (h) to undertake such activities on its own or in concert with others as may be in the best interests of local government in the Province; and
- (i) to do all such other acts and things as are incidental or conducive to or consequential upon the attainment of the objects in the exercise of the powers of the Union.

Powers

- 5 The Union may exercise such powers and engage in such activities as are necessary or conducive to the attainment of its objects and, without restricting the generality of the foregoing, may
- (a) purchase, acquire by gift or otherwise, take, lease, hold and enjoy real and personal property or any other interest by ownership, lease or otherwise and use and apply the same to the realization of the objects of the Union;
 - (b) raise money for the purposes of the Union;

- (c) draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, cheques and other negotiable and transferable instruments;
 - (d) borrow on the security of its real and personal property, or either of them, or on any other security, or without any security whatever, all such money as it shall deem necessary, and mortgage, pledge or otherwise charge its real and personal property or any part thereof for the purpose of securing any sum or sums so borrowed;
 - (e) improve, enlarge, repair, erect and maintain any building or buildings suitable for the purposes of the Union;
 - (f) mortgage, lease, sell or otherwise dispose of, or deal with any of the assets of the Union as it may deem expedient; and
 - (g) do all such other things as may be necessary or incidental to the attainment of the objects and purposes of the Union.
- 6 (1) There shall be a Board of Directors of the Union.
- (2) The Board of Directors shall be elected or appointed by representatives of member units in accordance with the by-laws of the Union.
- (3) The Board of Directors may, subject to the by-laws of the Union,
- (a) exercise the powers of the Union; and
 - (b) appoint committees and delegate to committees such powers and duties as the Board of Directors considers necessary or desirable.
- (4) Notwithstanding subsection (2),
- (a) the members of the Executive Committee of the Union holding office immediately before the coming into force of this Section are the first Board of Directors and hold office until a Board of Directors is elected or appointed in accordance with that subsection; and
 - (b) the officers of the Union holding office immediately before the coming into force of this Section continue to hold office until their successors are elected in accordance with the by-laws of the Union.

By-laws

- 18 (1) The Board of Directors may make by-laws not inconsistent with this Act or contrary to law providing for the conduct and management of the affairs, business

and property of the Union, and for the exercise of its objects, and without restricting the generality of the foregoing may make by-laws.

- (a) prescribing the terms and conditions of membership in the Union, and suspension or expulsion therefrom;
- (b) prescribing the fees payable by member units;
- (c) prescribing the rights and obligations of membership;
- (d) regulating and governing the appointment, functions, duties, remuneration, suspension and removal of employees;
- (e) regulating the calling, holding and conduct of meetings and conferences of the Union, the Board of Directors and other committees;
- (ea) respecting the election of officers and members of the Board of Directors and members of committees and prescribing the duties thereof; (1994-95, c.34, s.6)
- (eb) respecting the right to vote and the manner of voting by delegates at any meeting of the Union; (1994-95, c.34, s.6)
- (f) any matter incidental or necessary for the carrying out and management of the objects and affairs of the Union.

Signing Officers

- 22 The Union, by such signing officers as are authorized by its by-laws, may make and execute under the corporate seal of the Union deeds, leases in which the Union is either landlord or tenant, mortgages and other conveyances of the real and personal property or any interest therein held by the Union.

Non-Profit Organization

- 23 Any profits derived from carrying out the affairs and business of the Union shall be devoted and applied solely in promoting and carrying out its objects and exercising its powers and shall not be divided among its member units.

Not Personally Liable

- 24 No officer or employee of the Union shall be personally liable for any debt, liability or obligation of the Union unless he specifically renders himself liable in his individual capacity.

Successor

- 25 Upon the passing of this Act all property belonging to or held in trust or by the unincorporated Union hereby vests in and belongs to the Union, and the Union shall be the successor to the unincorporated Union.

Additional Powers

- 26 In addition to the power by law vesting in a body corporate and without limiting the generality of any powers conferred by this Act, the Union shall have, for the purpose of carrying out its objects, the power to

- (a) Contract with any person respecting any matter within the power or objects of the Union and to do all such acts, deeds and things and to execute all such documents as may be considered expedient in the attainment of the objects of the Union and
- (b) enter into agreements with
 - (i) the Government of the Province,
 - (ii) any department, board, commission, corporation or agency of Her Majesty in the right of the Province, and
 - (iii) any municipal unit or department, board, commission, corporation or agency thereof.

to carry out the purpose of this Act and *may by* such an agreement establish intergovernmental or other committees to co-ordinate or implement programs relating to the objects of the Union.

Tax Exemptions

- 28 The Union and its property are exempt from taxation under or pursuant to any enactment of the Legislature.

Union Deemed Municipality

- 29 For the purpose of
- (a) any enactment conferring upon a municipal unit a tax exemption of property, and
 - (b) any enactment providing for a grant or assistance to be paid to a municipal unit,
- the Union shall be deemed to be a municipality.

By-laws, Rules and Regulations

30 All by-laws, regulations and rules of procedure of the unincorporated Union remain in force and apply to the Union until they are amended or repealed by the Union.

NOTE: The headings in bold type have been inserted for convenience only and are not part of the Act.