

Authority: Policy and Finance Committee Report No. 2, Clause No. 9,
as adopted by City of Toronto Council on February 13, 14 and 15, 2002
Enacted by Council: February 15, 2002

CITY OF TORONTO

BY-LAW No. 54-2002

To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 2002.

WHEREAS subsection 187(1) of the *Municipal Act* (“the Act”) provides that a municipal council may by by-law authorize the head of council and the treasurer of the municipality to borrow from time to time by way of promissory note or bankers’ acceptance such sums as the council may deem necessary to meet, until the taxes are collected and other revenues for the current year are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide; and

WHEREAS subsection 187(2) of the Act, as amended, provides that the amount which may be borrowed at any one time for the purposes mentioned in subsection 187(1) together with the total of any similar borrowings that have not been repaid, shall not at any point in time, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th, 50 per cent of the total, and from October 1st to December 31st, 25 per cent of the total estimated revenues of the corporation as set forth in the estimates adopted for the year; and

WHEREAS subsection 187(4) of the Act provides that until the estimates for 2002 are adopted, the limitations upon borrowing prescribed by subsection 187(2), shall temporarily be calculated upon the estimated revenues of the corporation as set forth in the estimates adopted for 2001; and

WHEREAS subsection 187(4.1) of the Act provides that, for the purposes of subsections 187(2) and 187(4), estimated revenues do not include revenues derivable or derived from borrowings or issues of debentures, a surplus including arrears of levies, or a transfer from the capital fund, reserve funds or reserves; and

WHEREAS it is deemed necessary by the Council to borrow from time to time in 2002 sums not to exceed the aggregate sum of One Billion Dollars (\$1,000,000,000.00) to meet, until the taxes are collected and other revenues for the current year are received, the current expenditures of the City of Toronto for the year 2002; and

WHEREAS the said sum of One Billion Dollars (\$1,000,000,000.00) plus any similar borrowings that have not been repaid from time to time during 2002 which remain outstanding is less than 50 per cent of the total amount of the estimated revenues of the City of Toronto as set forth in the sum of the estimates adopted for the year 2001;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The Mayor and Treasurer of the City of Toronto be and they are hereby authorized to borrow from time to time by way of promissory notes or bankers' acceptances, subject to the limitations in subsections 187(2) and 187(17) of the Act, a sum or sums not exceeding in all the sum of One Billion Dollars (\$1,000,000,000.00) to meet, until the taxes are collected and other revenues for the year 2002 are received, the current expenditures of the City of Toronto for 2002, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the City of Toronto, including any debt incurred by any former area municipality and by the former municipality called The Municipality of Metropolitan Toronto, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the City of Toronto is required by law to provide.
2. Any promissory note or bankers' acceptance made under the authority of section 1 shall be sealed and signed by the Mayor and the Treasurer in accordance with the provisions of the *Municipal Act*.

ENACTED AND PASSED this 15th day of February, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)