

SAMPLE BY-LAW

The (name of Municipality)
By-law No. _____

Being a By-law of the _____ to enter into an agreement with the _____ for equipment financing for the purchase of a _____.

Whereas Section 250 of *The Municipal Act* provides in Part as follows:

250(2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- (a) acquire, hold, mortgage and dispose of land, improvements and personal property, or an interest in land, improvements and personal property;

And Whereas Section 251 of *The Municipal Act* provides in Part as follows:

251(1) The power of a municipality referred to in Clause 250(2) to acquire land, improvements and personal property includes

- (a) acquisition by purchase, lease, gift or otherwise, on any terms or conditions acceptable to the Council;

And Whereas Section 172 of *The Municipal Act* provides in Part as follows:

172 In this Division, "borrowing" means the borrowing of money, and includes

- (d) an agreement to purchase capital property that creates an interest in the capital property to secure payment of the capital property's purchase price if payment of the purchase price under the agreement exceeds three years;

And Whereas Section 174 of *The Municipal Act* provides in Part as follows:

174(1) A municipality may make a borrowing only if

- (a) the borrowing is authorized by a by-law; and
- (b) subject to subsection (2), the borrowing is set out as a debt obligation in the operating budget or capital budget or it is made to fund an expenditure authorized under subsection 169(5);

And Whereas the Council of the _____ deems it necessary and in the best interest of the municipality to enter into a borrowing agreement for the purchase of a _____.

And Whereas, in order to complete such undertaking, it will be necessary to enter into a borrowing agreement with the _____ for the sum of \$ _____ as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

And Whereas the _____ amounts, including principal and interest, required to be raised for _____ years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

And Whereas the assessed value of the whole land chargeable under this by-law, according to the last revised assessment roll, is \$ _____;

