

THE CORPORATION OF THE CITY OF BROCKVILLE

BY-LAW 84-94

A BY-LAW OF THE CITY OF BROCKVILLE RESPECTING THE  
CONTRIBUTION TO THE YM/YWCA EXPANSION INCLUDING A  
COMMUNITY ACCESSIBLE POOL FACILITY.

WHEREAS pursuant to section 207.58 of the Municipal Act, R.S.O. 1990, c.M45 amended, the council of a local municipality may pass bylaws for acquiring, erecting, altering, maintaining, operating or managing or granting aid for the acquisition, erection, alteration, maintenance, operation or management of monuments, memorial windows, tablets, parks, recreational areas, playgrounds, athletic fields, zoological or other gardens, natural history collections, observatories or works of art, or other places of recreation and amusement, arenas, auditoriums, health or community recreation centres, stadiums, museums, including public historical museums and similar buildings, within or outside the municipality and any such undertaking may be for the purpose of commemorating or honouring persons or events; AND

WHEREAS the Council deems the construction of the proposed aquatic facility by the YM/YWCA will adequately meet the needs of the community; AND

WHEREAS the YM/YWCA cannot finance on its own the construction of this facility and has requested the City for financial assistance; AND

WHEREAS the Council deems it advisable to assist the YM/YWCA in this undertaking.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

1. DEFINITIONS:- (In this section),

(a) "municipality" means a municipality as defined in the Municipal Affairs Act.

2. THAT the City contribute to the financing of the proposed aquatic facility to be constructed as part of the expansion program of the YM/YWCA.

3. THAT the estimated cost of the proposed contribution is Six Hundred Thousand Dollars (\$600,000.00) to be financed over a five year period in the following manner:

Year 1 - 1994	\$60,000.
Year 2 - 1995	60,000.
Year 3 - 1996	120,000.
Year 4 - 1997	120,000.
Year 5 - 1998	120,000.

TOTAL	<u>\$600,000.</u>
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4. THAT the Treasurer of the Corporation be and is hereby authorized to expend the sum of Six Hundred Thousand Dollars (\$600,000.00) for the purposes aforesaid being the total estimated contribution provided that funding for each year as aforesaid be separately authorized by Council in the approved Capital Budget of the Municipality.

5(a) THAT the Mayor and Treasurer of the Corporation are hereby authorized to obtain from any bank or banks or other lenders, temporary advances at a borrowing rate not exceeding the banks prime lending rate to Municipalities, by way of a promissory note or notes or otherwise but not to exceed the sum of Six Hundred Thousand Dollars (\$600,000.) being the total estimated cost of the said commitment until and pending completion of said works provided that each year of the contribution program be separately authorized by the Council in the approved Capital Budget for that year.

5(b) THAT a promissory note or notes or other vouchers sealed with the seal of the Corporation and signed on behalf of the Corporation by the Mayor and Treasurer be given to the bank or banks or other lenders for advances obtained on the authority of this instrument and providing for repayment of said advances with interest thereon.

5(c) THAT the Treasurer of the Corporation is hereby directed and authorized to apply in payment of said advances with interest thereon all monies borrowed on the credit of the Corporation to defray the cost of the said works and all monies from other sources properly applicable to the cost of said works.

5(d) THAT the Treasurer of the Corporation is hereby authorized to approve for payment additional expenditures for the said capital project, from contingency funds allocated for this purpose, subject to the following conditions and limitations;

1. That the request for the additional expenditure is submitted by the Director of Engineering in writing to the City Treasurer; and
2. That the approval of the Chief Administrative Officer has been obtained for the requested additional expenditure; and
3. That the amount of the additional expenditure shall not exceed Ten Percent (10%) of the approved capital project cost; and
4. That the amount of the additional expenditure approved as aforesaid shall not exceed the greater of the balance remaining in the contingency fund or the amount that Ten Percent is of the approved capital project cost providing that this amount is no greater than Twenty-Five Percent (25%) of the contingency funds available.

6. THAT the provisions of this By-Law shall not become effective until approval of the undertaking and subsidy contribution is received from the Ministry of Municipal Affairs - Jobs Ontario.

7. THAT the Certificate of the Treasurer and the Project Manager's report, Schedules A and B of this by-law. shall be read with and form part of this by-law.

GIVEN UNDER THE SEAL OF THE CORPORATION OF  
THE CITY OF BROCKVILLE AND PASSED  
THIS 12<sup>th</sup> DAY OF April A.D. 1994

MAYOR

CLERK