

For clarity, this direction does not apply to statutorily required meetings of electors for a village commission which are covered under Direction 20-007 issued on May 20, 2020.

Despite this direction, municipalities and villages are still authorized to continue making other operational decisions especially those required for service delivery.

Please note that these directions are in addition to any requirements established in a Medical Officer's order under the *Health Protection Act*.

A failure to comply with this direction could result in a summary conviction with fines between \$500 to \$10,000 for individuals and up to \$100,000 for a corporation per incident.

This direction will remain in place for the duration of the Provincial State of Emergency unless it is terminated in writing by me earlier.

Dated July 29, 2020.

Original signed by

Hon. Chuck Porter
Minister of Municipal Affairs and Housing

Declaration of Provincial State of Emergency by Minister (subsection 12(1) of the *Emergency Management Act*)

Emergency area:

All of the Province of Nova Scotia is or may soon be encountering an emergency that requires prompt action to prevent harm or damage to the safety, health or welfare of persons or to prevent damage to property.

Nature of the emergency:

The event of the COVID-19 virus in the Province which has already caused a pandemic and requires the prompt coordinated action or regulation for the protection of property and the health and safety of persons in Nova Scotia.

I have consulted with a quorum of the Executive Council of the Province, as required by subsection 12(1) of the *Emergency Management Act*.

I am satisfied that an emergency, as defined in clause 2(b) of Chapter 8 of the Acts of 1990, the *Emergency Management Act*, exists or may exist in the Province.

While under a Provincial state of emergency, I may require any or all of the actions specifically listed under clauses 14(a) to (m) of the *Emergency Management Act*, or anything else I determine is necessary for the protection of property and the health or safety of persons in the Province. These further detailed directions will be issued by me and posted for the public throughout the state of emergency.

This declaration is in addition to and does not replace any Order issued by the Medical Officer of Health under Section 32 of Chapter 4 of the Acts of 2004, the *Health Protection Act 2004*.

I hereby declare a state of emergency for all of the Province on and after **12:00 pm (noon) on Sunday, March 22, 2020**.

If this declaration is not renewed or terminated earlier, the state of emergency remains in effect until 14 days after the date and time it is declared, which is until **12:00 pm (noon) on Sunday, April 5, 2020**.

Dated at Halifax, Nova Scotia, March 22, 2020.



Hon. Chuck Porter
Minister of Municipal Affairs and Housing



Village of Bible Hill

Resolution 3

2021-2022

"Re-scheduling of the Annual Meeting of Electors"

- Whereas,** Village of Bible Hill ("the Village"), an incorporated Village under the Nova Scotia Municipal Government Act ("MGA"), is required by the MGA to hold an annual meeting of electors; and
- Whereas,** on March 22, 2020, the Minister of Municipal Affairs and Housing declared a Provincial state of emergency to help contain the spread of COVID-19; and
- Whereas,** on May 20, 2020, the Minister of Municipal Affairs and Housing issued a Direction of the Minister under a Declared State of Emergency and subsequently issued a revised directive (both enclosed) on May 26, 2020 to similar effect, directing Villages to, among other things, postpone an annual meeting of electors to such date following the last date of the declared state of emergency, as may be established by the Village Commission by resolution; and
- Whereas,** on August 20, 2020, the Minister of Municipal Affairs and Housing issued a Direction of the Minister under a Declared State of Emergency (enclosed) that repeals and replaces the aforementioned directive and provides the authority, at the discretion of a Village, to hold an annual meeting of electors during the state of emergency; and
- Whereas,** on May 18, 2021, the Village approved Resolution 2, postponing the annual meeting of electors for the fiscal year ended March 31, 2021.

THEREFORE BE IT RESOLVED, that the Commission of Village of Bible Hill establish the date of a postponed annual meeting of electors for the fiscal year ended March 31, 2021 to be December 6, 2021.

Resolution passed by motion of the Commission of Village of Bible Hill on the 17th day of August 2021:

Moved by Van Kroonenburg, Seconded by Pitcher, "That Village of Bible Hill approve Resolution 3, a resolution for the re-scheduling of the annual meeting of electors."

Motion carried.


Chair


Clerk and Treasurer

Direction of the Minister
under a Declared State of Emergency
(Section 14 of the *Emergency Management Act*)
20-008

Under my authority in Section 14 of the *Emergency Management Act*, I order that this Direction (20-008) repeal and replace the Direction regarding municipal meetings issued on March 22, 2020.

During the Provincial State of Emergency declared on March 22, 2020, and under the authority provided to me in Section 14 of the *Emergency Management Act*, in addition to any other directives I have issued and not repealed or otherwise terminated, I direct that all municipalities and villages in the Province:

1. **Effective at 8am on July 29, 2020**, may hold meetings exclusively in person if all the following conditions are met:
 - i) the total number of persons present does not exceed a gathering limitation imposed in a *Health Protection Act* order;
 - ii) all physical distancing requirements or other requirements imposed in a *Health Protection Act* order are met.
2. If the conditions set out in (1) cannot be met, the municipality or village must not hold meetings exclusively in person and must instead hold the meeting partly or wholly as a virtual meeting by video or telephone, and ensure that all of the following conditions are met:
 - i) the total number of persons present for any in person portion of the meeting does not exceed a gathering limitation imposed in a *Health Protection Act* order; and
 - ii) for any in person portion of the meeting, all physical distancing requirements or other requirements imposed in a *Health Protection Act* order are met.

**Direction of the Minister
under a Declared State of Emergency**
(Section 14 of the *Emergency Management Act*)
(20-007)

Under my authority in Section 14 of the *Emergency Management Act*, I order that this Direction (20-007) repeal and replace the Direction (20-00X) regarding village commissions issued on May 20, 2020.

During the Provincial State of Emergency declared on March 22, 2020, and under the authority provided to me in Section 14 of the *Emergency Management Act*, in addition to any other directives I have issued and not repealed or otherwise terminated, I direct that, effective as of May 20, 2020:

1. A village commission shall not hold any statutorily required meeting of electors during the declared state of emergency and may postpone such meeting without penalty or recourse, provided that the meeting is held within a period of 90 calendar days after the last date of the declared state of emergency.
2. When a postponed meeting is rescheduled, notice of the date, time and place of the rescheduled meeting must be given in the manner and with the amount of advance notice which would have been required for the meeting if it had not been postponed.
3. If a village commission has not, by by-law, provided for the village commissioners to be elected on a day within one week following the annual meeting of the village commission, the election of village commissioners is postponed to the date of the rescheduled annual meeting.
4. If a village commission has, by by-law, provided for the village commissioners to be elected on a day within one week following the annual meeting of the village commissioners, the election of the village commissioner is postponed to such date as may be established by the village commission by resolution, which must be within one week following the rescheduled annual meeting.
5. If a village commission has, by by-law, provided for the nomination of candidates on a day preceding the day on which the election is to be held, the nomination day is postponed to such date as may be established by the village commission by resolution.
6. The term of office of a village commissioner holding office as of the May 20, 2020 is extended to the date on which the village commissioner's successor takes office or, if there is no successor, until the date on which the village commissioner's successor would have taken office if there was a successor.
7. The term of office of a village commissioner elected at a postponed election shall run from the date on which the election would have been held if it had not been postponed.

Please note that these directions are in addition to any requirements established in a Medical Officer's order under the *Health Protection Act*.

A failure to comply with this direction could result in a summary conviction with fines between \$500 to \$10,000 for individuals and up to \$100,000 for a corporation per incident.

This direction will remain in place for the duration of the Provincial State of Emergency unless it is terminated in writing by me earlier.

Dated May 26 , 2020.

original signed by

Hon. Chuck Porter
Minister of Municipal Affairs and Housing

Direction of the Minister
under a Declared State of Emergency
(Section 14 of the *Emergency Management Act*)
20-009

Under my authority in Section 14 of the *Emergency Management Act*, I order that this Direction (20-009) repeal and replace the Direction (20-004) regarding shareholder or member meetings issued on April 11, 2020.

During the Provincial State of Emergency declared on March 22, 2020, and under the authority provided to me in Section 14 of the *Emergency Management Act*, in addition to any other directives I have issued and not repealed or otherwise terminated, effective immediately I direct the following:

- A.) all companies incorporated under the Companies Act;
- B.) all co-operatives incorporated under the Co-operative Associations Act;
- C.) all societies incorporated under the Societies Act; and
- D.) all other companies, corporations, co-operatives, societies or other bodies corporate incorporated by or under the laws of the Province of Nova Scotia or otherwise; including but not limited to condominium corporations and statutory corporate boards;

shall not hold any statutorily required shareholder or member meeting in-person if the restrictions on gathering size and physical distancing, or any other applicable conditions in the current HPA order cannot be met.

If the conditions set out above cannot be met, then in place of a required in-person meeting above, whether or not such is otherwise permitted or provided for or by any other applicable law including an enactment, article, bylaw or governing agreement, I direct that the options provided below shall be permitted:

1. Virtual Meeting Option

A virtual meeting, or hybrid of a virtual and in-person meeting, may be held in the place of a required in-person meeting where the persons entitled or permitted to participate have access to the telephonic, electronic or other

communication facility which is to be used and where a virtual meeting is held:

- (i) it shall be deemed an in-person meeting for the purposes of any law of the Province of Nova Scotia including an enactment, article, bylaw or governing agreement;
- (ii) a person entitled or permitted to be present who, through telephonic or electronic means, votes at or establishes a communications link to the meeting shall be deemed to be present at the meeting;
- (iii) it shall be deemed to be held at the place where permitted in accordance with an enactment, article, bylaw or governing agreement;
- (iv) where consistent with this directive, all other requirements for a meeting should be met including, but not limited to, quorum, record, and notice ; and
- (v) the telephonic, electronic or other communication facility used for the meeting permits all participants to communicate adequately with each other during the meeting.

2. Meeting Deferral Option

A required in-person meeting can be deferred, without penalty or recourse, for a period of up to 90 calendar days after the last date of the declared state of emergency, and where a meeting is deferred all person entitled or permitted to be present for the meeting must:

- (i) be notified in advance of the date of the meeting as required by the applicable law for the corporate body including an enactment, article, bylaw or governing agreement, and where none is provided no less than 7 calendar days advanced notice; and
- (i) be provided the notice by any method permitted by the applicable law for the corporate body including an enactment, article, bylaw or governing agreement.

Please note that these directions are in addition to any requirements established in a Medical Officer's order under the *Health Protection Act*.

A failure to comply with this direction could result in a summary conviction with fines between \$500 to \$10,000 for individuals and up to \$100,000 for a corporation per incident.

This direction will remain in place for the duration of the Provincial State of Emergency unless it is terminated in writing by me earlier.

Dated July 9, 2020.

original signed by

Hon. Chuck Porter
Minister of Municipal Affairs and Housing

Direction of the Minister
under a Declared State of Emergency
(Section 14 of the *Emergency Management Act*)
(20-011)

Under my authority in Section 14 of the *Emergency Management Act*, I order that this Direction (20-011) repeal and replace the Direction (20-007) regarding village commissions issued on May 26, 2020.

During the Provincial State of Emergency declared on March 22, 2020, and under the authority provided to me in Section 14 of the *Emergency Management Act*, in addition to any other directives I have issued and not repealed or otherwise terminated, I direct that, effective upon signature of this Direction:

1. In this Direction, "Health Protection Order" refers to the Restated Order of the Chief Medical Officer of Health under s.32 of the *Health Protection Act*, as amended from time to time.
2. A village commission is permitted to hold a meeting of electors and an election of village commissioners during the State of Emergency, on the condition that all applicable requirements of the Health Protection Order can be followed during the meeting and election.
3. If a meeting of electors and election of village commissioners cannot be held while following the applicable requirements of the Health Protection Order or if, in the discretion of the village commission, it is preferable not to proceed with a meeting and election during the State of Emergency, the village commission may continue to postpone a meeting of electors and election of village commissions, provided that a meeting of electors is held within a period of 90 calendar days after the last date of the State of Emergency.
4. The following provisions will continue to apply, whether a meeting of electors originally postponed under Direction 20-007 is rescheduled to be held during or after the State of Emergency:
 - a. When a postponed meeting is rescheduled, notice of the date, time and place of the rescheduled meeting must be given in the manner and with the amount of advance notice which would have been required for the meeting if it had not been postponed.
 - b. If a village commission has not, by by-law, provided for the village commissioners to be elected on a day within one week following the annual meeting of the village commission, the election of village commissioners is postponed to the date of the rescheduled annual meeting.
 - c. If a village commission has, by by-law, provided for the village commissioners to be elected on a day within one week following the annual meeting of the village commissioners, the election of the village commissioner is postponed to such date as may be established by the village commission by resolution, which must be within one week following the rescheduled annual meeting.

- d. If a village commission has, by by-law, provided for the nomination of candidates on a day preceding the day on which the election is to be held, the nomination day is postponed to such date as may be established by the village commission by resolution.
- e. The term of office of a village commissioner holding office as of the May 20, 2020 is extended to the date on which the village commissioner's successor takes office or, if there is no successor, until the date on which the village commissioner's successor would have taken office if there was a successor.
- f. The term of office of a village commissioner elected at a postponed election shall run from the date on which the election would have been held if it had not been postponed.

Please note that these directions are in addition to any requirements established in a Medical Officer's order under the *Health Protection Act*.

A failure to comply with this direction could result in a summary conviction with fines between \$500 to \$10,000 for individuals and up to \$100,000 for a corporation per incident.

This direction will remain in place for the duration of the Provincial State of Emergency unless it is terminated in writing by me earlier.

Dated August 20, 2020.

Original Signed By

Hon. Chuck Porter
Minister of Municipal Affairs and Housing