

## **BY-LAW NO. 165**

### **A BY-LAW RESPECTING THE ADOPTION AND INTERPRETATION OF BY-LAWS**

The Mayor and the Council of the Town of Sackville enact as follows:

1. In passing or amending any By-Law, the Council shall read the By-Law or amendment three times including at least once when the By-Law shall be read section by section prior to third reading.
2. Except in situations requiring emergency action by the Council, no By-Law shall be read more than twice in any one evening.
3. Unless otherwise provided (or required by law) all By-Law's shall become effective immediately upon being passed.
4. Unless otherwise provided (or required by law) no publication of notice of the adoption of any By-Law shall be necessary.
5. Unless otherwise provided herein the provisions of the Interpretation Act, R.S.N.B., Chapter 1-13 and amendments thereto shall apply to any By-Law, regulation or resolution of the Council.
6. Unless otherwise provided:
  - a) "Council" means the Town Council of Sackville;
  - b) "Councillor" means any person elected under the provisions of the Municipalities Act to serve on the Council and includes the Mayor;
  - c) "Chief Administrative Officer" means and is intended to mean Chief Administrative Officer, Chief Administrative Officer designate or Chief Administrative Officer designated by Council;
  - d) "Goods" includes chattels and every description of personal property;
  - e) "Herein" and "hereof" used in any section shall relate to the whole By-Law and not only to the section;
  - f) "Highway" or "road" means any public highway, road, bridge, alleys, lanes, courts, public squares, public places and sidewalks unless the context precludes such interpretation;

g) "Statutory Holiday" includes all those identified by the Province of New Brunswick in the Provincial Legislation and any day appointed by any Statute in force in the Province or by Proclamation of the Governor General or of the Lieutenant-Governor or the Mayor of Sackville, as a general holiday and whenever a statutory holiday falls on a Saturday or Sunday, the expression "holiday" includes the following Monday;

h) "Month" means calendar month;

i) "Oath" or "affidavit" in the case of a person for the time being allowed or required by law to affirm or declare instead of swearing, includes affirmation and declaration and the word "swear" in the like case includes "affirm" and "declare" and "sworn" includes "affirmed" and "declared";

j) "River" includes brook, creek or stream;

k) "Shall" is to be construed as imperative and "may" as permissive and empowering;

l) "Town" meaning Town of Sackville;

m) "Writing" or "written", or any term of like import includes words printed, painted, engraved, lithographed, photographed or represented or reproduced by a mode of representing or reproducing words in visible form;

n) "Year" means twelve consecutive months; and

o) "Calendar year" means the period from the first day of January to the last day of December then following inclusive.

7. When used in these By-Law's:

a) The word "Person" shall mean and include any human being, or number of human beings, male or female, or bodies corporate or politic, and the heirs, executors, administrators, or other legal representatives of such person to whom the context would apply according to law.

b) Every work importing the singular number may extend to any number of persons or objects, as well as to one person or object, and every word importing the masculine gender may extend to females as well as males. The converse shall also apply.

8. Wherein any By-Law anything is prohibited from being done without the license or permission of a certain officer, Committee or board, such officer, Committee or board shall have the power to license or permit such thing to be done.

9. When anything is prohibited in any By-Law, not only the persons actually doing the prohibited thing, but also the employees and all other persons concerned therein, shall be liable to the penalty prescribed.

10. The Town Clerk shall record in the minutes book all By-Law's passed:

- a) In the order passed;
- b) Under their proper headings, and
- c) Numbered consecutively under their proper headings.

11. In all contexts the words "committee of the Town of Sackville" or "referral to committee" or in any other context where a committee act is understood to be or intended to be an act of the Town of Sackville, that reference shall be interpreted to be or understood to be a reference to Council "of the Town of Sackville".

In all other aspects the by-law of the Town of Sackville shall be interpreted as written and understood.

12. By-Law No. 139, A By-Law For Interpretation of By-Law's in hereby repealed as well as By-Law No. 39, A By-Law Respecting The Adoption And Interpretation of By-Law's is hereby repealed.

13. This By-Law comes into force on the date of final passing thereof.

Read a first time this 8th day of December, 1997.

Read a second time this 8th day of December, 1997.

Read a third time and done and passed Council this 12th day of January, 1998.

Hazel J. Steeves  
D./MAYOR

Rhonda Rowe  
CLERK