

TOWN OF SLAVE LAKE

BYLAW NO. 16-1982

A BYLAW TO AUTHORIZE THE MUNICIPAL COUNCIL OF THE TOWN OF SLAVE LAKE, IN THE PROVINCE OF ALBERTA TO INCUR AN INDEBTEDNESS ON BEHALF OF THE SAID TOWN BY THE ISSUANCE OF DEBENTURES FOR THE PURPOSE OF CONSTRUCTING A HIGH PRESSURE TRANSMISSION PIPELINE AND UPGRADING EXISTING FACILITIES FOR THE NATURAL GAS SYSTEM OF THE TOWN.

WHEREAS it is deemed expedient and proper pursuant to the provisions of Section 353 of the Municipal Government Act that the Council shall issue a Bylaw to authorize construction of a High Pressure Transmission Pipeline and Upgrading existing Facilities for the Natural Gas System of the Town of Slave Lake;

AND WHEREAS plans, specifications and estimates for such work have been made by Palmer Engineering Ltd., whereby the total cost of the said construction is estimates to be \$157,000.00;

AND WHEREAS in order to construct the said extensions, it will be necessary to borrow the sum of \$157,000.00 on the credit of the Town of Slave Lake by issuing debentures of the Town as herein provided;

AND WHEREAS the Municipal Government Act, as amended, provides that a debenture debt created for the purchase, construction, maintenance, or improvement of a public utility may be made;

- (a) a lien and first charge on the gross revenue of that public utility in priority to a charge on the taxes, rates or other revenues of the Town;
- (b) whenever it appears that such public utility rates are too low to produce sufficient revenue to pay the principal and interest on said debentures, the Council shall, by Bylaw, provide for the raising of the deficiency by an increase on the said rates;

AND WHEREAS it is estimated that the rates proposed for the natural gas service to be provided by the system authorized hereby will produce gross revenue more than sufficient to pay the costs of operating and maintaining the said utility in a proper and satisfactory manner, and to pay the cost of natural gas, and to pay the installments on principal and interest when they become due;

AND WHEREAS the Town of Slave Lake Gas System is subject to the Public Utilities Act, the matter of rates may be modified by the Board of Public Utilities;

AND WHEREAS the amount of the equalized assessment in the municipality as last determined and by the Assessment Equalization Board is \$18,260,440.00;

AND WHEREAS the amount of the existing debenture debt of the Town is \$2,241,299.00;

AND WHEREAS the estimated life of the project is twenty-five (25) years;

AND WHEREAS the said indebtedness is to be repaid over a period to twenty (20) years in annual installments with interest not exceeding twenty-five (25) per centum per annum, payable annually;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF SLAVE LAKE IN COUNCIL DULY ASSEMBLED ENACTS AS FOLLOWS:

1. The Municipal Council of the Town of Slave Lake is hereby empowered and authorized to enter into contracts for the purpose of undertaking the extension to the Natural Gas System of the Town.
2. That for the purpose aforesaid, the sum of One hundred and fifty-seven thousand (\$157,000.00) dollars be borrowed by way of debentures on the credit and security of the Town of Slave Lake at large, the said debentures shall constitute a general obligation of the Town and subject to the Public Utilities Act, be payable, both principal and interest in the first instance, from the revenues derived from the operation of the said Natural Gas Utility; and, in the event such derived revenues are inadequate to pay the said principal and interest, from the general revenue of the Town.
3. The debentures to be issued under this by-law shall not exceed the sum of one hundred fifty-seven thousand dollars (\$157,000.00), and may be in any denomination not exceeding the amount authorized by this by-law and shall be dated having regard to the date of the borrowing.
4. The debentures shall bear interest during the currency of the debentures, at a rate not exceeding twenty-five per centum (25%) per annum, payable annually.
5. The debentures shall be issued in such manner that the principal and interest will be combined and be made payable in, as nearly as possible, equal annual instalments over a period of twenty (20) years, in accordance with the schedule attached and forming a part of each debenture.
6. The debentures, shall be payable in the lawful money of Canada at the Royal Bank of Canada in the Town of Slave Lake, and at such other branches of the said Bank as may be appropriate.
7. The said debentures shall be signed by the Mayor and Secretary-Treasurer of the Town of Slave Lake, and the Secretary-Treasurer shall affix thereto the corporate seal of the said Town.
8. The Mayor and Secretary-Treasurer of the Town of Slave Lake shall authorize such Bank of financial institution to make payments to the holder of the debentures, on such dates and in such amounts as specified in the repayment schedule forming part of each debenture.
9. The principal of and interest on the secured debentures herein authorized shall be payable firstly from the revenues derived by and from the operation of the system and any deficiency to pay the said debentures of the interest thereon shall be payable in whole or part out of funds raised by taxation.
10. The said indebtedness is contracted on the credit and security of the Town of Slave Lake at large.
11. The net amount realized by the issue and sale of debentures issued under the by-law shall be applied only for the purposes for which the indebtedness was created unless otherwise authorized by an Order of the Local Authorities Board.
12. This by-law shall take effect on the day of the final passing thereof.

READ a first time in Council this 22nd day of December, A.D., 1982.


MAYOR


SECRETARY-TREASURER

READ a second and third time and finally passed this 9th day of
March , A.D., 1983.


MAYOR


SECRETARY-TREASURER

BEFORE THE:

Alberta

**BOARD ORDER NO. 16201

LOCAL AUTHORITIES BOARD

FILE: 163

IN THE MATTER OF THE "Local Authorities Board Act":

AND IN THE MATTER OF THE "Municipal Government Act":

AND IN THE MATTER OF an application by the Town of Slave Lake for authorization to borrow by way of debenture issuance.

WHEREAS, an application has been made to the Local Authorities Board by the Town of Slave Lake, in the Province of Alberta, for authorization to borrow by way of debenture an amount not exceeding the sum of ONE HUNDRED FIFTY-SEVEN THOUSAND DOLLARS (\$157,000.00) for the purpose of constructing a high pressure transmission pipeline and upgrading existing facilities for the natural gas system, in accordance with the provisions of By-law No. 16-1982, read a first time on the 22nd day of December, 1982, a copy of the said By-law having been filed with the Board:

THEREFORE, the Local Authorities Board, having read the said By-law and other material filed, HEREBY ORDERS:

- I. That no work shall be commenced, nor shall any expenditures be made or obligations created for the project, and the debentures shall not be signed until:
 - (a) a declaration has been filed to the effect that the project cost will not exceed that established by By-law No. 16-1982, and
 - (b) the said By-law has been given second and third readings and the Municipality has received from the Board a Certificate stating that the provisions of Section 353 of the Municipal Government Act have been met or fulfilled.
- II. That subject to Clause I of this Order, the issuance of debentures by the Town of Slave Lake in an amount not exceeding the sum of ONE HUNDRED FIFTY-SEVEN THOUSAND DOLLARS (\$157,000.00) for the purpose set out above and in accordance with the provisions of said By-law No. 16-1982, is hereby authorized.
- III. That in the event monies are received toward the herein described project from any other source, either before or after debentures are issued, such monies shall
FIRSTLY: be applied in full against the cost of the project and shall reduce the capital requirements to be borrowed by way of debenture issuance; or
SECONDLY: be forthwith applied in full to reduce or cancel the capital borrowing incurred pursuant to this Order and an application shall immediately be made to cancel the debenture originally issued and to substitute therefore a debenture for a lesser amount, as provided by Section 344 of the Municipal Government Act.
Such monies received may not be utilized in any other manner nor for any other purpose than that provided for in this part.
- IV. That the net amount realized from the sale of debentures issued under this Order shall be applied only for the purpose for which the indebtedness was created.
- V. That the debenture(s) to be issued under this Order may be dated upon such day as may be appropriate having regard to the date of the borrowing of the money, may be payable in twenty (20) annual instalments of principal and interest, and may bear interest at a rate not exceeding twenty-five per centum (25%) per annum, payable annually.
- VI. That in the event any temporary financing is required under Section 322 of the Municipal Government Act, relating to the project, a separate By-law and Board Order are required and the proceeds of debentures issued pursuant to this Order shall be firstly applied to the repayment of the temporary borrowing.

DATED and signed at the City of Edmonton, in the Province of Alberta, this 1st day of March, A.D., 1983.

LOCAL AUTHORITIES BOARD

(SGD.) C.I. SHELLEY
CHAIRMAN

CERTIFIED A TRUE COPY

Beaul
SECRETARY



CERTIFICATE NO. 8839

BEFORE THE LOCAL AUTHORITIES BOARD

FILE: 163

IN THE MATTER OF THE "Municipal Government Act":

and

IN THE MATTER OF an application to the Local Authorities Board by the Town of Slave Lake for a Certificate respecting By-law No. 16-1982 of the said Municipality.

This is to certify that the Town of Slave Lake, in the Province of Alberta, has satisfied the Board that it has complied with the requirements of Section 353 of the Municipal Government Act. The Town of Slave Lake is now authorized to issue debentures in accordance with the provisions of By-law No. 16-1982 of the said Town and Board Order No. 16201, dated the 1st day of March, 1983.

DATED and signed at the City of Edmonton, in the Province of Alberta, this 7th day of April, 1986.

LOCAL AUTHORITIES BOARD

(SGD.) C.I. SHELLEY
CHAIRMAN

CERTIFIED A TRUE COPY

B. Smith
SECRETARY