

BYLAW 18-21

A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO AUTHORIZE INCURRING INDEBTEDNESS

WHEREAS pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, Council may pass a bylaw for the purpose of incurring indebtedness by the issuance of debentures to the Alberta Government, or another authorized financial institution, in the amount of \$7,000,000.00 for upgrades to the Wastewater Treatment Plant within the Town of Okotoks;

AND WHEREAS the Council of the Town of Okotoks has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize financing for upgrades to the Okotoks Wastewater Treatment Plant;

AND WHEREAS the Town of Okotoks' engineering firm has made plans, specifications, and estimates for the project and confirms the total cost of the said project is \$7,000,000.00;

AND WHEREAS in order to complete the project it will be necessary for the Municipality to borrow the sum of \$7,000,000.00 for a period not to exceed 25 years from the Alberta Government or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this Bylaw;

AND WHEREAS the estimated lifetime of the project financed under this Bylaw is equal to, or in excess of 25 years;

AND WHEREAS the principal amount of the outstanding debt of the Municipality at December 31, 2020 is \$18,444,115.05 and no part of the principal or interest is in arrears;

AND WHEREAS all required approval for the project will be obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta;

NOW THEREFORE the Council of the Town of Okotoks enacts as follows:

1. SHORT TITLE

This Bylaw may be known as the "Borrowing Bylaw – Wastewater Treatment Plant Upgrades Phase 2".

2. TERMS

- 2.1 That for the purpose of constructing upgrades to the Wastewater Treatment Plant, the sum of \$7,000,000.00 dollars be borrowed from the Alberta Government, or another authorized financial institution, by way of debenture

on the credit and security of the Town of Okotoks at large, of which amount the full sum of \$7,000,000.00 is to be paid by the Town of Okotoks at large.

- 2.2 The proper officers of the Town of Okotoks are hereby authorized to issue Debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely Wastewater Treatment Plant upgrades-Phase 2.
- 2.3 The Town shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed 25 years calculated at a rate not exceeding the interest rate fixed by the Alberta Government or another authorized financial institution on the date of the borrowing, and not to exceed eight (8%) percent.
- 2.4 The Town shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
- 2.5 The indebtedness shall be contracted on the credit and security of the Town.
- 2.6 The net amount borrowed under this Bylaw shall be applied only to the project specified by this Bylaw.

3. SEVERABILITY

It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME this 14th day of June, 2021

READ A SECOND TIME this day of , 2021

READ A THIRD TIME AND PASSED this day of , 2021

Mayor

Chief Administrative Officer