

**TOWN OF HARDISTY
BYLAW 1224/17**

**A BYLAW OF THE TOWN OF HARDISTY TO AUTHORIZE A BORROWING AND
ESTABLISH A CORPORATE CREDIT CARD FOR THE PURPOSE OF FINANCING
OPERATING EXPENDITURES.**

WHEREAS Sec. 251 of the Municipal Government Act (Act) provides that a municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw;

AND WHEREAS Sec. 256 of the Act provides that a municipality may make a borrowing for the purpose of financing operating expenditures of the municipality provided that the amount to be borrowed, together with the unpaid principal of other borrowings made for the purpose of financing operating expenditures, must not exceed the amount the municipality estimates will be raised in taxes in the year the borrowing is made;

AND WHEREAS Sec. 256 of the Act further provides that a borrowing bylaw does not have to be advertised if the term of the borrowing does not exceed 3 years;

AND WHEREAS the Council of the Town of Hardisty (Municipality) deems it advisable to borrow to meet the operating expenditure of the Municipality until such time as the current taxes levied or to be levied are collected;

AND WHEREAS the total amount of taxes to be levied in 2017 by the Municipality is estimated to be the sum of \$1,320,182.00

AND WHEREAS the amount of any existing debt of the Municipality including this **Corporate Credit Limit** of which no part shall be in arrears, and the total amount to be borrowed, together with the unpaid principal of other borrowings made for the purpose of financing operating expenditures, must not exceed the amount the municipality estimates to be raised in taxes in 2017 or its debt limit.

NOW THEREFORE under the authority of the Municipal Government Act RSA 2000, Chpt M-26, the Council of the Town of Hardisty, in the Province of Alberta, duly assembled enacts as follows:

PART 1 – DEFINITIONS AND INTERPRETATION

Short Title

1. This Bylaw may be cited as the ***“Corporate Credit Card Bylaw”***

Definitions

2. In this Bylaw, words have the meanings set out in the Act, except that:
 - (a) “Act” means the Municipal Government Act, RSA 2000, Chpt. M-26;



- (b) "Chief Administrative Officer" means the chief administrative officer of the Town of Hardisty;
- (c) "Mayor" means the chief elected official of the Town of Hardisty;
- (d) "Deputy Mayor" means the chief elected official appointed to act in the Mayor's absence.
- (e) "Municipality" means the municipal corporation of the Town of Hardisty
- (f) "ATB Financial" means Alberta Treasury Branches
- (g) "Mastercard" means ATB Financial Business Mastercard for corporate expenditures.
- (h) "Creditor" means ATB Financial Business Mastercard

Rules for Interpretation

- 3. References in this Bylaw to a statute, regulation or other bylaw refer to the current laws at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.
- 4. Headings and sub-headings in the Bylaw are included for convenience only, and shall not be considered in interpreting the substantive content of this Bylaw.
- 5. The preamble paragraphs that precede the numbered paragraphs of this Bylaw are an integral and necessary part of this Bylaw and not a mere recital.

PART II – BORROWING AUTHORIZATION

Line of Credit

- 6. The Town of Hardisty may borrow from ATB Financial (Mastercard) sums of money from time to time to complete operating expenditures for convenience purposes and where required by suppliers. Provided that the principal sum owed to ATB Financial at one time shall not exceed the sum of **\$25,000.00 (TWENTY FIVE THOUSAND DOLLARS AND 00/100 CENTS)**.
- 7. All sums borrowed under this Bylaw shall be borrowed on the general credit and security of the Town of Hardisty.
- 8. The Chief Administration Officer and Chief Elected Official or Deputy of the Municipality are hereby authorized to:
 - (a) apply to ATB Financial and obtain a credit facility with a CORPORATE MASTERCARD CREDIT CARD limit not to exceed the maximum amount this Bylaw authorizes may be borrowed; and



(b) execute on behalf of the Municipality promissory notes and other negotiable instruments or other evidence of indebtedness for the line of credit facility as ATB Financial may require as evidence of and security for all sums borrowed.

Interest Rate, Term and Terms of Repayment

- 9. All sums borrowed under this Bylaw shall bear interest at a rate of interest per annum from time to time established by ATB Financial (Mastercard) and such interest will be calculated pursuant to the creditor's terms and conditions and be due and payable the date required by ATB Financial (Mastercard) every month.
- 10. All sums borrowed under the Bylaw, including principal and interest, shall be due and payable in full MONTHLY and debited automatically from the Town of Hardisty's general operating account established and held by ATB Financial.

PART III – CORPORATE CREDIT CARD POLICY

Operational Terms & Conditions

- 11. THAT the Town of Hardisty Corporate Credit Policy attached as "Schedule A" is a forming part of this Bylaw and is hereby adopted by Council and may be amended from time to time by Council without having to amend this Corporate Credit Bylaw.
- 12. It is the responsibility of the Chief Administrative Officer to ensure that this policy is adhered to. The Town of Hardisty Council releases ATB Financial from any non compliance of the attached Corporate Credit Policy due to employee negligence.

Repayment Source

- 13. Revenue derived from the collection of municipal taxes levied will be used to repay the principal borrowed and interest owing under the Bylaw.

Severability

- 14. Every provision of this Bylaw is independent of all other provisions and it is the intention of the Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, all other provisions of the Bylaw shall remain valid and enforceable.

Effective Date

- 15. This Bylaw comes into effect when it has received third and final reading by unanimous consent of all members of Council present.

Handwritten signatures in black ink, appearing to be initials or names, located at the bottom right of the page.

16. Upon the operating establishment of the ATB Financial Business Mastercard, the Town of Hardisty will cancel the current VISA Corporate Credit Card held with US Bank (Canada Corporate Payment Services).

Read a FIRST time this 9TH day of MAY, 2017.

Read a SECOND time this 9TH day of MAY, 2017.

Read a THIRD and FINAL time with UNANIMOUS consent this 9TH day of MAY, 2017.



MAYOR, Anita Miller



CHIEF ADMINISTRATIVE OFFICER, Sandy Otto

