

Municipality of Rhineland

By-law No. 2018-06

Being a By-law of the Municipality of Rhineland to authorize the Expenditure and Borrowing of money for the installation of a low-pressure sewer system in Plum Coulee East as a Local Improvement.

WHEREAS Section 311 of *The Municipal Act*, S.M. 1996, C.58, provides in part as follows:

If approved by by-law, a municipality may undertake, as a local improvement for the benefit of all or part of the municipality,

- (a) the acquisition, development, upgrading or replacement of one or more of the following:
 - (i) sewage collection and treatment facilities;
 - (b) any other project the cost of which includes a capital component.

AND WHEREAS Subsection 320(1) of *The Municipal Act* provides as follows:

Subject to subsection (2) to (6) and subsection 321(4), a Council may by by-law

- (a) approve the local improvement or special service as set out in the plan or proposal; and
- (b) authorize the municipality to impose taxes as set out in the plan or proposal.

AND WHEREAS Section 172 of *The Municipal Act* provides in part as follows:

In this Division,

"Borrowing" means the borrowing of money, and includes

- (b) borrowing to pay for a local improvement under Division 4 (Local Improvements and Special Services) of Part 10,
- (e) issuing debentures.

AND WHEREAS, the Council of the Municipality of Rhineland has prepared Local Improvement Plan No. 2018-1 providing for the spending, borrowing authority, and imposition of taxes for the installation of a low-pressure sewer system in Plum Coulee East as a local improvement pursuant to Part 10 of *The Municipal Act*;

AND WHEREAS, in order to complete such undertaking, it will be necessary for the Municipality of Rhineland to borrow the sum of \$420,000 as hereinafter provided, which is the amount of the debt intended to be created by this by-law;

AND WHEREAS the consecutive annual amounts, including principal and interest, required to be raised each year for 15 years, as hereinafter provided, for paying the principal and interest under this by-law are the amounts set out in Schedule "A" hereto;

AND WHEREAS the requirements are prescribed in Sections 318, 319 and 320 of *The Municipal Act* have been complied with;

AND WHEREAS the amount of the existing borrowing debt of the Municipality of Rhineland is \$2,160,302, of which no portion of the principal or of the interest thereon is in arrears;

NOW THEREFORE the Council of the Municipality of Rhineland in regular session assembled, enacts as follows:

1. That pursuant to subsection 320(1) of *The Municipal Act*, Municipality of Rhineland adopt Local Improvement Plan No. 2018-1 attached hereto as Schedule "B".
2. That the Municipality of Rhineland may expend up to four hundred and fifty thousand dollars \$450,000 for the purpose of installing a low-pressure sewer system in Plum Coulee East as a local improvement.

3. That for the aforesaid project, the said municipality may borrow four hundred and twenty thousand dollars \$420,000, such borrowing shall be issued by the Municipality of Rhineland in the Province of Manitoba, and shall be payable at the Access Credit Union in the Town of Altona, and shall be dated the 31st day of December, A.D. 2018.
4. That the said borrowing shall bear interest at a rate estimated for the time being at 6% per annum, and subject in any event to the authorization of The Municipal Board at the time of sale, and shall mature in accordance with the maturities set out in Schedule "A" hereto on the 31st day of December in each of the years 2019 to 2033, both inclusive.
5. That the issuance of borrowings shall be signed by the Reeve, or by some other person authorized by by-law to sign same, and by the Chief Administrative Officer of the Municipality of Rhineland and there shall be affixed thereto the corporate seal of the said municipality.
6. That during the currency of the said borrowing; namely, in each of the years 2019 to 2033, both inclusive, there shall be raised annually by a per parcel levy on all taxable, grant-lieu and otherwise exempt property receiving sewer connection in Plum Coulee East within the Municipality of Rhineland, an amount sufficient to meet the requirement for principal and interest, which amount may be reduced by the application of general revenue.
7. That pursuant to subsection 174(3)(d) of *The Municipal Act*, pending the issue of the borrowing, the Council of the Municipality of Rhineland may agree with a bank or person or borrow from the general funds of the municipality for temporary advances from time to time to meet expenditures incurred for the purpose aforesaid, and the total of such advances shall not exceed Four Hundred Fifty Thousand dollars \$450,000.
8. That, at any time prior to or within (30) days following completion of the work, any ratepayer of the area affected by the local improvement as described in Schedule "C" hereto may commute and pay in one principal sum that part of his/her share of the debt herein authorized in respect of the per parcel rate provided herein to the said Chief Administrative Officer of the Municipality of Rhineland and thereafter no per parcel rate shall be levied against his/her said lands in respect of the borrowing to be authorized herein.

DONE AND PASSED by a by-law of the Municipality of Rhineland in the Province of Manitoba this 9th day of May, 2018.



Reeve Don Wiebe



Chief Administrative Officer Mike Rempel

Read a first time this 14th day of March, 2018 A.D.

Read a second time this 9th day of May, 2018 A.D.

Read a third time this 9th day of May, 2018 A.D.