

The Corporation of the Township of Southgate

By-law 2022-001

Being a by-law to authorize the borrowing of money to meet current expenditures of the Council of the Corporation of the Township of Southgate (the "Municipality")

Whereas the Municipal Act, 2001, Chapter 25, as amended, (the "Act"), Section 5 (3), states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas Section 8 of the Act provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues; and

Whereas Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas in accordance with subsection 407(1) of the Act, the Municipality considers it necessary to borrow the amount of \$1,000,000 to meet, until taxes are collected, the current expenditures of the Municipality for the year 2022; and

Whereas pursuant to subsection 407(2) of the Act, the total amount borrowed pursuant to this by-law together with the total of any similar borrowings is not to exceed the limits set forth in the subsection; and

Whereas the total amount previously borrowed by the Municipality pursuant to subsection 407 that has not been repaid is \$0;

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate hereby enacts as follows:

1. **That** the Mayor and the Treasurer are authorized on behalf of the Municipality to borrow from time to time by way of promissory note or bankers' acceptance from Canadian Imperial Bank of Commerce ("CIBC") a sum or sums not exceeding in the aggregate \$1,000,000 to meet, until taxes are collected, the current expenditures of the Municipality for the year (including the amounts required for the purposes mentioned in subsection 407(1) of the Act and to give to CIBC promissory notes or bankers' acceptances, as the case may be, sealed with the corporate seal of the Municipality and signed by the Head of Council and Treasurer for the sums borrowed plus interest at a rate to be agreed upon from time to time with CIBC; and
2. **That** all sums borrowed pursuant to this by-law, as well as all other sums borrowed pursuant to the Act in this year and in previous years from CIBC for any purpose will, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when this revenue is received; and
3. **That** the Treasurer is authorized and directed to apply in payment of all sums borrowed plus interest, all of the moneys collected or received on account in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for this purpose; and

4. **That** the Treasurer is authorized to furnish to CIBC a statement showing the nature and amount of the estimated revenues of the Municipality not yet collected and also showing the total of any amounts borrowed that have not been repaid.

Read a first, second and third time and finally passed this 19th day of January, 2022.

John Woodbury – Mayor

Lindsey Green – Clerk