

BY-LAW #151-20
BORROWING BY-LAW
SUNBREAKER COVE WASTEWATER SYSTEM
SUMMER VILLAGE OF SUNBREAKER COVE

BY-LAW NO. 135-18 AUTHORIZES THE COUNCIL OF THE SUMMER VILLAGE OF SUNBREAKER COVE TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURES (THE "DEBENTURES") TO THE ALBERTA CAPITAL FINANCE AUTHORITY (ACFA).

WHEREAS, the Council of the Summer Village of Sunbreaker Cove has decided to issue a by-law pursuant to Section 263 of the Municipal Act, Chapter M-26, Revised Statutes of Alberta 2000 to authorize the financing, undertaking and completion of a wastewater system within the Summer Village of Sunbreaker Cove.

AND WHEREAS, the Summer Village of Sunbreaker Cove has made plans, specifications and estimates for the project and confirms the total pre-tender cost of the said project is \$3,400,000.

AND WHEREAS, the Summer Village of Sunbreaker Cove Council has estimated the following grants and contributions will be received or applied to the project.

1. Provincial grants of	\$ 695,000
2. Summer Village cash reserves	\$ 1,500,000
3. Sylvan Lake Regional Wastewater Commission	\$ 205,000
4. Borrowing up to	\$ 1,300,000

AND WHEREAS, in order to construct and complete the said project, it will be necessary for the Summer Village of Sunbreaker Cove to borrow an amount not greater than \$1,300,000.00 (the "indebtedness") on the terms and conditions referred to in this by-law;

AND WHEREAS, the amount of existing debenture debt of the Summer Village of Sunbreaker Cove is \$0.00, no part of which is in arrears.

AND WHEREAS, the estimated life of the project is seventy-five (75) years as per Tangible Capital Asset Curve.

AND WHEREAS, all required approvals for the project have been obtained and the development is in compliance with all acts and regulations of the Province of Alberta;

NOW THEREFORE, the Council of the Summer Village of Sunbreaker Cove duly assembled enacts as follows:

1. A sum no greater than ONE MILLION, THREE HUNDRED THOUSAND (1,300,000) be borrowed from ACFA or other approved financial institution by way of debenture on the credit and security of the Village at large, to be paid by the revenues generated from connection fees imposed by the Summer Village of Sunbreaker Cove. In the event of any deficiency, the Summer Village shall levy and raise municipal taxes sufficient to pay the indebtedness.
2. The debenture to be issued under this by-law shall not exceed the sum and may be in any denomination not exceeding the amount authorized by this bylaw and shall be dated having regard to the date of borrowing.
3. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding ten per cent (10%), or the interest rate fixed from time to time by the Alberta Capital Financing Authority, per annum, payable annually.
4. The debenture shall be issued in such a manner that the principal and interest will be combined and be made in, as nearly as possible, equal annual installments over a period of TWENTY-FIVE (25) years as specified in the repayment schedule forming part of each debenture.
5. The debentures shall be payable in lawful money of Canada at the ATB Financial branch in the Town of Sylvan Lake or at such other bank or financial institution as

- the Council of the Summer Village of Sunbreaker Cove may authorize as its banking agency during the currency of the debenture.
6. The Chief Elected Official and Chief Administrative Officer of the Summer Village of Sunbreaker Cove shall, subject to Ministerial approval, authorize such bank or financial institution to make payments to the holder of the debentures, on such date and such amounts as specified in the repayment schedule forming part of each debenture.
 7. The debentures shall be signed by the Chief Elected Official and the Chief Administrative Officer of the Summer Village and the Chief Administrative Officer shall affix the corporate seal of the Summer Village to the debentures.
 8. The net amount realized by the issue and sale of debentures authorized under this bylaw shall be applied only for the purposes for which the indebtedness was created.

This By-Law shall come into force on the date of the final passing thereof.

READ a first time in Council this 16th day of March 2020.

TERESA BEETS, MAYOR

TANNER EVANS, CAO

READ a second time in Council this 20th day of April 2020.

READ a third time in Council and passed unanimously this 20th day of April 2020.

TERESA BEETS, MAYOR

TANNER EVANS, CAO