

## **BORROWING FOR A CAPITAL PROJECT BYLAW**

### **HAMLET OF \_\_\_\_\_ BYLAW NUMBER \_\_\_\_\_**

A bylaw of the Hamlet of \_\_\_\_\_ the (“Hamlet”) in the Northwest Territories pursuant to sections 112 to 117 of the *Hamlet Act*, S.N.W.T 2003, C. 22 (the “*Hamlets Act*”).

WHEREAS the council of the Hamlet deems it to be necessary or desirable to borrow money for a period exceeding one year for the purpose of financing the cost of [insert description of capital project/purpose for which money is being borrowed] (the “Purpose(s)”);

AND WHEREAS the borrowing contemplated by this Bylaw will not cause the Hamlet to exceed any applicable limits for borrowing established by the *Hamlet Debt Regulations*, R-071-2005;

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF \_\_\_\_\_, at a duly assembled meeting, enacts as follows:

### **BORROWING FOR CAPITAL PROJECT**

1. The Hamlet is hereby authorized to borrow up to \$ [insert maximum amount to be borrowed] from an approved lender for the above referenced Purpose(s).
2. The Hamlet is authorized to, for the purposes of the borrowing, enter into [insert particulars of any security or debt instrument to be issued or entered into in respect of the borrowing, as contemplated by section 113(2)(c) and (d) of the *Hamlets Act*].
3. The term of the borrowing shall not exceed twenty (20) years.
4. The interest rate payable by the Hamlet for the borrowing shall not exceed [insert maximum interest rate] % per annum.
5. Interest and principle shall be payable from [insert description of source(s) of revenue from which payments will be made].
6. The senior administrative officer is authorized to, from time to time, when beneficial to the Hamlet, negotiate a resetting or adjustment of the payment rate, interest rate or financial costs associated with the borrowing authorized by this Bylaw.

7. The senior administrative officer shall report to council on the status of the borrowing authorized by this Bylaw as part of the financial reports given to council.

### **SEVERABILITY**

8. Each provision of this Bylaw is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason, all other provisions of this Bylaw shall remain valid and enforceable, and the Bylaw shall be interpreted as such.

Read a first time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read a second time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Bylaw received the approval of the voters, after first reading and prior to third reading, as required by the *Hamlets Act*, by a vote held on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the results of which was \_\_\_\_ in favour and \_\_\_\_ opposed.

Approved by the Minister of Municipal and Community Affairs of the Northwest Territories, after first reading and prior to third reading, on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Minister of Municipal and Community Affairs

Read a third time this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed, certified by the senior administrative officer and sealed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

I hereby certify that this bylaw has been made in accordance with the requirements of the *Hamlets Act* and the bylaws of the Hamlet.

\_\_\_\_\_  
Senior Administrative Officer

**[SEAL]**