

# **The Riverport Electric Light Act for Polling District No. 2, in the County of Lunenburg**

CHAPTER 149 OF THE ACTS OF 1920

*as amended by*

amended 1921, c. 129; 1922, c. 111; 1928, c. 138;  
1929, c. 131; 1931, c. 135; 1942, c. 76; 1948, c. 104;  
1973, c. 119; 2023, c. 25



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 amended 1921, c. 129; 1922, c. 111; 1928, c. 138;  
 1929, c. 131; 1931, c. 135; 1942, c. 76; 1948, c. 104;  
 1973, c. 119; 2023, c. 25

**An Act to Enable the Inhabitants of Riverport, in  
 the County of Lunenburg, to supply themselves  
 with Electric Light and Power for Public and  
 Domestic use**

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(The table of contents is not part of the statute)

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WHEREAS, it is desirable to afford the inhabitants of Riverport, in the County of Lunenburg, the means of providing themselves with electric light and power for public and domestic use;

*And Whereas,* it is also desirable that the inhabitants of said district, within the limits hereinafter described, may be empowered and entitled to assess themselves for such amounts, from time to time, as may be necessary and requisite to furnish the said electric light and power system as aforesaid:

**Interpretation of Act**

1. In this Act, unless the context otherwise requires:
  - (a) the word “District” means the District of Riverport, in the County of Lunenburg, as hereby and herein delimited;
  - (b) the word “Commissioners” means the electric light and power Commissioners for the District of Riverport; and the word “Commissioner” shall mean one of said Commissioners;
  - (c) the word “Elector” means an owner of property within the District qualified as an elector under the provisions of the “Municipal Act”;
  - (d) the word “Clerk” means the Clerk and Treasurer appointed by the Commissioners. 1920, c. 149, s. 1.

**District delimited**

2. For the purposes of this Act the District of Riverport is hereby delimited as follows:

All of Polling District No. 2 in the Municipality of the District of Lunenburg together with all of Middle LaHave School Section No. 18 in the said Municipality, as they existed immediately before the coming into force of this Section. 1942, c. 76, s. 2; 2023, c. 25, s. 1.

**Commissioners**

3. For the purposes of this Act, and for the carrying out of the same, there shall be five Commissioners for the District. 1920, c. 149, s. 3.

**Qualification for Commissioner**

4. No person shall be elected a Commissioner who is not an elector and a resident within the district for the period of at least one year next previous to his

election, and any Commissioner ceasing to be an elector shall thereupon vacate his office. 1920, c. 149, s. 4.

#### **Provisional Commissioners**

5. Provisionally the first five Commissioners under this Act shall be Joshua Backman, Bernard Conrad, Leonard Zinck, John Creaser and St. Clair Ritcey, all of said District of Riverport aforesaid, who shall hold office as such until Commissioners are elected at the first annual meeting hereinafter mentioned. 1920, c. 149, s. 5.

#### **Election of Commissioners**

6. At the first and second annual meeting of the district, held under the authority of this Act, the term of office of two of the Commissioners named in Section 5 hereof shall expire, and at the third annual meeting the term of office of the fifth Commissioner so named shall expire and the electors present shall choose Commissioners or a Commissioner in the order named in said section, in their or his stead, as the case may be, and the Commissioners longest in office shall retire at each subsequent annual meeting, retiring Commissioners being, however, eligible for re-election. No irregularity in the mode of electing Commissioners shall invalidate the election unless formal objections be taken thereto by an elector before the adjournment of the meeting at which such election took place, provided that the person so elected possesses the qualifications required by this Act for the office of Commissioner. 1920, c. 149, s. 6.

#### **Penalty for refusing or neglecting to act**

7. Every qualified person duly appointed or elected a Commissioner who, having been duly notified of his appointment or election, refuses or neglects to act as such, shall forfeit and pay the sum of twenty-five dollars, which penalty shall be collected under the provisions of the "Summary Proceedings Act," the penalty going to the electric light and power fund of the district unless the Court is satisfied by evidence that such refusal or neglect has been on account of sickness, absence or other good cause. 1920, c. 149, s. 7; 2023, c. 25, s. 2.

#### **Vacancy**

8. In case any Commissioner resigns, dies or leaves the district as a resident, or is otherwise disqualified, the remaining Commissioners shall, in the manner designated in Section 14 hereof, call a special meeting of the electors of the district for the purpose of electing a Commissioner in his stead, who shall when so elected serve in office for the remainder of his term. 1920, c. 149, s. 8.

#### **Body corporate**

9. The Commissioners appointed or elected under this Act, and their successors in office, shall be a body corporate under the name and title of "The Electric Light Commissioners for Riverport, in the County of Lunenburg." They shall have a common seal, of such device as they may adopt, and shall have the custody thereof, and all deeds made by said Commissioners, including debentures issued under the authority of this Act, or of any amendments thereto, shall be authenticated by said seal. 1920, c. 149, s. 9.

**Assets and undertaking vested in commissioners**

9a. All assets and undertaking constructed, purchased, installed or in any manner acquired by the commissioners of the district and used by or useful to them or either of them in connection with or incidental to the supplying of electric energy, either within or without the said district, to any person, firm or corporation for the purpose of electric lighting or for any other purpose, are hereby declared to be and to have been vested in the commissioners. 1929, c. 131, s. 1; 2023, c. 25, s. 3.

**Resignation**

10. A Commissioner may resign his office at anytime by causing to be delivered to the Clerk a declaration under his hand of his intention to resign, accompanied by the payment of a penalty of twenty-five dollars. 1920, c. 149, s. 10.

**Clerk and Treasurer**

11. The Commissioners shall appoint a suitable person to be their Clerk and Treasurer. He shall give to them a bond with sufficient securities for the faithful performance of his duties, and shall be paid annually for his services such salary as they may grant. 1920, c. 149, s. 11.

**Duty of Clerk**

12. It shall be the duty of the Clerk, among other things, to provide at the annual meetings and at special meetings, when required, a list of the electors and a ballot box and paper and writing material for the use of the electors in voting. 1920, c. 149, s. 12.

**Procedure at meetings**

13. The annual meetings and all special meetings required to be held hereunder, shall be convened by notices authorized by the Commissioners, and posted for at least ten days previous to the proposed date of meeting in ten conspicuous places within the district; such notices to specify the time, place and purposes of meeting. Such meeting shall be presided over by a chairman, duly appointed at said meeting, who must be an elector. After the presentment and disposal of the Commissioners' report and financial statement referred to in the next ensuing section hereof, the electors shall forthwith proceed to elect by ballot a Commissioner or Commissioners as may be required to supply such vacancy or vacancies as may then exist in the Board of Commissioners by reason of death, resignation, retirement, statutory enactment or otherwise. The ballot shall be a white paper ticket, on which the name of the person voted for shall be written or printed, and shall be folded and handed by each elector to the Chairman, who shall deposit the same in the ballot box. When the balloting is finished the Chairman shall at once proceed to count the votes, and shall declare the person having majority of all the ballots deposited to be duly elected a Commissioner. In the event of candidates not securing a majority of the votes cast, successive ballots shall be taken until some one of the candidates secures such majority. If more than one Commissioner is to be elected, each shall be balloted for separately. 1920, c. 149, s. 13.

**Annual meeting**

14. There shall be an annual meeting of the electors of the district for the election of Commissioners, and for any other purposes which may be specified in the notices, on the second Tuesday in January, 1921, and annually thereafter on the same day in each and every year. At such annual meeting the Commissioners shall

present a report of their doings for the past year and also a financial statement (through the clerk) on the receipts and expenditures for the purposes of electric lighting and power. 1920, c. 149, s. 14.

#### **Right to vote**

15. At all public meetings to be held under this Act every owner of property within the district who is duly qualified to vote thereon at the date of any such meeting for the election of a Municipal Councillor for the Municipality of Lunenburg, shall be an elector, and the right of voting shall be restricted to such electors. 1920, c. 149, s. 15.

#### **Electric lighting and supplying electric power**

16. The Commissioners are hereby empowered to acquire electric current by purchase or otherwise from private or district corporations outside the district, or from the Nova Scotia Power Corporation, and to construct, operate and maintain a system of electric lighting and of supplying electric power in the district, and in order to construct, operate and maintain such electrical grid and distribution system, they are hereby authorized and empowered to enter into a contract or contracts for such purposes, by tender, or otherwise, to construct works, to acquire lands and generally to do all things necessary to be done in the premises; provided that the Commissioners may, in their discretion, construct said works or any portion thereof by days' work or otherwise. 1920, c. 149, s. 16; 2023, c. 25, s. 4.

#### **Sale and transfer of assets and undertaking**

16a. The commissioners are hereby authorized and empowered to sell the whole or any part of the assets and undertaking of the commissioners for such price and on such terms and conditions as the commissioners may deem advisable, and the commissioners may make a good and sufficient deed, transfer or conveyance therefor, conveying or transferring such assets and undertaking so sold to any purchaser or purchasers thereof, which said purchaser or purchasers shall take the said assets and undertaking, free from the lien of any debentures issued by the commissioners under the provisions of the said Act or otherwise; provided always, however, that a resolution approving of the sale of the said assets and undertaking and the selling price thereof shall have first been carried by a majority of the electors present at a special meeting convened for the purpose of considering the said resolution in manner required by section 13.

2a. The said commissioners shall not call said meeting till requested to do so by a petition signed by sixty per cent. of the electors; and one hundred electors shall constitute a quorum at the said meeting. Said petition shall be certified under the hand of the municipal clerk as containing the names of sixty per cent. of the said electors. 1929, c. 131, s. 2.

#### **Notice of proposed construction along highway**

17. The district shall not erect, construct, or place in, upon, along, under or across any road or highways any pole, wire, conduit, or pipe unless one month's notice has been given to the County Superintendent of the County in which the work is proposed to be done, or in which the road or highway in, upon, along or under which it is proposed to do the same are situated, and if the County Superintendent does not, within such month, agree with such work as to the terms and conditions upon which such work shall be done, the matter shall be referred to the Nova

Scotia Utility and Review Board, and the Board shall direct that said district may proceed with such work on such terms as the justice of the case may require. 1920, c. 149, s. 17; 2023, c. 25, s. 5.

#### **Damages and compensation**

18. In the event of any damage being done in the execution of any work under the provisions of this Act, the person sustaining and claiming such damages shall be entitled to receive such compensation as shall be mutually agreed upon between him and the Commissioners, and in case no such agreement can be made, arbitrators shall be selected and appointed as provided in Section 18 of this Act, who shall assess the damages to be paid to the person entitled thereto, and whose award, or the award of any two of them, shall be final and binding upon both parties thereto, and the amount so assessed shall be paid as in Section 18 hereof mentioned. The costs of such assessment shall be taxed or allowed by the said Judge of the Supreme Court of Nova Scotia at the rate as in summary and appeal suits and shall be borne by the Commissioners and the claimant in equal amounts. 1920, c. 149, s. 18; 2023, c. 25, s. 6.

#### **Engineer and assistants**

19. The Commissioners shall have power, and are hereby authorized at any time after the bringing into force of this Act, to employ and pay a competent engineer and assistants to make surveys and plans for the purposes of this Act. 1920, c. 149, s. 19.

#### **Improvement and repairs and approval of new work**

20. The Commissioners may, from time to time, improve, extend or enlarge the electrical grid and distribution system of the district or make repairs and do all things necessary to afford a sufficient supply of electric light for the district and to purchase or otherwise acquire, lease or otherwise dispose of electrical fixtures and equipment, provided that they shall not undertake any new work on capital account until the proposed work shall have been approved by a majority of the electors within the district, present and voting at a meeting of said electors legally called and held. 1920, c. 149, s. 20; 2023, c. 25, s. 7.

21. *repealed 2023, c. 25, s. 8.*

#### **Sinking fund**

22. For the purposes of this Act and for the purpose of raising a fund to retire a portion of any debt, the Commissioners may invest as a sinking fund, in each and every year after the year 1920, such sum as may be determined at an annual meeting, and the interest accruing therefrom shall also be so invested. The sum annually required for said sinking fund shall be raised by assessment if the annual income derivable from the electric lighting is not sufficient therefor. 1920, c. 149, s. 22; 2023, c. 25, s. 9.

#### **Income, deficiency and surplus**

23. The moneys accruing from the annual income of the electric lighting and the supplying of electric power, from whatever source, shall be appropriated and applied in the first place to discharge the current expenses incurred in carrying out the requirements of this Act, and in the next place towards the payment of the interest due on the debt under the authority of this Act, and an amount towards any

sinking fund hereinbefore provided for; and in case the whole income shall not be sufficient for the purposes before mentioned, the deficiency shall be made up and supplied by an annual assessment on the assessable property which is hereby made liable therefor, and if there is a surplus remaining after providing for said expenses, interest and sinking fund, the same shall be carried forward to the credit of the electric light fund for the next ensuing year. 1920, c. 149, s. 23 2023, c. 25, s. 10.

#### **Assessors**

24. The electors at their annual meeting shall appoint two assessors, who shall be duly sworn and who shall assess the real and personal property and income within the district for electric light rates or taxes. 1929, c. 131, s. 3.

#### **Taxes and rates**

25. All real and personal property and income subject to the exemptions in the next succeeding section mentioned, shall be liable to taxation for all purposes for which taxes and rates are levied and voted for the purposes of this Act. 1920, c. 149, s. 25.

#### **Exemptions**

26. The following property shall be exempt, that is to say:—

(a) all property vested in His Majesty or vested in any person for Imperial, Dominion, or Provincial purposes, and either unoccupied or occupied by some person in an official capacity. If such property is occupied by any person otherwise than in an official capacity, the occupants shall be assessed and rated in respect thereto, but the property itself shall not be liable;

(b) every church and place of worship and the land used in connection therewith, and every church-yard and burial ground;

(c) the real property of public institutions of learning, every public schoolhouse, town hall, lockup;

(d) the produce of any farm being the property of the other person who raised or produced same;

(e) all ships vessels and shares therein, and vessels on the stocks and in course of construction and the timber and material in any shipyard, and used or to be used in the construction of such vessels, to the extent of half the cash value;

(f) in making the rate upon realty the Commissioners may allow an abatement or exemption of rates in favor of persons receiving only a limited or no advantage from the electric light system. 1920, c. 149, s. 26.

#### **Assessment list and appeals**

27. The assessment shall be made and completed before the first of November in each year, and an assessment list, showing the names of the persons and the amounts assessed, shall be posted up by the Clerk in one public place in the district on or before the fifteenth day of November in each year; and any person dissatisfied with such assessment shall be entitled to appeal to the next meeting of the Board of Commissioners, who shall hear and determine such appeal and alter or conform such assessment on the second Tuesday in December in each year. Said

appeal shall be taken out by notice in writing signed by the appellant and served upon the Clerk of the Commissioners, at least ten days before the meeting of said Board of Commissioners; such notice to be accompanied and supported by the affidavit of the appellant or his agent, setting forth the grounds of his appeal. The commissioners shall, after the second Tuesday in December and prior to the fourth Tuesday in December in each and every year, levy and rate upon the real and personal property and income in such district according to the assessment list for the current year such sums of money as are required by the commissioners under this Act. 1920, c. 149, s. 27; 1929, c. 131, s. 4.

#### **Auditors**

28. At each annual meeting three auditors shall be elected by ballot or otherwise, who shall hold office for the term of one year. They shall have access to and examine the acts, records, and books of the Commissioners at such time or times as said auditors may deem necessary, and shall report thereon at a meeting of the electors regularly convened by the Commissioners. 1920, c. 149, s. 28.

#### **Personal property defined**

29. For the purposes of this Act, the term personal property shall include all household furniture, goods, chattels, wares and merchandise, motor boats, and sailing yachts. 1920, c. 149, s. 29.

#### **Assessment of partnership property**

30. Partners in business shall be assessed under the name of the firm, for partnership property, in the same way as individuals. Notice to either partner or to the agent of the firm shall be valid. The estates of deceased persons under the control of their executors, administrators or trustees, the separate property of married women, the property of infants, and all other property under the control of agents or trustees, shall be rated in the name of the principal party or parties exercising control over such property, but under such description as will keep the rating separate and distinct from any assessment on such party or parties in respect of property held in his or their own right. All personal property and real estate owned by infants and others under guardianship shall be assessed in the name of the guardian, and notice of assessment thereof shall be given to him. 1920, c. 149, s. 30.

#### **Payment of rates and taxes**

31. All rates and taxes hereunder, other than service rates, shall become due and payable on the last day of December in each and every year. It shall be the duty of the Commissioners immediately thereafter to take proceedings, if necessary, to recover the amounts due for electric light rates, if any, and to enforce the payment thereof, either by the issue of warrants of distraint or by action at law, or both, such action to be in the name of the Commissioners as in the case of debt. The Commissioners' certificate in writing shall be in all cases presumptive evidence that this rate is due and unpaid, and shall be sufficient to entitle the Commissioners to judgment without further proof, unless a good and just defence can be made thereto. 1920, c. 149, s. 31.

#### **Indebted person leaving county**

32. When the Commissioners have reasonable cause to apprehend that any person indebted for electric light rates or taxes is about to leave the County of Lunenburg before the time allowed by this Act for payment of same shall have

elapsed, and the amount of such rate or tax shall have been ascertained, they are hereby authorized either to distrain upon the goods and chattels of the person who is in their opinion so about to leave, or to cause a *capias* to be issued against him for the recovery of the rates or taxes so due to the Commissioners as in the case of an ordinary debt; and for the purposes of this section the person so assessed shall be deemed indebted to the Commissioners for said rates or taxes immediately upon the ascertainment of the rate or assessment by the assessors. 1920, c. 149, s. 32.

#### **Remuneration of assessor and auditor**

33. Each assessor and auditor shall be entitled to receive three dollars per day while actually employed in performing the services required of him under this Act. Any person duly appointed assessor or auditor and thereafter neglecting or refusing to act as such, shall be liable to a penalty of five dollars, recoverable by summary conviction in the name of the Commissioners for the benefit of the electric light fund. 1920, c. 149, s. 33.

#### **By-laws, rules, ordinances and regulations**

34. The Commissioners shall have full power from time to time to make such by-laws, rules, ordinances and regulations as shall seem requisite for the following purposes:

(a) for protecting from injury any property belonging to or vested in the Commissioners by this Act; and for fixing and regulating the supply and price of electric lighting and power and the management of the same;

(b) for the assessment and collection of the electric light rates or taxes under this Act, and for making applicable to the assessment and the collection of electric light rates or taxes under this Act any of the provisions of "The Assessment Act," and for the adoption of any of the forms, warrants or processes of the said "The Assessment Act" or of any Act in amendment respecting the collection of Municipal rates or taxes. 1920, c. 149, s. 34; 1929, c. 131, s. 5.

#### **Certified copy of by-law, ordinance or regulation**

35. The production in any court of law or elsewhere of a copy of said by-laws, ordinances and regulations, purporting to be certified under the hands and seals of the Commissioners, shall be sufficient evidence of their validity. 1920, c. 149, s. 35; 1929, c. 131, s. 6.

36. *repealed 2023, c. 25, s. 11.*

#### **Books open for inspection**

37. The books of the Commissioners shall be open to the inspection of any elector within the district on the first Monday in each month at the office of the Clerk. 1920, c. 149, s. 37.

#### **Limits on action against Commissioners**

38. No action shall be commenced against the Commissioners or persons acting under them unless and until twenty days' previous notice thereof in writing shall have been given to them, nor shall any action be brought against them after twelve months next after the cause of said action arose. 1920, c. 149, s. 38.

**Short title**

39. This Act shall be cited as “The Riverport Electric Light Act for Polling District No. 2, in the County of Lunenburg.” 1920, c. 149, s. 39.

**Responsibility for costs of necessary work**

40. The costs, charges and expenses of preparing this Act, and of any surveys made or other necessary work done under the provisions thereof, shall be borne by the said district. 1920, c. 149, s. 40.

**Procedure to define and delimit area for service**

41. The Commissioners shall have power to define and delimit an area or areas within which electric lights are to be installed and maintained for the purpose of lighting streets or roads, and they shall define and delimit such area or areas when requested to do so by petition signed by at least twenty electors residing on an extent of street or road not exceeding one mile in length.

When an area has been defined and delimited by the Commissioners for such purpose, the Commissioners shall forthwith call a meeting of the electors residing or owning property within such area, to which a resolution approving of the installing and maintaining of electric lights for the purpose of lighting the streets or roads within the area shall be submitted:

(a) such meeting shall be called by a notice signed by the Commissioners conspicuously posted in the public places in the area at least fourteen days before such meeting;

(b) said notices shall contain a copy of the resolution sought to be approved at said meeting;

(c) the Municipal Clerk of the Municipality of Lunenburg shall prepare and furnish said Commissioners a special list of the electors within said district for the purpose of taking such vote;

(d) said vote shall be taken by one of said Commissioners at said meeting reading from said list of electors the name of each said elector thereon who resides or owns property within the area and demanding whether he or she is in favor or against said resolution, and the Clerk shall record the votes, with the voters' names-[:]

(e) if the said resolution is approved by a majority of the electors present at said meeting, the commissioners shall provide or cause to be provided street lighting in the said area in accordance with the terms of said resolution. 1920, c. 149, s. 41; 1929, c. 131, s. 7.

**Annual tax for street lighting**

41A. All moneys required for erecting, providing or maintaining said street lighting system or systems, or for supplying electric energy therefor, and all moneys required by the commissioners to meet payments for which the commissioners may be liable under any contract which the commissioners may make under the provisions of the next succeeding section, shall be raised and collected by an annual tax, based on the ~~assessable~~ [assessable] property and income within the street lighting area, as shown from the assessment list, which property and income is hereby made liable therefor, and said commissioners shall levy and rate on the real and personal property and income in said area the amount of money so required for street lighting

purposes in accordance with the provisions of section 27, and the amount so rated and levied shall be collected in manner provided by section 31. 1929, c. 131, s. 8.

#### **Other Acts prevail**

42. The Electric Commissioners for Riverport, in the County of Lunenburg, and the provisions of this Act shall be subject in all respects to the provisions of The Public Utilities Act, The Nova Scotia Water Act, The Power Commission Act, and the Public Highways Act, and in case of conflict of any of the provisions of this Act with any of the provisions of the other said Acts, the provisions of such other Acts shall prevail. 1920, c. 149, s. 42; 2023, c. 25, s. 12.

#### **Contracts for electrical grid and distribution system**

43. The commissioners are hereby authorized and empowered to enter into a contract or contracts with any person, firm or corporation to erect, provide or maintain an electrical grid and distribution system in the said district, and the commissioners are further authorized and empowered to enter into a contract or contracts with any person, firm or corporation to supply electric energy for any such system or systems as now exist or hereafter may exist within the district or any part thereof. 1929, c. 131, s. 9; 2023, c. 25, s. 13.

#### **Annual poll tax**

43A. (a) An annual poll tax not exceeding one dollar for street lighting purposes within the district only, shall be levied upon every male resident of the district whose age is more than twenty-one years but not more than sixty years;

(b) such poll tax shall be payable on the thirty-first day of December in each year, and it shall be the duty of the Commissioners immediately after said date, to take proceedings, if necessary, to recover such poll taxes, if any, as are then unpaid, and to enforce the payment thereof in the manner prescribed by Sections 31 and 32 of this Act for the collection of other rates or taxes;

(c) The Commissioners' certificate that such tax is due and unpaid by the person or persons liable for the payment thereof, shall in all cases be presumptive evidence that such tax is due and unpaid, and shall be sufficient to entitle the commissioner to judgment therefor with costs in any court of competent jurisdiction, without further proof unless a sufficient defence is established by the person against whom proceedings are taken for the payment of such poll tax. 1928, c. 138, s. 1; 2023, c. 25, s. 14.

## **PART II**

#### **Interpretation of Part**

44. In this Part,

(a) "Commissioners" means the Commissioners elected under this Act;

(b) "District" means Polling District No. 2 of the Municipality of the District of Lunenburg, as it existed immediately before the coming into force of this clause, excepting those areas of the said District receiving electric power direct from the Nova Scotia Power Corporation;

(c) "Municipality" means the Municipality of the District of Lunenburg;

(d) “ratepayer” means a person residing in the District as defined in this Section who is assessed and rated upon the assessment roll of the Municipality of the District of Lunenburg. 1973, c. 119, s. 1; 2023, c. 25, s. 15.

#### **Borrowing for electrical infrastructure**

45. (1) Subject to subsection (3), the Commissioners may maintain, upgrade and expand the full range of the electrical infrastructure of its electrical grid and distribution system and for that purpose may raise by way of loan on the credit of the District a sum not exceeding one million dollars.

(2) The Commissioners may borrow the sum referred to in subsection (1) through any financial mechanism including borrowing from a commercial lending institution or from a municipal, provincial or federal government or agency or any other source of funding, including grants and donations.

(3) The Commissioners may not undertake any loan pursuant to subsection (1) until the proposed loan has been approved by a majority of the electors within the district present and voting at a meeting of the electors legally called and held. 2023, c. 25, s. 16.

46. *repealed 2023, c. 25, s. 16.*

#### **Sinking fund**

47. The Commissioners may provide for a sinking fund with respect to such loans and the amount to be paid annually into the sinking fund shall be an amount which, subject to the approval of the Nova Scotia Utility and Review Board, the Commissioners deem sufficient to provide for the payment of the interest when it is are payable, and the first payment into the sinking fund shall be made within one year from the date of the loans. 1973, c. 119, s. 1; 2023, c. 25, s. 17.

#### **Lien on real and personal property**

48. Every sum required for

- (a) interest on such loans;
- (b) any sinking fund so provided;[,]

shall be a lien upon, and form a charge against, the real and personal property liable to assessment within the District. 1973, c. 119, s. 1; 2023, c. 25, s. 18.

#### **Guarantee by Municipality of the District of Lunenburg**

49. The Municipality of the District of Lunenburg, by a two-thirds vote of the Municipal Council, is empowered to guarantee payment of the interest and principal of any debt incurred under the provisions of this Part. 1973, c. 119, s. 1; 2023, c. 25, s. 19.

#### **Sinking fund and interest determine rate**

50. The Commissioners shall estimate annually the amount of money necessary for the provision of the sinking fund for the payment of the loan and interest thereon, authorized by this Part, for the maintenance and operation of the electric grid and distribution system in the District and for all other charges and expenses incidental thereto. 1973, c. 119, s. 1; 2023, c. 25, s. 20.

**Rate and assessment for street lighting**

51. (1) The Clerk shall, not later than the thirtieth day of January in each year, notify the Municipal Clerk of the amount to be so rated and assessed and such amount shall be rated and assessed by an equal rate upon the total assessed value of all property within the District.

(2) The Municipal Clerk shall, upon the basis of the assessment valuation and the amount to be rated and assessed, strike the street lighting rate for the District and such rate shall be collected in the same manner as the Municipal rates and taxes, with the same rights and remedies in the event of default.

(3) In any case where the assessment for Municipal purposes covers property in part outside of the limits of the District, the Commissioners may allow such abatement of rates as they deem just. 1973, c. 119, s. 1.

**Application of money collected under rate**

52. The money collected from the ratepayers after deducting an amount for the collection of same, which such collection charge shall be agreed to by the Municipal Council and the Commissioners, shall be paid over by the Municipal Clerk to the Commissioners when collected and shall be applied by the Commissioners for the purposes for which such rates were levied. 1973, c. 119, s. 1.

*Schedules A and B repealed 2023. c. 25, s. 21.*

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