

# **TOWN OF CANMORE**

### **BYLAW 12-2011**

## PROVINCE OF ALBERTA

**Associated legislation:** Section 258 Municipal Government Act

BEING A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF AUTHORIZING THE COUNCIL OF THE MUNICIPALITY TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF \$ 3,700,000 FOR THE PURPOSE OF CONSTRUCTING THE COMMUNITY FACILITIES - MULTIPLEX.

### **WHEREAS**

The Council of the Municipality has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the Community Facilities - Multiplex.

Applicable Council Resolutions concerning approval and funding are; 028-2011. Final budget was presented to Council with a decision made to award the construction contract on March 15, 2011. Plans and specifications have been prepared and the total cost of the project is estimated to be \$39,100,000 and the Municipality estimates the following grants and contributions will be applied to the project:

Recreation Levy	\$ 2,000,000
Provincial Grants	\$ 31,000,000
Debenture(s)	\$ 6,100,000
Total Cost	\$ 39,100,000

In order to complete the project, it will be necessary for the Municipality to borrow the sum of \$6,100,000. \$2,400,000 was borrowed as part of Debenture Bylaw 04-2010. It will be necessary for the Municipality to borrow the sum of \$3,700,000 for a period not to exceed twenty five (25) years from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this by-law is equal to, or in excess of forty years.

The principal amount of the outstanding debt of the Municipality at December 31, 2010 is \$21,557,627 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

#### **NOW THEREFORE**

The Municipal Council for the town of Canmore in the province of Alberta, duly assembled; hereby enacts as follows:

#### 1. TITLE

This Bylaw shall be known as the "Multiplex Debenture Borrowing Bylaw".

- That for the purpose of constructing the Community Facilities Multiplex, the sum of THREE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$3,700,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which amount the full sum of \$3,700,000 is to be paid by the Municipality at large.
- 2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the construction of the Community Facilities Multiplex.
- 3. 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 TWENTY FIVE (25) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed 6% percent.
- 4. The Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
- 5. The indebtedness shall be contracted on the credit and security of the Municipality.
- 6. The net amount borrowed under the by-law shall be applied only to the project specified by this bylaw.
- 7. This bylaw comes into force on the date it is passed.

FIRST READING:

**April 19, 2011** 

SECOND READING:

June 7, 2011

THIRD READING:

June 7, 2011

MUNTOTPAL CLERK