

BYLAW 753/16
TOWN OF ELK POINT #043

WHEREAS THE COUNCIL OF THE TOWN OF ELK POINT (HEREAFTER CALLED THE "CORPORATION") IN THE PROVINCE OF ALBERTA CONSIDERS IT NECESSARY TO MEET OPERATING EXPENDITURES OF THE CORPORATION BY UTILIZING A LINE OF CREDIT.

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. The Corporation do borrow from Servus Credit Union Ltd. sums of money from time to time as required to meet current expenditures of the Corporation provided that the total principal amount owed to Servus Credit Union Ltd. at any one time hereunder shall not exceed the sum of one million dollars (\$1,000,000.00).
2. The Mayor and Chief Administrative Officer are hereby authorized on behalf of the Corporation:
 - a. To apply to Servus Credit Union Ltd. for the line of credit to the Corporation; and
 - b. To obtain advance of monies from Servus Credit Union Ltd. by way of a line of credit on the Corporation's account at Servus Credit Union Ltd. pursuant to promissory notes or other evidence of indebtedness, as may be permitted or required by Servus Credit Union Ltd.; and
 - c. To execute on behalf of the Corporation such bills, debentures, promissory notes or similar forms of obligation as Servus Credit Union Ltd. may require as evidence of and security for all sums borrowed hereunder;

And each document executed as aforesaid shall be valid and binding upon the Corporation according to its tenor, and Servus Credit Union Ltd. shall never be bound to inquire whether such officers are observing the limitations on their authority as set forth in the Bylaw.

3. Notwithstanding the foregoing, the Mayor and Chief Administrative Officer shall apply such part of the foregoing sum authorized to be borrowed in repayment of previous borrowings and outstanding by the Corporation at any one time to Servus Credit Union Ltd. and to all other person, firms, and corporations shall not exceed the amount of the taxes levied or estimated to be levied by the Corporation in a financial year.
4. All sums authorized to be borrowed hereunder, including interest, shall be due and payable in full no later than December 31st of the financial year borrowed, unless hereafter extended by authority of the Council of the Corporation.



5. As security for payment of money borrowed hereunder, the Corporation hereby charges to and in favour of Servus Credit Union Ltd. the whole of the taxes levied or to be levied by the Corporation, requisitions made or to be made by the Corporation and all other money due or accruing due to the Corporation, and the Mayor and Town Manager of the Corporation are hereby authorized on behalf and in the name of the Corporation to execute and deliver to Servus Credit Union such security documents as Servus Credit Union Ltd. may require in relation to the foregoing charge. The said charge shall be collateral to the obligation of the Corporation to repay with interest all sums borrowed from Servus Credit Union Ltd. and Servus Credit Union Ltd. shall not be bound to recover any such taxes, requisitions or other monies before being entitled to payment from the Corporation.
6. In the event the Council of the Corporation decides to extend the said sum and Servus Credit Union Ltd. is prepared to extend the said loan, any renewal or extended bill, debenture, promissory note or other obligation executed by the officers designated in Paragraph 2 hereof and delivered to the Servus Credit Union Ltd. shall be valid and conclusive proof as against the Corporation of the decision to extend the loan in accordance with the terms of such renewal or extension bill, debenture, promissory note or other obligation, and Servus Credit Union Ltd. shall not be bound to inquire into the authority of such officers to execute and deliver any such renewal or extension document.
7. Bylaw 733/15 is hereby rescinded.
8. This Bylaw comes into force on the final passing thereof.

READ a FIRST time in Council this 22ND day of August, 2016.

READ a SECOND time in Council this 12 day of September, 2016.

READ a THIRD time and FINALLY PASSED this 12 day of Sept, A.D. 2016

Mayor

Chief Administrative Officer