



VILLAGE OF HAY LAKES

BYLAW NUMBER 04-2022

MUNICIPAL BORROWING BYLAW

For the Purpose Specified in Section 256 of the

Municipal Government Act

WHEREAS the Council of the VILLAGE OF HAY LAKES (herein called the municipality) in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

funding operational expenditures.

NOW THEREFORE pursuant to the provisions of the *Municipal Government Act*, it is hereby enacted by the Council of the Municipality as a By-Law that:

1. The municipality is hereby authorized to borrow from ATB Financial, ("ATB") up to the principal sum of three hundred thousand dollars (\$300,000.00) repayable upon demand at a rate of interest per annum from time to time established by ATB, not to exceed 10%, and such interest will be calculated daily and due and payable monthly on the last day of each month.
2. The borrowing is a line of credit repayable on demand and the Corporation is required to pay accrued interest monthly.
3. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Municipality:
 - a) To apply to ATB for the aforesaid loan to the Municipality and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
 - b) As security for any money borrowed from ATB
 - (i) To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debt;
 - (ii) To give or furnish to ATB all such securities and promises as ATB may require to secure repayment of such loans and interest thereon; and

- (iii) To execute all security agreements, hypothecations, debentures; charges, pledges, conveyances, assignments, and transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:
- The borrowing shall be issued in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, over a period not to exceed one (1) year.
- The borrowing shall be payable in lawful money of Canada at the Alberta Treasure Branch in the Village of New Sarepta or at such other bank or financial institution as council may authorize as its banking agency during the currency of the borrowing.
5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the *Municipal Government Act*.
6. In the event that the Municipal Government Act permits extension of the loan and in the event the Council of the Municipality decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 3 hereof and delivered to ATB will be valid and conclusive proof as against the Municipality 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 ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
7. This Bylaw shall come into force and effect when it receives Third Reading and is duly signed.

Read a First Time this 16th day of May, A.D., 2022.

Public Hearing held this 16th day of May, A.D., 2022.

Read a Second Time this 16th day of May, A.D., 2022.

Read a Third Time by Unanimous Consent of Council and Finally Passed this 16th day of May, A.D., 2022.

Certificate

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed by the Council of the Municipality therein mentioned at a duly and regularly constituted meeting thereof held on the 16th day of May, 2022 at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

THIS Municipal Borrowing Bylaw, inclusive of it's Certificate: (a) may be executed electronically; and (b) may be delivered by email, facsimile or other functionally-equivalent means.

WITNESS our hands and the Seal of the Municipality this 16th day of May, 2022.



Mayor Ron These
Mayor of the Village of Hay Lakes



K. Shannon Yearwood
Chief Administrative Officer

