

BYLAW NO. 2-2023

**A BYLAW OF THE VILLAGE OF HOLDEN
IN THE PROVINCE OF ALBERTA**

FOR THE PURPOSE SPECIFIED IN SECTION 256 OF THE MUNICIPAL GOVERNMENT ACT

WHEREAS the Council of the Village of Holden (hereinafter called the “Corporation”) in the Province of Alberta considers it necessary to borrow certain sums of money for the purpose of:

General Operating Facility

NOW THEREFORE, pursuant to the provisions of the *Municipal Government Act*, it is hereby enacted by the Council of the Corporation as a Bylaw that:

1. This bylaw shall be cited as the “Municipal Borrowing Bylaw”
2. The Corporation borrow from Alberta Treasury Branches (“ATB”) up to the principal sum of \$100,000.00 (one hundred thousand dollars) repayable upon demand at a rate of interest per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
 - a. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payments of combined principal and interest instalments not to exceed Three (3) years calculated at a rate not exceeding the interest rate fixed by Alberta Treasury Branches (“ATB”) on the date of borrowing, and not to exceed FIVE (5) percent.
3. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - a. to apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms and conditions of the loan and security or securities to be given to ATB;
 - b. as security for any money borrowed from ATB
 - 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 ATB all such securities and promises as ATB 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 transfers to and in favour of ATB of all or any property, real or personal, moveable or immovable, 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 ATB the security or securities required by it.
4. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes, reserves, and grants
5. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the *Municipal Government Act*.

6. In the event that the *Municipal Government Act* permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB 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 ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
7. This Bylaw takes effect as of the date of third and final reading, and upon such final passage Bylaw No. 3-2021 shall be repealed.

READ A FIRST TIME this 21st day of February, 2023

READ A SECOND TIME this 21st day of February, 2023

READ A THIRD TIME this 20 day of March, 2023

SIGNED AND PASSED this 20 day of March, 2023

Certificate

WE HEREBY CERTIFY that the foregoing Bylaw was duly passed by the Council of the Corporation therein mentioned at a duly and regularly constituted meeting thereof held on the 20 day of March, 2023 at which a quorum was present, as entered in the minutes of the said Council, and that the Bylaw has come into force and is still in full force and effect.

Mayor

Chief Administrative Officer