

PART XI

ELECTRICAL SERVICES

Contract with N.S. Power or municipality

303 (1) Subject to the *Public Utilities Act*, a council may contract with Nova Scotia Power Incorporated or another municipality for transmission and supply of electric power.

(2) A municipality that has entered into a contract for electric power or that generates electric power may

(a) use the electric power for the purpose of lighting streets, highways and property of the municipality or for any other purpose of the municipality;

(b) distribute the electric power throughout the municipality;

(c) establish and maintain an electrical distribution system in the municipality;

(d) sell or dispose of the electric power, or any part thereof, to a person or body;

(e) dispose of the whole of the electric power or any portion that it does not require, or otherwise dispose of, to any person, firm or corporation having authority within the municipality to supply electric power or to operate an electric tramway;

(f) employ required employees;

(g) contract for the supply and distribution of electric power in another municipality, if the council of the other municipality agrees;

(h) acquire real and personal property and construct and operate facilities for the generation, transmission and distribution of electric power;

(i) include in its yearly estimates all amounts that are necessary or proper for the due carrying out of the purposes referred to in this subsection.

(3) Any agreement, contract, change in the cost of electric power, payment extension, connection between systems or diversion of power from one system to another is subject to the approval of the Board.

Lien and power cut-off

304 (1) The amount due to a municipality for the provision of electrical power is, subject only to municipal taxes, a first lien on the property of the person to whom the electrical power was provided, in priority to all prior liens or encumbrances on the property.

(2) The lien applies only to the amount due to the municipality for a period not exceeding ninety days.

(3) Where a person fails to pay a municipality the amount due for electric power within one month after the account is due, the municipality may cut off the supply of electricity to that person and may recover the amount due up to that time, despite a contract with the person to furnish electric power for a longer period.

(4) *The lien referred to in subsection (1) is not a charge against a parcel registered pursuant to the Land Registration Act until a certificate evidencing the lien has been recorded in the register of the parcel.*

(5) *The municipality may record a notice of the lien referred to in subsection (1) in the parcel register of any property owned by a person to whom electrical power was provided to which the lien applies and shall thereupon serve that person with a copy of the lien and recording particulars.*

(6) *Upon satisfaction of the lien including payment of the fees for recording the lien and the release, the municipality shall record a release of the lien in the parcel registers in which the lien was recorded.*

N.S. Power Inc. powers

305 (1) Nova Scotia Power Incorporated may extend the time for payment of any sum due it by a municipality, provided the municipality pays interest on any sum due Nova Scotia Power Incorporated at such rate of interest, not exceeding seven per cent per annum, as Nova Scotia Power

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Incorporated may determine.

(2) Nova Scotia Power Incorporated may make any connections between systems to divert power from one system to another system.

(3) The manner of any connection between systems, the amount to be charged to a system receiving power from a connection and the amount to be credited to a system supplying power shall be determined by Nova Scotia Power Incorporated.

Power to sell system

306 A municipality may sell its system for developing or distributing electric power, including property used in connection with it.

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