

COUNTY OF OXFORD

BY-LAW NO. 6551-2023

BEING a by-law to authorize the borrowing upon funds from the Landfill and Waste Diversion Reserve Fund in the amount of \$30,000 for the purposes of The Corporation of the Town of Tillsonburg – Tillsonburg BIA projects.

WHEREAS subsection 401 (1) of the Municipal Act, 2001, as amended (the “Act”) provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act;

AND WHEREAS the Council of The Corporation of the Town of Tillsonburg (the “Municipality”), which is a lower-tier municipality forming part of the County of Oxford (hereinafter called the “County”), has passed By-law No. 2023-051 authorizing debt financing in respect of the Tillsonburg BIA capital work referred to therein (hereinafter called “the Capital Work”);

AND WHEREAS the County has received a request from the Municipality to borrow money for the purpose of providing long-term financing through the issue of debentures for the approved Capital Work and had its Treasurer calculate an updated limit in respect of its most recent annual debt financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work, would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work, by the Ontario Land Tribunal or its predecessor pursuant to such regulation was not required;

AND WHEREAS Section 417(3) of the *Municipal Act*, 2001, S.O. 2001 c. 25, provides that money raised by a body exercising a power with respect to municipal affairs under any Act in unorganized territory for a reserve fund shall be paid into a special account and may be invested only in the securities or classes of securities prescribed;

AND WHEREAS the County has adopted an Investment Policy No. 6.06 in accordance with Section 418 of the *Municipal Act*, 2001 and Ontario Regulation 438/97, providing legislative authority for the investment guidelines of municipal funds;

NOW THEREFORE THE COUNCIL OF THE COUNTY OF OXFORD ENACTS AS FOLLOWS:

1. That, for the purpose of financing the Capital Work, funds be borrowed upon the credit of the Municipality and County.

2. The principal amount of \$30,000 shall be debentured upon the Landfill and Waste Diversion Reserve Fund to be repaid in semi-annual instalments of combined principal and interest, as hereinafter set forth, is hereby authorized.
3. That the debenture shall be dated the 30th day of June, 2023 with repayment beginning on the 31st day of December, 2023 in lawful money of Canada and shall mature during a period of three years from the date thereof and the respective amounts of principal and interest payable in each of the years in such period shall be as set out in Schedule "A" attached hereto and forming part of this By-law ("Schedule "A"). The loan shall bear interest from the date thereof payable semi-annually in arrears in each year. The loan shall bear interest at the rate of 5.22% per annum.

READ a first and second time this 28th day of June, 2023.

READ a third time and finally passed in this 28th day of June, 2023.

JERRY ACCHIONE, DEPUTY WARDEN

ANGIE FERRELL, ACTING CLERK

SCHEDULE "A"

BY-LAW NO. 6551-2023

3 Year Amortization – Principal Amount \$30,000

| Date | Payment | Interest | Principal | Balance |
|---------------|--------------------|-------------------|--------------------|----------------|
| 2023-06-30 | | | | 30,000.00 |
| 2023-12-31 | \$5,466.55 | \$783.00 | \$4,683.55 | \$25,316.45 |
| 2024-06-30 | 5,466.55 | 660.76 | 4,805.79 | 20,510.66 |
| 2024-12-31 | 5,466.55 | 535.33 | 4,931.22 | 15,579.44 |
| 2025-06-30 | 5,466.55 | 406.62 | 5,059.93 | 10,519.51 |
| 2025-12-31 | 5,466.55 | 274.56 | 5,191.99 | 5,327.52 |
| 2026-06-30 | 5,466.55 | 139.03 | 5,327.52 | 0.00 |
| Totals | \$32,799.30 | \$2,799.30 | \$30,000.00 | |