

**THE CORPORATION OF THE VILLAGE  
OF SOUTH RIVER**

**By-law 1-2023**

**Being a By-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2023.**

WHEREAS the *Municipal Act, 2001, Section 407*, provides that a municipality may authorize borrowing, until the taxes are collected and other revenues are received, of the amount Council considers necessary to meet the current expenditures of the municipality for the year.

WHEREAS the total amount which may be borrowed from all sources, at any one time, to meet the current expenditures of the Corporation, except with the approval of the Municipal Board, is limited by Section 407 of the Municipal Act;

NOW THEREFORE the Council of the Corporation of the Village of South River enacts as follows:

1. The Municipality is hereby authorized to borrow from time to time by way of promissory note and/or line of credit during the year 2023 (hereinafter referred to as the current year) such sums as may be necessary to meet, until the taxes are collected and other revenues received, the current expenditures of the Corporation and the other amounts that are set out in Subsection 407 (1) the Municipal Act, 2001.
2. The lender from whom amounts may be borrowed under authority of this by-law shall be the Kawartha Credit Union and such other lender as may be determined from time to time by resolution of Council.
3. The total amount may be borrowed at any one time under this by-law, together with the total of any similar borrows that have not been repaid, shall not exceed from January 1<sup>st</sup> to September 30<sup>th</sup> of the current year, 50 percent of the total estimated revenue and from October 1<sup>st</sup> to December 31<sup>st</sup> of the current year, 25 percent of the total of the estimated revenues of the Corporation as set forth in the estimates adopted for the current year or \$300,000 whichever is less.
4. The Treasurer shall, at the time when any amount is borrowed under this by-law, ensure that the lender is or has been furnished with a certified copy of this by-law, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any amounts borrowed from any and all sources under authority of Section 407 of the Municipal Act, 2001 that have not been repaid.
5.
  - a) If the estimates for the current year have not been adopted at the time an amount is borrowed under this by-law, the limitation on total borrowing, as set forth in Section 3 of this by-law shall be calculated for the time being upon the estimates revenues of the Corporation as set forth in the estimates adopted for the previous year.
  - b) If the estimates for the current year have not been adopted at the time an amount is borrowed under this by-law, the statement furnished under Section 4 shall show the nature and amount of the estimated revenues of the Corporation as set forth in the estimates adopted for the previous year.
6. All or any sums borrowed under this by-law shall, with interest thereon, be a charge upon the whole revenues of the Corporation for the current year and for any preceding years as and when such revenues of the Corporation for the current year and for any preceding years as and when such revenues are received; provided that such charge does not defeat or affect and is subject to any prior charge then subsisting in favour of any other lender.

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7. The Treasurer is hereby authorized and directed to apply in payment of all or any sums borrowed under this by-law, together with interest thereon, all or any of the moneys hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and preceding years or from any other source, which may lawfully be applied for such purposes.

8. Promissory Notes or Banker's Acceptances made under section 1 shall be signed by the Treasurer and by the Head of Council or by such other person as is authorized by by-law to sign it.

9. This by-law shall take effect upon third reading thereof.

READ A FIRST, SECOND, THIRD TIME AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF JANUARY, 2023.

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Mayor, Jim Coleman

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Clerk-Administrator, Don McArthur