

Municipality of Lakeshore

By-law 1-2022

Being a By-law to Authorize Temporary Borrowing from Time to Time to Meet Current Expenditures during the Fiscal Year Ending December 31, 2022

Whereas section 407 of the *Municipal Act, 2001* provides that at any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year and of the amounts, whether or not they are expenses for the year, that the municipality requires in the year;

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 Municipality of Lakeshore enacts as follows:

1. In this by-law:
 - a. "Authorized Borrowers" means the Mayor and Treasurer;
 - b. "Municipality" means the Municipality of Lakeshore; and,
 - c. "Current Year" means the year commencing at 12:00:00 AM January 1, 2022 and ending at 11:59:59 PM on December 31, 2022.
2. The Authorized Borrowers are jointly authorized to borrow from time to time during 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.
3. The lender(s) from whom amounts may be borrowed under authority of this by-law shall be the Toronto Dominion Bank, and such other lender(s) as may be determined from time to time by by-law of Council.
4. 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 of the *Municipal Act, 2001* that 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 of the estimated revenues of the Municipality as set out in the budget adopted for the Current Year.

5. 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* that have not been repaid.
6. For the purposes of this by-law the 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 is 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. Evidence of indebtedness in respect of any borrowing occurring under section 1 shall be signed by each of the Authorized Borrowers.
9. This by-law shall come into force upon passage.

Read and passed in open session on January 18, 2022.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**