

**MUNICIPALITY OF CROWSNEST PASS**

**BY-LAW NO. 822, 2011**

A by-law of the Municipality of Crowsnest to authorize the Municipal Council to borrow funds to meet current operating expenditures and obligations for January 1, 2011 to December 31, 2011, pursuant to Section 256 of the Municipal Government Act, RSA 2000, Chapter M-26 and any amendments thereto.

**WHEREAS**

The amount of taxes levied or estimated to be levied for the fiscal year commencing on January 1, 2011 by the Municipality of Crowsnest Pass for all purposes including ordinary current expenditures incurred during the said year is not less than \$6,400,000.00.

**AND WHEREAS**

The Council of the Municipality of Crowsnest Pass deems it necessary to borrow and expend the sum of One Million Dollars (\$1,000,000.00) to meet the current operating expenditures and obligations of the Municipality of Crowsnest Pass incurred during the said year until such time as the taxes levied or to be levied therefore as aforesaid can be collected.

**AND WHEREAS**

After the borrowing during the said year of the amount hereby authorize to be borrowed, the total loans outstanding to meet the current operating expenditures and obligations of the Municipality of Crowsnest Pass incurred during the said year will not exceed the amount of taxes levied or estimated to be levied for the said year by the Municipality of Crowsnest Pass.

**THEREFORE**

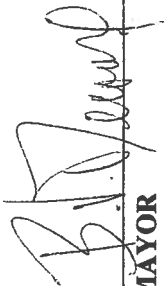
THE COUNCIL OF THE MUNICIPALITY OF CROWSNEST PASS HEREBY ENACTS as follows:

1. That the Council of the Municipality of Crowsnest Pass borrow from time to time during the said year from the Servus Credit Union, a sum or sums not exceeding the aggregate amount of One Million Dollars (\$1,000,000.00) which the Council deems necessary to expend to meet the current operating expenditures and obligations of the Municipality of Crowsnest Pass incurred during the said year until such time as the taxes levied or to levied therefore can be collected, and to pay or agree to pay interest on the sum so borrowed either in advance or at maturity, and in either case after maturity, at such rate as may be agreed upon from time to time between the Council and the Servus Credit Union with said rate to not exceed five percent (5 %) per annum, payable monthly.
2. That the sum or sums so borrowed may be evidenced and secured by the promissory note or notes of the Mayor/Deputy Mayor and Chief Administrative of the Council given on its behalf and the said Mayor/Deputy Mayor and Chief Administrative Officer are hereby authorized and empowered to execute and give such promissory note or notes on behalf of the Council as may be required by the Servus Credit Union and to determine and agree upon from time to time the rate of interest applicable to the amount of the sums borrowed hereunder remaining from time to time outstanding.
3. That the Council of the Municipality of Crowsnest Pass do hereby pledge to the said Servus Credit Union as security for payment of the money borrowed hereunder, the whole of the unpaid taxes and penalties on taxes assessed and/or levied by the Municipality of Crowsnest Pass in years prior to the said year together with penalties thereon, and the whole of the taxes assessed or to be assessed and/or levied or to be levied for the said year, and the Municipality of Crowsnest Pass shall deposit in a special account with the said Servus Credit Union all of the said taxes, penalties and other designated revenues as collected, as collateral security for the money to be borrowed hereunder and interest thereon and the same shall be applied as far as necessary in payment of moneys borrowed hereunder and interest thereon, but the said Servus Credit Union shall not be restricted to the said taxes, penalties and other designated revenue for the payment of the money borrowed as aforesaid or be bound to wait for repayment of such money and interest until such taxes, penalties and other designated revenues can be collected, or be required to see that the said taxes, penalties and other designated revenues are deposited as aforesaid.
4. That nothing herein contained shall waive, prejudicially affect or exclude any right, power, benefit or security by statute, common law or otherwise given to be implied in favor of the said Servus Credit Union.

Read a first time this 15th day of March, 2011.  
Carried

Read a second time this 5<sup>th</sup> day of April, 2011.  
Carried

Read a third time and finally passed this 5<sup>th</sup> day of April, 2011.  
Carried

  
MAYOR

ORIGINAL SIGNED

  
CHIEF ADMINISTRATIVE OFFICER