

Authority: Notice of Motion, moved by Mayor Lastman,  
seconded by Councillor Ootes, and  
Report dated December 23, 1997,  
from the Chief Financial Officer and Treasurer,  
adopted by Council on January 6, 1998

Intended for first presentation to Council: January 6, 1998

Adopted by Council: January 6, 1998

## **CITY OF TORONTO**

### **BY-LAW No. 12-1998**

#### **To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.**

WHEREAS subsection 188(1) of the Municipal Act provides that when a municipality has approved an undertaking to be financed in whole or in part by incurring long-term debt, the municipal council may by by-law authorize temporary borrowing to meet expenditures made in connection with the said undertaking; and

WHEREAS subsection 183(1) of the Municipal Act provides that, pending the sale of a debenture, or in lieu of selling it, a municipal council may by by-law authorize the head of council and the treasurer to raise money by way of loan on the debenture and to hypothecate the debenture for the loan; and

WHEREAS subsection 123(7) of the Municipal Act, as amended, provides that a municipal council may and, upon the request of a school board exercising jurisdiction in all or part of the municipality shall, pending the issue and sale of debentures, agree with a bank or person for temporary advances from time to time for the purposes authorized, and pending the sale of debentures or in lieu of selling them, authorize the chair and treasurer to raise money by way of loan on the debentures and to hypothecate them for the loan, and shall transfer the proceeds of such advance or loan to the school board.

The Council of the City of Toronto (the "Council") HEREBY ENACTS as follows:

**1.** When Council has authorized the borrowing of money and the issuance of debentures for the purposes of the City of Toronto, including the purposes of any former area municipality, the former Municipality of Metropolitan Toronto, or a board of education, authority is hereby granted

- (a) to the Treasurer to obtain from a bank or person temporary advances from time to time for the purposes authorized, and to borrow temporarily to meet expenditures made in connection with the undertaking, pending the sale of the debentures,
- (b) to the Mayor and the Treasurer to raise money by way of a loan on the debentures and to hypothecate them for the loan pending the sale of the debentures or in lieu of selling them,
- (c) to the Treasurer to transfer the proceeds of any advance or loan obtained for a board of education to such board of education, and

- (d) to the Mayor and the Treasurer to enter into any agreements necessary to give effect to the foregoing.

**2.** Where a board of education requests the Treasurer to exercise the authority granted by section 1, the temporary advances referred to in clause 1(a) shall be obtained or the raising of money and hypothecation of debentures referred to in clause 1(b) shall be undertaken in accordance with the provisions of the Municipal Act, this by-law and the request of the board of education.

ENACTED AND PASSED this 6th day of January, A.D. 1998.

MEL LASTMAN,  
Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)