

*D. J. J.*  
Interim CAO

Typographical error  
corrected by Interim  
CAO in terms of  
Section 3.7h) of  
Bylaw # 019-16, being  
the Designated officer  
Bylaw.

**CITY OF CHESTERMERE  
PROVINCE OF ALBERTA  
BYLAW #006-17  
016-17**

A bylaw of the City of Chestermere, in the province of Alberta, to  
provide municipal borrowing

*September 28, 2017*

**WHEREAS** Section 251 of the *Municipal Government Act*, RSA 2000, C. M-26, and amendments thereto, provides that a Municipal Council may borrow money for the purpose of financing a Roads Off-site Levy capital project;

**AND WHEREAS** Council deems it desirable to front-end the construction of Township Road 240 for future growth;

**NOW THEREFORE** The Municipal Council of the City of Chestermere, Alberta duly assembled, hereby enacts as follows:

**1. Title** This Bylaw may be cited as  
“**Front-Ending Township 240 Bylaw**”

**2. Definitions:** In this Bylaw:

- a. “Financial Institution means a bank, trust company, credit company or similar establishment;
- b. “Corporation” means the City Chestermere;

**3. Application**

- 1. Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any other requirement of any lawful permit, order or license.
- 2. Any heading, sub-headings or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 3. Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefore.
- 4. This Bylaw is gender-neutral and, accordingly, any reference to one gender includes the other.

#### **4. Terms and Conditions**

- 1. The Corporation shall borrow from a Financial Institution up to the principal sum of \$14,000,000.00, repayable in principal and interest payments, amount to be determined, at a rate of interest per annum not to exceed the Bank of Canada Prime Business Rate plus one percent, with a maturity not to exceed 30 years and flexibility to repay principal at any time.**
- 2. The Mayor and the Chief Administrative Officer are authorized for and on behalf of the Corporation:**
  - a. To apply to a Financial Institution for the aforesaid loan to the Corporation, and to arrange with the Financial Institution, terms and conditions of the loan and security or securities to be given to the Financial Institution**
  - b. To set repayment terms consisting of interest and principal, allowed to repay additional principal at any time with no penalties, or a fixed principal and interest payment, providing for an amortization and/or term to not exceed 30 years.**
  - c. As security for any money borrowed from the Financial Institution**
    - 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 debts;**
    - ii. To give or furnish to the Financial Institution all such securities and promises as the Financial Institution 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 transfer to and in favor of the Financial Institution of all or any property, real or persona, moveable or immoveable, 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 the Financial Institution the security or securities required by it.**
- 3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from the Financial Institution are:**
  - a. Roads Off-Site Levies.**
- 4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.**
- 5. In the event that the Municipal Government Act permits the extension of the term of the loan and in the event the Council of the Corporation**

decides to extend the loan, and the Financial Institution 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 the Financial Institution, will be valid and conclusive proof as against the Corporation 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 the Financial Institution will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.

## 5. Severability

1. If any Section or parts of this Bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

## 6. General

1. This Bylaw shall take effect on the day which it is finally passed.

READ A FIRST TIME this 15 day of May 2017

READ A SECOND TIME this 4 day of July 2017


READ A THIRD TIME this 4 day of July 2017

Resolution Numbers -

204-17

269-17

270-17

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Interim CAO