

Authority: Strategic Policies and Priorities Committee Report No. 2, Clause 11,
as adopted by City of Toronto Council on February 2, 3 and 4, 1999
Enacted by Council: February 4, 1999

CITY OF TORONTO

BY-LAW No. 67-1999

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

WHEREAS subsection 183(1) of the 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 188(1) of the Act provides that if 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 123(2) of the Municipal Act (“the Act”) provides that where a school board exercises jurisdiction in all or part of a municipality, the school board may apply to the council of the municipality for the sale and issue of debentures on the credit of the municipal corporation for raising such sums as may be required by the school board for permanent improvements; and

WHEREAS subsection 123(7) of the Act, as amended, provides that a municipal council or the school board pending the issue and sale of debentures may, and the municipal council upon the request of a school board exercising jurisdiction in all or part of the municipality shall agree with a bank or person for temporary advances from time to time for the purposes authorized and the municipal council may, or on the request of the school board shall, pending the sale of such 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 HEREBY ENACTS as follows:

1. When Council has approved an undertaking to be financed in whole or in part by incurring long-term debt and has authorized the temporary borrowing of money pending the sale and issuance of debentures for the purposes of the City of Toronto, including the purposes of any former area municipality, the former municipality called The Municipality of Metropolitan Toronto, or a school board, authority is 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 in an amount not to exceed the gross expenditure approved in respect of each such undertaking, pending the sale and issuance of 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 and issuance of debentures or in lieu of selling them,
- (c) to the Treasurer to transfer the proceeds of any advance or loan obtained for a school board to such board, and
- (d) to the Mayor and the Treasurer to enter into any agreements necessary to give effect to the foregoing.

2. When a school board requests the Treasurer to agree with a bank or person for temporary advances in an amount not to exceed the gross expenditure approved in respect of each such purpose authorized by the school board, the temporary advances shall be obtained or the raising of money by way of loan on the debentures and the hypothecation of them for the loan shall be undertaken in accordance with the request of the school board, section 1 of this by-law and the provisions of the Municipal Act.

ENACTED AND PASSED this 4th day of February, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)