



THE CORPORATION OF THE  
**CITY OF CRANBROOK**

BYLAW NO. **4095**

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**LOAN AUTHORIZATION BYLAW (SHADOW MOUNTAIN SANITARY SEWER  
CONSTRUCTION LOCAL AREA SERVICE)**

A bylaw of the City of Cranbrook to authorize borrowing for the purpose of the Shadow Mountain Sanitary Sewer Construction Local Area Service.

WHEREAS it is deemed desirable and expedient for the City of Cranbrook to establish a local area service, to be known as Shadow Mountain Sanitary Sewer Construction Local Area Service, to:

- A. design and construct sanitary sewerage works (the "Works"), including but not limited to three pump stations, alarm systems, SCADA systems, forcemain, gravity sewer, highway crossings, electrical services to the pump stations, a water service to one of the pump stations and related appurtenances, to service the Shadow Mountain Sanitary Sewer Construction Local Service Area, as shown on Appendix I attached to and forming part of this bylaw, which area is hereinafter referred to as the "Service Area";
- B. acquire land or interests in land necessary or beneficial for the construction, operation and maintenance of the Works; and
- C. finance the cost of borrowing for such construction and acquisition;

AND WHEREAS the construction of the Works will improve the Service Area;

AND WHEREAS Section 179 of the Community Charter empowers a Council, by bylaw, to incur borrowing for a capital purpose, subject to approval by the Inspector of Municipalities;

AND WHEREAS, pursuant to the provisions of Sections 217 and 213 of the Community Charter, the Council of a municipality is authorized to borrow all or part of the funds required for a local area service if the Council proposes, subject to petition against pursuant to section 213 of the Community Charter, to recover all or part of the costs of the local area service by a local service tax pursuant to section 216 of the Community Charter;

AND WHEREAS all the costs of borrowing for the construction of the Works and the property acquisition relating to the Shadow Mountain Sanitary Sewer Construction Local Area Service are to be recovered by a local service tax;

AND WHEREAS the Council of the City of Cranbrook has given notice of its intention, subject to petition against, to borrow to recover all of the costs of the construction of the Works and the property acquisition relating to the Shadow Mountain Sanitary Sewer Construction Local Area Service;

AND WHEREAS the Municipal Officer assigned responsibility for Corporate Administration for the City of Cranbrook has certified that the petition against the proposed borrowing does not constitute a sufficient petition signed by a majority of the owners, representing at least half of the assessed value of the parcels that would be subject to the local service tax;

AND WHEREAS the approval of this bylaw by the Inspector of Municipalities has been obtained;

AND WHEREAS the authority to borrow under this bylaw expires five (5) years after the date on which this bylaw is adopted;

AND WHEREAS the debt to be created by this bylaw and recoverable by local service tax from the owners of property in the Service Area is a sum not exceeding Nine Million One Hundred Twenty

Thousand Three Hundred Dollars (\$9,120,300), plus interest;

NOW THEREFORE, the Municipal Council of the City of Cranbrook, in open meeting assembled, enacts as follows:

1. This bylaw shall be cited as "Loan Authorization Bylaw (Shadow Mountain Sanitary Sewer Construction Local Area Service) No. 4095, 2022".
2. The Council is hereby empowered and authorized to borrow upon the credit of the municipality a sum not exceeding Nine Million One Hundred Twenty Thousand Three Hundred Dollars (\$9,120,300).
3. The entire amount for which the debt is to be incurred is for a capital purpose, namely:
  - A. all things necessary for the design and construction of the Works;
  - B. acquisition of land or interests in land necessary or beneficial for the construction, operation and maintenance of the Works; and
  - C. financing the cost of borrowing for such construction and acquisition.
4. The maximum term for which debentures may be issued to secure the debt authorized by this bylaw is thirty (30) years.
5. This bylaw shall take effect on the date of its adoption by Council.

Read a first time this      day of

Read a second time this      day of

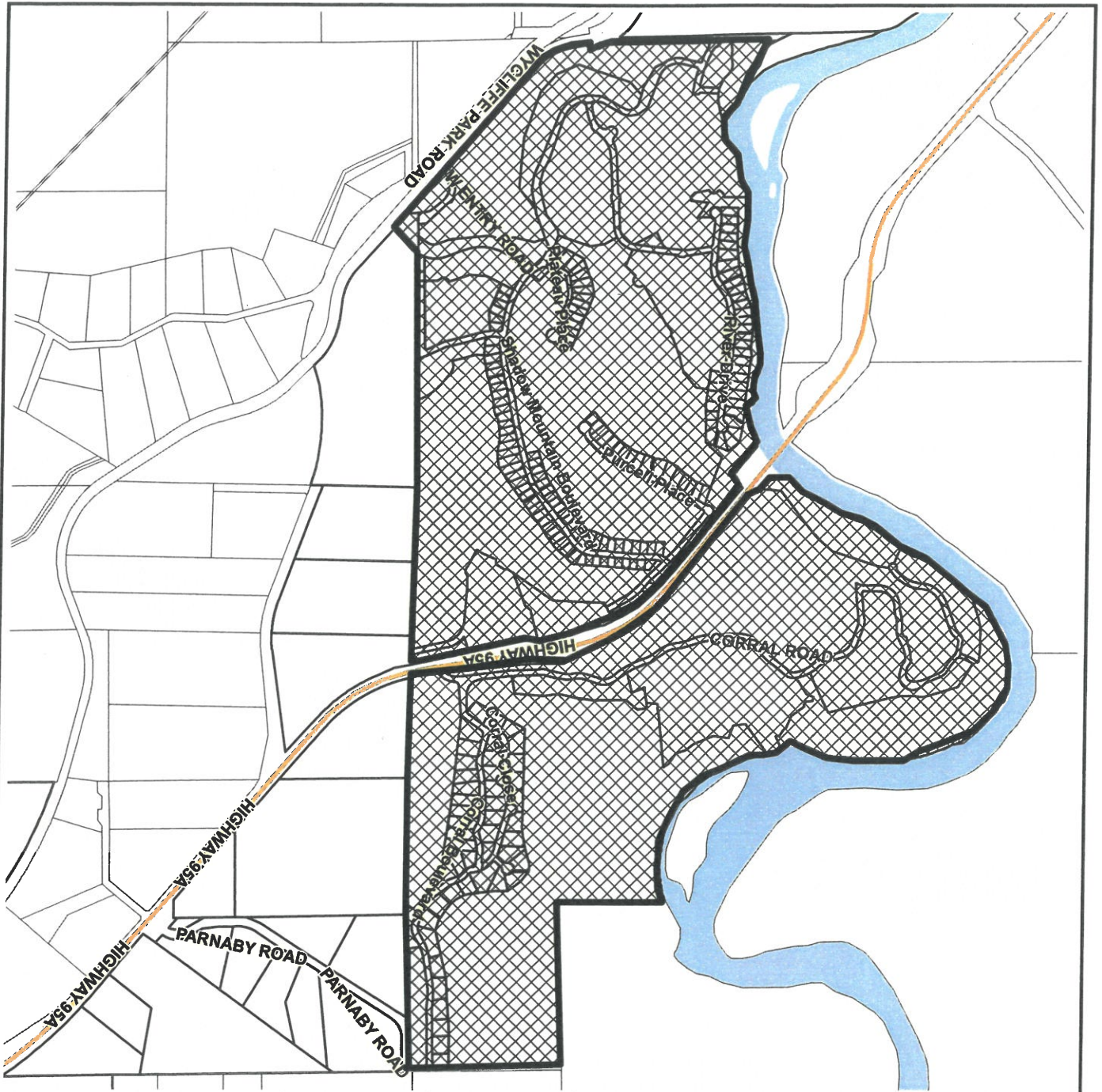
Read a third time this      day of

Received approval of the Inspector of Municipalities this      day of

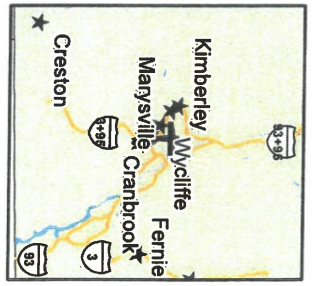
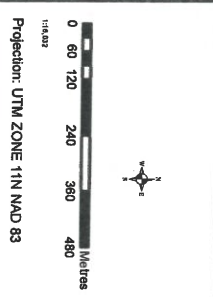
Adopted this      day of

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Data Source:  
 Digital Road Atlas (DLMA)  
 Ortho Imagery (July 2009, 10m accuracy)



MOUNTAINS OF OPPORTUNITY  
**CRANBROOK**  
 Appendix 1 to  
 Bylaw 4095, 2022