

TOWN OF GOLDEN

BYLAW NUMBER 944

Being a Bylaw of the Town of Golden to authorize the entering into of an Agreement respecting financing between the Municipality and the Columbia Shuswap Regional District

WHEREAS the Town of Golden ("the Municipality") is a member municipality of the Columbia Shuswap Regional District ("the Regional District");

AND WHEREAS the Regional District may from time to time finance, at the request, cost and on behalf of the Municipality, pursuant to the provisions of Section 815.1 of the Municipal Act, the works to be financed pursuant to the following loan authorization bylaw:

Sewer Treatment Plant Construction Bylaw Number 886, 1993 to authorize the construction of improvements to the sewer Treatment Plant servicing the Town of Golden.

AND WHEREAS the amount of borrowing authorized by the above bylaw, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, and the amount being issued under the authority thereof by this bylaw is as follows:

| Bylaw Number | Purpose | Amount of Borrowing Authorized | Amount Already Borrowed | Borrowing Authority Remaining | Terms of Issue | Amount of Issue |
|--------------|-------------------------------|--------------------------------|-------------------------|-------------------------------|----------------|------------------|
| 886 | Sewer Treatment Plant Upgrade | \$249,000 | 0 | \$249,000 | 20 yrs. | \$249,000 |
| | | | | TOTAL | | <u>\$249,000</u> |

AND WHEREAS the Municipal Council by this bylaw hereby requests that such financing shall be undertaken through the Municipal Finance Authority of British Columbia by the Regional District.

NOW THEREFORE the Council of the Town of Golden, in open meeting assembled,
HEREBY ENACTS AS FOLLOWS:

1. The Regional District is hereby requested and authorized to finance from time to time the aforesaid undertakings at the sole cost and on behalf of the Municipality up to but not exceeding TWO HUNDRED AND FORTY-NINE THOUSAND DOLLARS (\$249,000), in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in United States of America Dollars or United Kingdom Sterling but the aggregate amount in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$249,000 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Municipal Finance Authority of British Columbia may deem appropriate in consideration of the market and economic conditions pertaining.

2. Upon completion by the Regional District of financing undertaken pursuant hereto, the Mayor and Treasurer of the Municipality and under its seal shall at such time or times as the Regional District may direct, enter into and deliver to the Regional District one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, deliver or substituted hereinafter referred to as the "Agreement") providing for payment by the Municipality to the Regional District of the amounts required to meet the obligations of the Regional District with respect to its borrowings undertaken pursuant hereto, provided that the principal amount of the Agreement will not exceed the amount referred to in Section 1.
3. The Agreement shall be dated and payable in the principal amount or amounts of monies and in such currency or currencies as shall be borrowed by the Regional District pursuant to Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Regional District so as to be consistent with the repayment of monies being borrowed by the Regional District to finance the said undertakings of the Municipality as authorized by this bylaw.
4. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Regional District, and shall bear interest at a rate to be determined by the Treasurer of the Regional District so as to be consistent with the rate of interest payable on monies raised by the Regional District in order to finance the said undertakings in the amounts as authorized by this bylaw.
5. The Agreement shall be sealed with the seal of the Municipality and shall bear the signature of the Mayor and the Treasurer.
6. The obligation incurred under the said Agreement as to both principal and interest shall be payable at the principal office of the Regional District and at such time or times as shall be determined by the Regional District so as to be consistent with the repayment of the principal together with interest on unpaid amounts of money being borrowed by the Regional District in order to finance the undertakings of the Municipality as authorized by this bylaw.
7. If during the currency of the Agreement issued hereunder to secure borrowing in respect of Sewer Treatment Plant Construction Bylaw 886, 1993 the anticipated revenues accruing to the Municipality from the operation of the sewer system are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year there shall be levied a rate or rates over and above all other rates upon all land and improvements subject to taxation for general purposes in the Municipality in the same manner and at the same time as other rates an amount sufficient to meet such insufficiency.

- 8. The Municipality shall provide and pay over to the Regional District such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Municipality such deficiency shall be a liability of the Municipality to the Regional District and the Council of the Municipality shall make due provision to discharge such liability.
- 9. The Municipality shall pay over to the Regional District at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to Section 13 of the Municipal Finance Authority of British Columbia Act to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Regional District on behalf of the Municipality pursuant to the Agreement.
- 10. This Bylaw may be cited as "Security Issuing Sewer Treatment Upgrade Bylaw Number 944, 1994."

READ A FIRST TIME, this 8th day of August, 1994.

READ A SECOND TIME, this 8th day of August, 1994.

READ A THIRD TIME, this 8th day of August, 1994.

RECEIVED APPROVAL OF THE INSPECTOR OF MUNICIPALITIES,

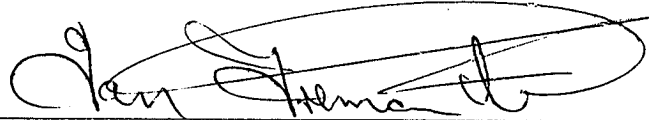
this 21st day of October, 1994.

(Section 337 of the Municipal Act)

ADOPTED this 7th day of November, 1994.



MAYOR



CLERK

Certified to be a true and correct copy of Bylaw Number 944, 1994, cited as "Security Issuing Bylaw Number 944, 1994."

Dated this _____ day of _____, 19__.

CLERK