

THE CORPORATION OF THE TOWNSHIP OF McMURRICH/MONTEITH

BY-LAW 05 - 2015

Being a by-law authorize temporary borrowing from time to time to meet current expenditures during the Fiscal Year ending December 31, 2015

WHEREAS Section 407 of the Municipal Act, 2001, as amended, provides authority for a Council by By-law to authorize the Head of Council or the Treasurer or both of them to borrow from time to time, such sums as the Council considers necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the year; and

AND WHEREAS the total amount which may be borrowed from all sources at any one time to meet the current expenditures of the Municipality, except with the approval of the Municipal Board, is limited by Section 407 of the Municipal Act, 2001;

NOW THEREFORE the Council of the Corporation of the Township of McMurrich/Monteith enacts as follows:

1. The Head of Council or the Treasurer of both of them are hereby authorized to borrow from time to time during the fiscal year (hereinafter referred to as the current year) such sums as may be necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the current year,
2. The lender(s) from whom amounts may be borrowed under authority of this By-law shall be TD Canada Trust and such other lender(s) as may be determined from time to time by By-law of Council.
3. The total amount which may be borrowed at any one time under this By-law plus any outstanding amounts of principal borrowed and accrued interest under Section 407 together with the total of any similar borrowings that have not been repaid, shall not exceed from January 1st to September 30th of the current year, 50 percent of the total estimated revenues of the Municipality as set out in the budget adopted for the current year, and from October 1st to December 31st of the current year, 25 percent of the total estimated revenues of the Municipality as set out in the budget adopted for the current year or \$300,000.00 whichever is less.
4. The Treasurer shall, at the time when any amount is borrowed under this By-law, ensure that the lender is or has been furnished with a certified copy of this By-Law, (a certified copy of the resolution mentioned in Section 2 determining the lender,) if applicable, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any other amounts borrowed from any and all sources under authority of Section 407 of the Municipal Act, 2001 that have not been repaid.
5. (a) If the budget for the current year has not been adopted at the time an amount is borrowed under this By-law, the limitation on total borrowing, as set out in Section 3 of this By-law, shall be temporarily calculated until such budget is adopted using the estimated revenues of the Municipality as set forth in the budget adopted for the next previous year.

(b) If the budget for the current year has not been adopted at the time an amount is borrowed under this By-law, the statement furnished under Section 4 shall show the nature and amount of the estimated revenues of the Municipality as set forth in the budget adopted for the previous year and the

nature and amount of the revenues received for and on accounts of the current year.

6. For the purposes of this By-law, estimated revenues referred to in Section 3, 4, and 5, do not include revenues derivable or derived from, a) any borrowing, including through any issue of debentures; b) a surplus, including arrears of taxes, fees or charges; or c) a transfer from the capital fund, reserve funds or reserves.
7. The Treasurer be and is hereby authorized and directed to apply in payment of all or any sums borrowed under this By-law, together with interest thereon, all or any of the monies hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and previous years or from any other source, that may be lawfully applied for such purpose.
8. Evidences of indebtedness in respect of borrowings made under Section 1 shall be signed by the Head of Council or conform to the Treasurer or both of them.
9. The Bank shall not be responsible for establishing the necessity of temporary borrowing under this By-law or the manner in which the borrowing is used.
10. This By-law shall be deemed to come into force and effect on the final day of passing.

READ A FIRST and SECOND TIME this 12th day of January, 2015

READ A THIRD TIME and PASSED this 2nd day of February, 2015

Original Signed by Joanne Griffiths
Reeve

Original Signed by Cheryl Marshall
Clerk/Treasurer