

PARKLAND COUNTY
PROVINCE OF ALBERTA

BYLAW 2019-03
ACHESON ZONE 4 RESERVOIR BORROWING BYLAW

WHEREAS Section 251 of the *Municipal Government Act* R.S.A. 2000, c.M-26 provides that a municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw;

WHEREAS Section 258 of the *Municipal Government Act* provides that a municipality may borrow for the purpose of financing capital property when the term of repayment exceeds five (5) years;

WHEREAS this bylaw authorizes Parkland County to borrow up to \$6,900,000 to finance the Acheson Zone 4 Reservoir construction (the "Reservoir");

WHEREAS the Council of Parkland County deems it appropriate and in the community's interest to authorize financing the Reservoir;

WHEREAS the estimated total cost of the Reservoir will not exceed \$6,900,000;

WHEREAS the expenditure for the Reservoir will be included in a budget;

WHEREAS the estimated lifetime of the project financed under this by-law is equal to, or in excess of twenty-five (25) years;

WHEREAS the principal amount of the outstanding debt of Parkland County at December 31, 2017 is \$24,689,404, no part of which is in arrears, and the borrowing will not cause the County to exceed its debt limit;

NOW THEREFORE the Council of Parkland County, duly assembled and under the authority of the *Municipal Government Act*, as amended, hereby enacts the following:

TITLE

1. This bylaw is called the "Acheson Zone 4 Reservoir Borrowing Bylaw".

DEFINITIONS

2. The following definitions apply in this bylaw:

- (1) "Act" means the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto; and
- (2) "County" means the municipality of Parkland County in the Province of Alberta.

INTERPRETATION

3. The headings in this bylaw are for convenience only.
4. The preamble paragraphs that precede the numbered paragraphs of this bylaw are a necessary part of this bylaw and not mere recital.

BORROWING

5. For the purpose of the Acheson Zone 4 Reservoir construction, the County may borrow from an authorized financial institution a sum not exceeding \$6,900,000 (the "Reservoir Loan").

INTEREST, TERM AND REPAYMENT SOURCE

6. The Reservoir Loan shall bear an annual rate of interest not to exceed 7%.
7. The County shall repay the Reservoir Loan on demand, but in any event over a term not to exceed twenty-five (25) years.

- 8. The sources of money used to pay the principal and interest owing under the borrowing will be off-site levies collected pursuant to Bylaw 2015-07, municipal taxes and/or restricted surplus funds as an interim financing measure.
- 9. The funds borrowed pursuant to this bylaw are borrowed on the general credit and security of the County.
- 10. The Chief Administrative Officer and Chief Financial Officer are authorized to execute on behalf of the County promissory notes, negotiable instruments or other evidence of indebtedness for the Reservoir Loan as the Bank may require.

SEVERABILITY

- 11. Should any provision of this bylaw be deemed invalid then that provision will be severed from this bylaw and such severance will not affect the validity of the remaining portions of this bylaw, except to the extent necessary to give effect to such severance.

ENACTMENT

- 12. This bylaw comes into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this 26th day of February, 2019.

READ A SECOND TIME this _____ day of _____, 2019.

READ A THIRD TIME and finally passed this _____ day of _____, 2019.

SIGNED AND PASSED this _____ day of _____, 2019.

Mayor

Chief Administrative Officer