

Town of Sexsmith

Bylaw 890

BEING A BYLAW OF THE TOWN OF SEXSMITH IN THE PROVINCE OF ALBERTA TO APPROVE BORROWING FOR MUNICIPAL CURRENT EXPENDITURES.

WHEREAS the Council of the Town of Sexsmith (hereinafter referred to as the 'Corporation') in the Province of Alberta considers it necessary to borrow certain sums of money from time to time to meet current expenditures of the Corporation for its financial year commencing January 1, 2010.

NOW THEREFORE, pursuant to the provision of the Municipal Government Act, Statutes of Alberta 2000, Chapter M-26.1 and amendments there to, it is hereby enacted by the Council of the Corporation as a Bylaw that:

1. The Corporation do borrow from Province of Alberta Treasury Branches (hereinafter referred to as 'Treasury Branches') sums of money from time to time in the said financial year as required to meet current expenditures of the Corporation in the said financial year, provided that the total principal amount owed to Treasury Branches at any one time hereunder shall not exceed the sum of **FOUR HUNDRED THOUSAND DOLLARS, (\$400,000.00)**.
2. The Chief Elected Officer and the Chief Administrative Officer are hereby authorized for and on behalf of the Corporation:
 - a) to apply to Treasury Branches for the aforesaid loan to the Corporation and arrange with Treasury Branches the amount, terms and conditions of the loan and security or securities to be given to Treasury Branches.
 - b) obtain advance of monies from Treasury Branches in the said financial year by way of an overdraft on the Corporation's account at a Treasury Branch or pursuant to promissory notes or other evidence of indebtedness, as may be permitted or required by Treasury Branches; and
 - c) to execute on behalf of the Corporation such bill, debentures, promissory notes or similar forms of obligation as Treasury Branches may require as evidence of and security for all sums borrowed hereunder;and each document executed as foresaid shall be valid and binding upon the Corporation according to its tenor, and Treasury Branches shall never be bound to inquire whether such officers are observing the limitations on their authority as set forth in this Bylaw.
3. Notwithstanding the foregoing, the Chief Elected Officer and the Chief Administrative Officer shall apply such part of the foregoing sum authorized to be borrowed in repayment of previous borrowings of the Corporation such that all amounts borrowed and outstanding by the Corporation at any one time to Treasury Branches and to all other persons, firms and corporations shall not exceed the amount of the taxes levied or estimated to be levied by the Corporation for the said financial year.
4. All sums borrowed as aforesaid or so much thereof as from time to time remains unpaid shall bear interest at a rate per annum equal to **THE PRIME LENDING RATE** established from time to time by Treasury Branches, and such interest shall be calculated and due and payable monthly.
5. All sums authorized to be borrowed hereunder, including interest, shall be due and payable in full no later than December 31 of the said financial year, unless hereafter extended by authority of the Council of the Corporation.

**TOWN OF SEXSMITH
BYLAW NO. 890
MUNICIPAL BORROWING BYLAW**

6. As security for payment of money borrowed hereunder, the Corporation hereby charges to and in favour of Treasury Branches the whole of the taxes levied or to be levied by the Corporation, requisitions made or to be made by the Corporation and all other money due or accruing due to the Corporation, and the Mayor and Treasurer of the Corporation are hereby authorized on behalf and in the name of the Corporation to execute and deliver to Treasury Branches such security documents as Treasury Branches may require in relation to the foregoing charge. The said charge shall be collateral to the obligation of the Corporation to repay with interest all sums borrowed from Treasury Branches and Treasury Branches shall not be bound to recover any such taxes, requisitions or other monies before being entitled to payment from the Corporation.
7. In the event the Council of the Corporation decides to extend the said loan and Treasury Branches is prepared to extend the said loan, any renewal or extension bill, debenture, promissory note or other obligation executed by the officers designated in paragraph 2 hereof and delivered to Treasury Branches shall be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension bill, debenture, promissory note or other obligation, and Treasury Branches shall not be bound to inquire into the authority of such officers to execute and deliver such renewal or extension document.
8. This Bylaw shall come into effect at the final passage thereof.

READ A FIRST TIME THIS 21ST DAY OF JUNE, 2010.

READ A SECOND TIME THIS 21ST DAY OF JUNE, 2010.

READ A THIRD AND FINAL TIME THIS 21ST DAY OF JUNE, 2010.

CERTIFICATE

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed and enacted by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the twenty-first day of June, 2010 at which a quorum was present, as entered in the minutes of the said Council, and the Bylaw is still in full force and effect.

WITNESS our hands and the seal of the Corporation this twenty-first day of June, 2010

Claude Lagace, Mayor

Carolyn Gaunt, Town Administrator