

# CORPORATION OF THE COUNTY OF PERTH

## BY-LAW NUMBER 3193-2010

### A by-law to provide for the temporary borrowing of funds in 2010 by the County of Perth

**WHEREAS** Section 407(1) of the *Municipal Act S.O. 2001 c.25* (the Act) states 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 amount council considers necessary to meet the current expenditures of the municipality for the year, including amounts required in the year for sinking and retirement funds, principal and interest due on any debt of the municipality, school purposes, other purposes the municipality is required by law to provide for and the amount of principal and interest payable by a person or municipality primarily liable for a debt, if the municipality has guaranteed the debt and the debt is in default; and

**WHEREAS** the total of amounts previously borrowed under Section 407 of the Act that have not been repaid are NIL dollars; and

**WHEREAS** the amount of the estimated revenue of the Corporation of the County of Perth (the Corporation) as defined under Sections 407(1)(4)(6) of the Act and set out in the estimates of the approved budget is \$22,922,367; and

**WHEREAS** as per s. 407 (2) of the Act, the amount to be borrowed under this by-law and the amounts of borrowing that have not been repaid, does not in the aggregate from January 1<sup>st</sup> to September 30<sup>th</sup> of the year, exceed 50% of the total estimated revenues and from October 1<sup>st</sup> to December 31<sup>st</sup>, exceed 25% of the total revenues; and

**WHEREAS** the Council of the Corporation deems it necessary to enact this by-law to allow the Corporation to meet, until the taxes are collected, the current expenditures of the Corporation for the year.

**NOW THEREFORE** the Council of the Corporation of the County of Perth enacts as follows:

The Head of Council and the Treasurer of the Corporation are hereby authorized on behalf of the Corporation to borrow from time to time, by way of an Operating Credit Line, a sum or sums not exceeding in the aggregate Eleven Million and Four Hundred and Sixty-One Thousand, One Hundred and Eighty-Four Dollars (\$11,461,184) from January 1<sup>st</sup> to September 30<sup>th</sup> of the year, and Five Million and Seven Hundred and Thirty Thousand, Five Hundred and Ninety-Two Dollars (\$5,730,592) from October 1<sup>st</sup> to December 31<sup>st</sup> of the year, to meet, until the taxes are collected, the current expenditures of the Corporation for the year 2010, including the amounts required for the purposes mentioned in Section 407 and to give, on behalf of the Corporation, to the Bank a grid demand note or notes, sealed with the Corporate Seal and signed by them for the monies so borrowed with interest at a rate not exceeding Prime per centum per annum, which may be paid in advance or otherwise.

All sums borrowed from the said Bank, for any or all of the purposes mentioned in the said Section 407, shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are received.

The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed pursuant to the authority of this By-law, as well as all other sums borrowed in this year and any previous

years, from the Bank for any or all of the purposes mentioned in the said Section 407, together with interest thereon, all of the monies hereafter collected or received on account or realized in respect of the taxes levied for the current year and preceding years and all of the monies collected or received from any other source, which may lawfully be applied for such purposes.

That this By-law comes into force and effect on January 1, 2010.

Read a first and second time this 29<sup>th</sup> day of April 2010.

Read a third time and finally passed this 29<sup>th</sup> day of April 2010.

“Julie Behrns”

Julie Behrns, Warden

“R. Pullia” Acting Clerk

For R. William Arthur, Clerk