

Gazette
officielle

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Québec

Part

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No. 49A

10 December 2005

Laws and Regulations

Volume 137

Summary

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Municipal Affairs

Gouvernement du Québec

O.C. 1209-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Amendments to certain orders relating to the municipal reorganization

WHEREAS the Government pursuant to section 135 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) made orders for the urban agglomerations of Mont-Tremblant, La Tuque, Sainte-Agathe-des-Monts, Mont-Laurier, Sainte-Marguerite-Estérel, Cookshire-Eaton, Rivière-Rouge and Îles-de-la-Madeleine;

WHEREAS the polling for the general election in anticipation of the reorganization in each of the municipalities concerned took place on 6 November 2005;

WHEREAS the interval between the holding of that election and the effective date of the reorganization renders it difficult to conform to certain formalities set out in the legislation concerning municipal government;

WHEREAS it is expedient to amend the urban agglomeration orders to allow the mayor and the council of the municipalities concerned to act in advance of the reorganization;

WHEREAS, under section 123 of the Act, the Government made an order concerning the reconstitution of Ville de Dorval;

WHEREAS it is expedient to amend that order to authorize Ville de Dorval to designate itself as “Cité de Dorval”;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

1. Order in Council 846-2005 dated 14 September 2005 respecting the urban agglomeration of Mont-Tremblant, amended by Order in Council 1071-2005 dated 9 November 2005, is further amended by inserting the following after section 45:

“45.1. The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

45.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

45.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

45.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

45.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

2. Section 46 of the Order is replaced by the following:

“**46.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

3. Order in Council 1055-2005 dated 9 November 2005 respecting the urban agglomeration of La Tuque is amended by inserting the following after section 52:

“**52.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

52.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

52.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

52.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

52.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

4. Section 53 of the Order is replaced by the following:

“**53.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the

Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

5. Order in Council 1059-2005 dated 9 November 2005 respecting the urban agglomeration of Sainte-Agathe-des-Monts is amended by inserting the following after section 48:

“**48.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

48.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

48.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

48.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

48.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

6. Section 49 of the Order is replaced by the following:

“**49.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

7. Order in Council 1062-2005 dated 9 November 2005 respecting the urban agglomeration of Mont-Laurier is amended by inserting the following after section 50:

“**50.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

50.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

50.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

50.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows :

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year ; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

50.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of

Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

8. Section 51 of the Order is replaced by the following :

“**51.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations ; those provisions come into force on 10 December 2005.”.

9. Order in Council 1065-2005 dated 9 November 2005 respecting the urban agglomeration of Sainte-Marguerite–Estérel is amended by inserting the following after section 47 :

“**47.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

47.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

47.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

47.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows :

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

47.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

10. Section 48 of the Order is replaced by the following:

“**48.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

11. Order in Council 1068-2005 dated 9 November 2005 respecting the urban agglomeration of Cookshire-Eaton is amended by inserting the following after section 45:

“**45.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

45.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

45.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

45.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

45.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

12. Section 46 of the Order is replaced by the following:

“**46.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

13. Order in Council 1072-2005 dated 9 November 2005 respecting the urban agglomeration of Rivière-Rouge is amended by inserting the following after section 47:

“**47.1.** The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

47.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

47.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

47.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

47.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”.

14. Section 48 of the Order is replaced by the following:

“**48.** This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”.

15. Order in Council 1130-2005 dated 23 November 2005 respecting the urban agglomeration of Îles-de-la-Madeleine is amended by inserting the following after section 47:

“47.1. The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

47.2. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

47.3. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

47.4. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 60%, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the budget adopted by the city council for the fiscal year 2005, modified so that all the appropriations provided for are reduced by 30%, is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of the reconstituted municipality is not adopted, the fifth paragraph of subarticle 3 of article 954 of the Municipal Code of Québec (R.S.Q., c. C-27.1) is applied with, for the purposes of the applicable appropriations, the last budget adopted by the former municipality whose territory cor-

responds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 30%, being considered to be the budget for the preceding fiscal year.

47.5. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.”

16. Section 48 of the Order is replaced by the following:

“48. This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on 10 December 2005.”

17. Order in Council 970-2005 dated 19 October 2005 concerning the reconstitution of Ville de Dorval is amended by inserting the following after section 1:

“1.1. The city may use the name “Cité de Dorval” to designate itself.”

18. This Order in Council comes into force on force on 10 December 2005”.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1210-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Various taxation measures relating to the reorganization

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) was assented to on 17 December 2004;

WHEREAS the Act provides that the Government may make various orders to carry out the reorganization resulting from the consultation of citizens held pursuant to the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14);

WHEREAS section 122 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations provides that the Government may make any order, in keeping with the object of the Act, to further clarify the scope of a provision of the Act or to correct any omission;

WHEREAS it is expedient to make an order to correct certain omissions in relation to taxation matters;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

1. In the event that the application of section 244.49.1 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) operates so that, among the general property tax rates fixed for the fiscal year 2005 in respect of the territory of a reconstituted municipality, the rate specific to a category of immovables is, in proportion to the specific rate of another category, lesser than the minimum or greater than the maximum allowed under the rules set out in sections 244.39 to 244.49 of that Act, the reconstituted municipality may depart from those rules to the extent provided in the second paragraph if it fixes rates specific to the same categories for any of the 2006, 2007, 2008, 2009 and 2010 fiscal years.

If the municipality exercises that power, the proportion between the rates specific to the categories it fixes for a fiscal year must be the same as the existing proportion for the fiscal year 2005 in respect of its territory, or vary to a lesser extent than that latter proportion in reference to what a proportion meeting the rules in sections 244.39 to 244.49 of the Act respecting municipal taxation would be.

2. Sections 3 to 9 apply to a reconstituted municipality if the tax burden established for a category of immovables situated in its territory for the fiscal year 2006 exceeds 105% of the tax burden established for that category for the fiscal year 2005.

“Category of immovables” means any group of units of assessment or parts of such units that was or could have been determined under section 254 of the Act to again amend various legislative provisions concerning municipal affairs (2003, c. 19) for the fiscal year 2005 in respect of the territory of the reconstituted municipality.

The fiscal burden for each of the fiscal years 2005 and 2006 is established in the manner set out in the provisions of the charter of the city providing for a transitional scheme to limit variations in the tax burden.

In addition, however, to the determination of categories of immovables under the second paragraph, the following modifications apply:

(1) the only revenues used to finance expenditures relating to debts that are excluded from the tax burden are revenues that derive from taxes on the immovables in one part of the territory of the reconstituted municipality only, or from modes of tariffing; and

(2) for the fiscal year 2006, the revenues making up the tax burden consist of the sum of the revenues provided for in the reconstituted municipality’s budget and those provided for in the part of the central municipality’s budget dealing with urban agglomeration revenues.

For the purposes of the third paragraph, “charter” has the meaning assigned by section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

3. For any of the fiscal years 2006 to 2010, the reconstituted municipality may choose to pay a sum to the central municipality to reduce the amount of taxes imposed by the central municipality on the immovables in the territory of the reconstituted municipality in a given category and the amount of compensations standing in lieu of such taxes.

The resolution enabling the reconstituted municipality to exercise that power must specify every category of immovables in respect of which the power is exercised, and the amount of the sum to be paid to the central municipality. If two or more categories are specified in the resolution, the reconstituted municipality must fix a separate amount for each.

The amount fixed by the reconstituted municipality in respect of a category of immovables cannot exceed the amount corresponding to a percentage of the excess calculated under section 2 in respect of the category. The maximum percentage is 100% for the fiscal year 2006, 80% for the fiscal year 2007, 60% for the fiscal year 2008, 40% for the fiscal year 2009 and 20% for the fiscal year 2010.

A resolution that is not in conformity with a rule in the second and third paragraphs is without effect.

4. The reconstituted municipality may borrow all or any part of the sum it decides to pay to the central municipality.

The maximum term of the loan is 20 years and the loan cannot be renewed.

The loan by-law requires the approval of the Minister of Municipal Affairs and Regions and not that of persons qualified to vote.

5. If the reconstituted municipality for a fiscal year exercises the power under section 3, it must, on or before the eighteenth day following the adoption of the part of the central municipality's budget for that fiscal year dealing with urban agglomeration revenues, send a certified copy of the resolution referred to in that section to the central municipality.

The reconstituted municipality may, however, because of the effect provided for in section 7, defer the sending of the resolution up to the twenty-fifth day following that adoption.

A copy of the resolution sent after the 25-day period allowed by the second paragraph is without effect.

6. If the reconstituted municipality exercises the power under section 3 for a fiscal year in respect of a category of immovables, a credit is granted by the central municipality to reduce the amount that would otherwise be payable as taxes imposed by the central municipality for that fiscal year on the immovables in that category situated in the territory of the reconstituted municipality, and as compensations standing in lieu of taxes.

The amount of the credit is calculated using a reduction rate that is the quotient obtained by dividing the first of the following numbers by the second:

(1) the dividend is the amount of the sum required to be paid by the reconstituted municipality to the central municipality under section 3 for the fiscal year in respect of the category; and

(2) the divisor is the total of the values of the units of assessments and parts thereof which, because of section 254 of the Act to again amend various legislative provisions concerning municipal affairs, make up the category.

To establish the reduction rate, the values referred to in subparagraph 2 of the second paragraph are those appearing in the summary of the property assessment roll of the reconstituted municipality for the fiscal year

concerned, in accordance with section 254 of the Act to again amend various legislative provisions concerning municipal affairs, and having regard to sections 167 to 170 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, adjusted in the manner provided in section 82 of that latter Act.

To calculate the amount of the credit, the value of the unit of assessment to which the specific rate of the general property tax imposed by the urban agglomeration council of the central municipality applies for the fiscal year, used to determine the unit's inclusion in the category of immovables concerned, is multiplied by the reduction rate. If only a part of the specific rate is applicable to the unit, the unit's value is multiplied by the equivalent part only of the reduction rate for the category.

The amount of the credit is to appear in the demand for payment of the taxes imposed by the urban agglomeration council. The tax account must have a section or appendix explaining in general terms with examples, or in reference to a particular situation, how the amount of the credit was established.

The granting of the credit has no effect on the establishment of the central municipality's urban agglomeration aggregate taxation rate provided for in sections 100 to 102 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

7. If the resolution required to be sent by the reconstituted municipality pursuant to section 5 is sent after the expiry of the time period set out in the first paragraph of that section but before the expiry of the time period allowed by the second paragraph of that section, the minimum 30-day period allowed a debtor of a property tax to make the first instalment or single payment under section 252 of the Act respecting municipal taxation is reduced to 23 days for an amount of taxes that has been reduced because of the credit granted under section 6.

8. A reconstituted municipality having exercised the power under section 3 for a fiscal year must pay the applicable sum to the central municipality not later than the mid-point in the period between the dates indicated in the tax accounts as deadlines for the first and last instalments of the general property tax imposed for the fiscal year by the urban agglomeration council of the central municipality. If that mid-point is between two successive dates, reference is to be made to the later date.

Any sum or part of a sum that has not been paid on the expiry of the applicable time period is considered, for the purpose of added interest and penalties, if any, to be an amount of the general property tax referred to in the first paragraph that is due and payable.

If any part of the principal, interest and penalties, if any, remains unpaid more than three months after the expiry of the applicable time period, the reconstituted municipality is deprived of the power set out in section 3 for every subsequent fiscal year among those mentioned in that section.

9. For the fiscal year 2006, as soon as the part of the central municipality's draft budget dealing with urban agglomeration revenues becomes public, the central municipality must provide each reconstituted municipality with the information required to establish, as provided in section 2, the tax burden for the fiscal year 2005 in respect of each category of immovables situated in the territory of the reconstituted municipality, as well as the part of the tax burden for the fiscal year 2006 in respect of each such category that corresponds to the urban agglomeration revenues as shown in the draft budget.

For the purposes of the first paragraph, the part of the draft budget referred to becomes public on the earlier of the time it is presented to the public and the time it is officially made available to the officers to which the third paragraph of section 178 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations refers.

If the part of the central municipality's budget dealing with urban agglomeration revenues differs on being adopted from the version contained in the draft budget, each reconstituted municipality having received information under the first paragraph that because of the adoption has become inaccurate is to be provided by the central municipality with a corrected version of the information not later than the day after the adoption of that part of the budget.

10. This Order in Council comes into force on the day it is published in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

7321

Gouvernement du Québec

O.C. 1211-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Urban agglomeration of Québec

WHEREAS Ville de Québec was constituted on 1 January 2002 by the coming into force of section 2 and Schedule II to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of the city includes the territories of the former Ville de L'Ancienne-Lorette and the former Municipalité de Saint-Augustin-de-Desmaures;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Québec is made up of the territories of Ville de Québec, Ville de L'Ancienne-Lorette and Municipalité de Saint-Augustin-de-Desmaures and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS, by Order in Council 596-2004 dated 21 June 2004, the Government, in accordance with section 51 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, established a transition committee to participate, together with the administrators and employees of the city and with any persons elected in advance in the reconstituted municipalities, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Chapter IV of Title V of the Act respecting the exercise of certain municipal powers in certain urban agglomerations provides that the Government may make an order designated as an “urban agglomeration order” for each urban agglomeration;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Québec;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

TITLE I

OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Québec, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations, in relation to the exercise of urban agglomeration powers.

2. In this Order, Ville de Québec is designated as the “central municipality” and Ville de L’Ancienne-Lorette and Ville de Saint-Augustin-de-Desmaures are designated as “reconstituted municipalities”; their territories make up the urban agglomeration of Québec, hereinafter designated as the “urban agglomeration”. They are related municipalities.

The term “city”, used alone, designates Ville de Québec as it existed before the coming into force of this Order; “former municipality” means Ville de L’Ancienne-Lorette or Municipalité de Saint-Augustin-de-Desmaures that ceased to exist upon the constitution of the city.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II

URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I

URBAN AGGLOMERATION COUNCIL

DIVISION I

NATURE AND COMPOSITION

3. The urban agglomeration council within the central municipality is a deliberative body distinct from the council of the central municipality.

4. The urban agglomeration council is composed of the mayor of each related municipality and of six councillors of the central municipality designated in writing by the mayor of the central municipality.

A designation, unless revoked, is valid until the term of office of the designated person as councillor terminates.

The person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the central municipality.

5. If the office of mayor of a related municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor. The mayor may, however, make the designation in advance, in writing; if the mayor does so, the designation may not be made by the council of the municipality.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor terminates.

In the case of a reconstituted municipality, the person may not sit on the urban agglomeration council until an authenticated copy of the resolution or the writing designating the person has been received by the central municipality. In the case of a person designated by the mayor of the central municipality, the person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the municipality.

6. The urban agglomeration council has the special positions of chair and vice-chair, the holders of which are designated by the council from among its members.

The chair must be a representative of the central municipality and the vice-chair a representative of a reconstituted municipality.

7. The function of the chair is to preside the meetings of the urban agglomeration council.

The vice-chair exercises that function while the chair is unable to act or if the position is vacant.

If the regular council of the central municipality has a position of chair and its holder has additional functions in relation to the council's work, the holder of the position of chair on the urban agglomeration council has the same functions in relation to that council's work.

DIVISION II

ASSIGNMENT OF VOTES

8. Each member of the urban agglomeration council has the number of votes determined under sections 9 to 11.

9. The representation of the related municipality with the smallest population has one vote.

The representation of each other related municipality has a number of votes equal to the quotient obtained by dividing the population of the related municipality by the population of the municipality referred to in the first paragraph.

For the purposes of the first two paragraphs, the population of each related municipality is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

10. In the case of a reconstituted municipality, the representative has the number of votes assigned to the representation of the municipality.

In the case of the central municipality, each representative has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the municipality by seven.

11. If the quotient calculated under the second paragraph of section 9 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

In the case of the central municipality, the rounding under the first paragraph also applies to the quotient calculated under the second paragraph of section 10.

DIVISION III

OTHER RULES

12. The mayor of the central municipality is the chief executive officer of the municipality for urban agglomeration matters as for any other purpose.

13. In accordance with section 18 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, the functions of the central municipality that, on the date of publication of this Order in the *Gazette officielle du Québec*, are under the authority of the executive committee, are exercised by the executive committee in respect of urban agglomeration powers.

The urban agglomeration council may, however, in respect of its functions, avail itself of section 32 of the Charter of Ville de Québec (R.S.Q., c. C-11.5) and of any other provision of an Act authorizing the council of the central municipality to delegate functions to the executive committee. The majority for such a decision to be made by the urban agglomeration council requires a majority of the votes of all the members representing the central municipality and a unanimous vote of the members representing the reconstituted municipalities.

14. For the purposes of section 324 of the Cities and Towns Act (R.S.Q., c. C-19), the minimum number of members necessary to requisition or order a special meeting is two.

15. Every other rule applying to the council of the central municipality, in particular as regards the drawing up of the agenda paper and the holding of meetings or their convocation, also applies to the urban agglomeration council.

The urban agglomeration council may, however, adopt a by-law setting a time period different from that required by section 323 of the Cities and Towns Act for service of the notice of convocation for a special meeting of the council.

CHAPTER II

AGGLOMERATION COMMISSIONS

16. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to it involve in whole or in part any matter relating to an urban agglomeration power.

Any member of the council of a related municipality may be designated as a member of such a commission. Each related municipality must, however, be represented by at least one member.

For the purposes of the first two paragraphs, "commission" means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III

CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I

REMUNERATION

DIVISION I

INTERPRETATION

17. For the purposes of Divisions II and III,

(1) “Act” means the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II

REMUNERATION AND COMPENSATION

18. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

19. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers. The urban agglomeration council may, however, even if it does not grant basic remuneration in accordance with the first paragraph of section 2 of the Act, grant additional remuneration in accordance with the second paragraph of that section.

Where an urban agglomeration commission pursuant to section 16 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act.

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to

functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of each reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

20. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for a councillor of the central municipality who is a member of the urban agglomeration council, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of a reconstituted municipality, the amount used is the greater of the amount established in the mayor’s respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for a councillor of the central municipality who is a member of the urban agglomeration council; and

(4) for a councillor of a related municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person’s respect in section 16 of the Act, the latter minimum applies.

21. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of a reconstituted municipality, the minimum established in the person’s respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increas-

ing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

22. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of a reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

23. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

DIVISION III OTHER COMPONENTS OF REMUNERATION

24. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 16 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act.

25. The first paragraph of section 24 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any

criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

26. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

27. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

28. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 29, and has none of the powers provided for in that Act that concern membership in the plan.

29. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body regarding the contribution in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

30. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursement referred to in section 24 are also deemed to be incurred in the exercise of those powers.

31. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council or, where applicable, by the executive committee of the central municipality acting in the council's place.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

32. If the expenditures related to the conditions of employment referred to in the second paragraph of section 31 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 25.

TITLE IV **PROVISIONS RELATING TO CERTAIN POWERS**

33. The thoroughfares identified in Schedule 2 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005 and shown on the plan dated 19 May 2005 appended to that Schedule form the arterial road system of the urban agglomeration.

34. The water and sewer mains shown on the plans dated 9 May 2005 appended to Schedule 3 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005 are the mains that are not purely local within the meaning provided in section 25 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

35. The equipment, infrastructures and activities listed in the Schedule are of collective interest.

The municipality that owns immovable property of collective interest cannot alienate the property.

The management of the equipment, infrastructures and activities listed in the Schedule, the financing of the related expenditures and the use of the revenues generated are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V **SHARING OF ASSETS AND LIABILITIES**

CHAPTER I **ASSETS**

36. The property listed in Schedules 7 to 9 and 11 to 13 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005 becomes the property of Ville de Saint-Augustin-des-Desmaures; the property listed in Schedules 14 to 19 to that report becomes the property of Ville de L' Ancienne-Lorette.

All other movable property not listed in the schedules referred to in the first paragraph that is situated in or on an immovable listed in one of the schedules and that ensures its use becomes the property of the reconstituted municipality which, as provided in the schedules, becomes the owner of the immovable. However, if part of an immovable covered by the first paragraph is used for the purposes of the exercise of an urban agglomeration power, all movable property situated in or on that part of the immovable and that ensures its use remains the property of the central municipality.

All movable property used for the purposes of the exercise of a local power that is situated in or on an immovable that is not the property of the city becomes the property of the reconstituted municipality in the territory in which the immovable is situated.

Equipment or an infrastructure referred to in section 35 that is situated in the territory of a reconstituted municipality, if it is municipal property, also becomes the property of the reconstituted municipality.

37. All property of the city not referred to in section 36 remains the property of the central municipality.

If the central municipality alienates property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

The central municipality must, before alienating an immovable that is used for the exercise of an urban agglomeration power and is situated in the territory of a reconstituted municipality, offer it to that municipality at a price that is not to exceed its fair market value.

38. For the purposes of the exercise of an urban agglomeration power, the central municipality may continue to use or occupy all or any part of any immovable that becomes the property of a reconstituted municipality under this Order.

For the purposes of the exercise of a local power, a reconstituted municipality may continue to use or occupy all or any part of any immovable that remains the property of the central municipality.

The use or occupancy is subject to market conditions which are set out in an agreement entered into between the two municipalities.

39. Every document of the city that before its constitution was the property of a former municipality becomes the property of the reconstituted municipality whose territory corresponds to the territory of the former municipality, except a document in the record of an employee who remains in the employment of the city.

Every document contained in the record of an employee of the city who is transferred to a reconstituted municipality becomes the property of that municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the city was constituted and the time this Order comes into force.

40. To recover the amount of a tax that was the subject of a demand for payment before the reorganization of the city, the central municipality may, even in respect of an immovable situated in the territory of a reconstituted municipality, exercise any of its functions provided for in the legislative provisions governing it as regards the sale of immovables for non-payment of taxes and as regards the repurchase or redemption of immovables sold.

The reconstituted municipality in whose territory the immovable is situated may not exercise such functions to recover the amount referred to in the first paragraph.

For the purposes to which that paragraph refers,

(1) when, under the legislative provisions referred to in that paragraph, a function must be exercised by the council of the municipality, it is exercised by the urban agglomeration council;

(2) the expenditures incurred in the exercise of any function referred to in that paragraph are urban agglomeration expenditures that are to be financed by urban agglomeration revenues; and

(3) the assets recovered in the exercise of any function referred to in that paragraph are urban agglomeration assets.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUTED MUNICIPALITIES

41. Among the debts that exist immediately before the reorganization of the city, those that were contracted by a former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality whose territory corresponds to the territory of that former municipality.

The same applies to debts contracted by the city that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by that municipality from the property, services or activities.

42. Debt securities relating to a debt to which section 41 refers are, if in the name of a former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality whose territory corresponds to the territory of that former municipality and that reconstituted municipality becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

43. Despite section 41, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality is to pay to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted

municipality may also, by a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by a by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

44. The debts referred to in section 41 include the debts resulting from the borrowings contracted by the city under the by-laws listed in Schedule 6 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005 that concern a reconstituted municipality.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

45. A debt of the city that does not become a debt of a reconstituted municipality remains a debt of the central municipality.

When expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to the city's constituting act, by revenue not reserved for other purposes or by another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of a reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

46. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the city and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the city and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the city and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the city, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the city related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the city, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(5) debts the city assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

47. The debts referred to in section 46 include the debts resulting from the borrowings contracted by the former Communauté urbaine de Québec under the by-laws listed in Schedule 5 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005, and those resulting from the borrowings contracted by the city under the by-laws listed in Schedule 6 to that report that concern the urban agglomeration.

§3. Debts incidental to the powers of the regular council of the central municipality

48. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the city and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the city and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

49. The debts referred to in section 48 include the debts resulting from the borrowings contracted by the city under the by-laws listed in Schedule 6 to the report of the transition committee of the urban agglomeration of Québec dated 29 September 2005 that concern the central municipality.

CHAPTER III PROVISIONS OF A FINANCIAL AND FISCAL NATURE

50. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from a territory that is to become part of the territory of a reconstituted municipality becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that remains for the exclusive benefit of the inhabitants and ratepayers of a territory that is to become part of the territory of a reconstituted municipality becomes a surplus of the reconstituted municipality.

51. A deficit or surplus of the city that is not covered by section 50 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the city, the central municipality must cover the deficit or use the surplus in the exercise of its urban agglomeration powers. In the case where the city has a surplus, the central municipality must, before using it in the exercise of its urban agglomeration powers, use the surplus to pay a sum of money to each of the reconstituted municipalities, up to the amount available, corresponding to the revenue derived from the territory of the reconstituted municipalities that was collected by the city to finance the expenditures related to the holding of the 2005 general election. If the amount available is not sufficient to pay the entirety of the sum to each of the reconstituted municipalities, the amount is apportioned among each of the reconstituted municipalities proportionately to the revenue collected.

52. Section 51 applies, with the necessary modifications, in respect of any of the city's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the city, at least one of which is to become the territory of a reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

53. The city's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to the exercise of urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

54. The central municipality remains a party to any dispute to which the city was a party and that was commenced after 1 January 2002. It also has, to the exclusion of the reconstituted municipalities, the requisite capacity and interest to be a party to any dispute commenced after 1 January 2006 in relation to an event arising after the constitution of the city and prior to 1 January 2006.

The central municipality's participation in a dispute referred to in the first paragraph is deemed to be an act performed in the exercise of an urban agglomeration power. A reconstituted municipality must give effect to the conclusions of any final decision on such a dispute if its implementation is within the reconstituted municipality's powers.

The related municipalities share the revenues and costs relating to any dispute referred to in the first paragraph. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

In this section, “dispute” includes any legal proceedings.

55. A reconstituted municipality becomes, without continuance of suit, a party to any proceedings to which the city was a party at the time of the coming into force of this Order, in relation to events prior to 1 January 2002 that concern the reconstituted municipality.

56. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 205 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) for a particular fiscal year, the figures 0.006 and 0.01 appearing in the first and second paragraphs of section 205.1 of that Act are replaced as provided in the following paragraphs.

In the case of the urban agglomeration council, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the quotient obtained by dividing the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate by the total of the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate, the regular aggregate taxation rate of the central municipality and the aggregate taxation rates of the reconstituted municipalities, according to the budgets adopted for the preceding fiscal year. Only the first three decimals in the figure representing the quotient are used; if the fourth decimal would have been greater than 4, the third decimal is increased by 1.

In the case of the regular council of the central municipality or the council of a reconstituted municipality, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the difference obtained by subtracting the quotient obtained under the second paragraph from 1.

Despite the foregoing, for the fiscal year 2006, the replacement figure results for each of the councils from the multiplication of the figure referred to in the first paragraph by 0.5.

57. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 231 of the Act respecting municipal taxation for a particular

fiscal year, the amount of \$10 appearing in the first paragraph of that section is replaced as provided in the second, third and fourth paragraphs of section 56, with the necessary modifications.

TITLE VI MISCELLANEOUS, TRANSITIONAL AND FINAL

58. The Campus de Haute technologie de Saint-Augustin-de-Desmaures is an industrial park within the meaning of section 32 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

59. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the city council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, “former municipality” means the city and “new municipality” means the reconstituted municipality concerned.

60. The reconstituted municipalities succeed, as provided in the following paragraphs, to the rights and obligations of the city arising out of any contract or agreement that deals in whole or in part with a local matter and pursuant to the terms of which the contract or agreement continues to have effect after 31 December 2005.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of one reconstituted municipality only, that municipality succeeds to the rights and obligations arising therefrom.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of two or more related municipalities, each reconstituted municipality in whose territory the contract or agreement continues to have effect succeeds, for its territory and according to the terms of the contract or agreement, to the rights arising therefrom, and the related municipalities together are solidarily liable for the obligations arising therefrom.

If the contract or agreement deals in part with an urban agglomeration matter and continues to have effect in the territory of one or more related municipalities, each reconstituted municipality succeeds, for its territory, to the rights arising out of the contract or agreement that deals with a local matter, and the related municipalities together are solidarily liable for the obligations arising therefrom.

Where a contract or agreement referred to in any of the preceding paragraphs continues to have effect in the territory of more than one related municipality, the municipality with the greater population is responsible for managing the contract or agreement until it expires and every other municipality is required to assume its share of the management costs.

For the purposes of the preceding paragraph, if the contract or agreement was entered into by the city in the exercise of a borough council power, reference is made to the population of the borough concerned rather than to that of the central municipality.

For the purpose of financing the expenditures resulting from the application of the third, fourth and fifth paragraphs, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement that is to be payable by each municipality concerned.

61. A by-law adopted before the coming into force of this Order by the urban agglomeration council under section 47 or section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

62. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

63. The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

64. If, on 1 January 2006, the budget of the central municipality is not adopted, section 128.1 of the Charter of Ville de Québec is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the urban agglomeration council for the fiscal year 2006 is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the regular council for the fiscal year 2006 is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of a reconstituted municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied with, for the purposes of the applicable appropriations, the budget adopted for the fiscal year 2001 by the council of the former municipality whose territory corresponds to that of the reconstituted municipality being considered to be the budget for the preceding fiscal year.

65. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

66. This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on the day on which this Order in Council is published in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

(s. 35)

**EQUIPMENT, INFRASTRUCTURES AND
ACTIVITIES OF COLLECTIVE INTEREST****Equipment and infrastructures of collective interest**

- Within the linear Parc des Berges on the Saint-Charles and du Berger rivers, the municipal recreational properties constituting equipment of collective interest, namely:
 - ✓ Parc Victoria
 - ✓ Parc Duberger/les Saules
 - ✓ Lac Saint-Charles and Réserve naturelle du Marais du Nord
 - ✓ Parc de la chute Kabir-Kouba
 - ✓ Parc du Château-D'eau
 - ✓ Parc Chauveau
- Within the shore walkway, the municipal recreational properties constituting equipment of collective interest, namely:
 - ✓ Baie de Beauport;
 - ✓ Plage Jacques-Cartier
 - ✓ Parc nautique de Cap-Rouge
 - ✓ Parc du Haut-Fond
- Within the rivière Montmorency linear park, the municipal recreational property constituting equipment of collective interest, namely:
 - ✓ Camping municipal de Beauport
- Within the rivière Lorette linear park, the municipal recreational property constituting equipment of collective interest, namely:
 - ✓ Parc Central de la rivière Lorette (except recreational and sports equipment)
- Within the rivière Beauport linear park, the municipal recreational property constituting equipment of collective interest, namely:
 - ✓ Parc de la rivière Beauport
- Within the rivière Cap-Rouge linear park, the municipal recreational property constituting equipment of collective interest, namely:
 - ✓ Parc des Écores
- Parc du Coteau Sainte-Geneviève;
- Parc du Boisé Saint-Félix and Parc riverain du lac Saint-Augustin;
- Parc Cartier-Roberval;
- Parc de la Montagne-des-Roches;
- Parc de la Visitation, the Notre-Dame-de-Foy rectory and the site of the former Notre-Dame-de-Foy church;
- Parc de l'Escarpement;
- Parc Roland-Beaudin;
- Villa Bagatelle;
- Promenade du Plateau;
- Place D'Youville outdoor skating rink and stage;
- Corridor des cheminots and Corridor du littoral bicycle trails;
- Anneau de glace Gaétan-Boucher;
- Stade municipal de Québec;
- Vélodrome Louis-Garneau;
- Sainte-Foy public market;
- Old Port market;
- Base de plein air de Sainte-Foy;
- Base de plein air de Val-Bélair;
- Maison Hamel-Bruneau;
- Maison Léon-Provencher;
- Maison des Jésuites;
- Maison Dorion-Coulombe;
- Maison Girardin;
- Maison O'Neill;
- Maison Routhier;
- Moulin des Sœurs;
- Moulin des Jésuites;
- Bibliothèque Gabrielle-Roy;
- Centre d'art La Chapelle;
- L'Autre Caserne;
- Centre d'interprétation de la vie urbaine (CIVU);
- Temple Wesley, Salle de l'Institut canadien;
- Palais Montcalm;
- Îlot des Palais;
- Expo-cité;
- Fibre optic network;

- Works related to watercourses (bridges, culverts, sections of channeled watercourses, flood plains and other related works of the same type), retention works (basins), that flow directly into a watercourse and rain gauges.

Activities and subjects of activities of collective interest

- Activities at the Domaine de Maizerets and Arboretum;
- Québec Winter Carnival;
- Challenge Bell;
- Festival Envol et Macadam;
- Festival de musique ancienne;
- Festival de musiques sacrées de Québec;
- Québec City Summer Festival;
- National Holiday;
- Canada Day;
- Fêtes de la Nouvelle-France;
- Tour de Beauce;
- Québec City Marathon;
- Festival Le Grand rire Bleu;
- Fall Fest;
- Événement Pêche en ville;
- Plein art;
- Salon international du livre de Québec;
- International Pee-Wee hockey tournament;
- Québec City International Festival of Military Bands;
- Orchestre symphonique de Québec;
- Les Violons du Roy;
- Société de l'Opéra de Québec;
- Carrefour international de théâtre;
- Les Images du Nouveau-Monde;
- Québec Air Show;

- Transat Québec-Saint-Malo;
- Théâtre du Trident;
- Ex Machina;
- Centre de diffusion des Gros Becs;
- Floralties internationales de Québec;
- Critérium international;
- Société du 400^e anniversaire de la Ville de Québec;
- 3 Americas Film Festival;
- Festival de la gastronomie.

7320

Gouvernement du Québec

O.C. 1212-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Ville de Québec

WHEREAS Ville de Québec was constituted on 1 January 2002 by the coming into force of section 2 and Schedule II to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of the city includes the territories of the former Ville de L'Ancienne-Lorette and the former Municipalité de Saint-Augustin-de-Desmaures;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the Government may, by order, amend the charter of the central municipality;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

1. The Charter of Ville de Québec (R.S.Q., c. C-11.5) is amended in section 13 by replacing “39” by “37”.

2. The following is inserted after section 74.5:

“**74.5.1.** For the purposes of sections 74.4 and 74.5, if the decision to carry out a project referred to in the first paragraph of section 74.4 or to authorize its carrying out, subject to the applicable planning rules, is part of the exercise of an urban agglomeration power provided for in the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001), the reference to a by-law adopted by a borough council includes a by-law adopted by the council of a municipality mentioned in section 5 of that Act.

The modification provided for in the first paragraph also applies to any other modification incidental to that Act, in particular the modification whereby the reference to the city council is a reference to the urban agglomeration council.”

3. Schedule A to the Charter is amended by replacing the description of the boundaries of the territory of Ville de Québec by the description in Schedule A to this Order in Council.

4. Part I of Schedule B to the Charter is amended by replacing the description of Borough 8 by the description attached to Schedule B to this Order in Council.

5. Part II of Schedule B to the Charter is amended by replacing “6” for Borough 8 by “4”.

6. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

(s. 3)

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY OF VILLE DE QUÉBEC

The territory of Ville de Québec comprises all the lots of the cadastre of Québec on the date of this description and their successor lots, all the lots of the cadastres of

the parishes of Saint-Sauveur and Notre-Dame-de-Québec and their present and future subdivisions, the hydrographic entities, built-up sites or parts thereof within the perimeter commencing at the meeting point of the southeasterly extension of the southwest line of lot 334B of the cadastre of the parish of L'Ange-Gardien with the line running midway between the northwest shore of île d'Orléans and the northwest shore of the St. Lawrence River and that runs along the following lines and demarcations: generally southwesterly, the said line running midway to a straight line in a northeasterly direction originating from the point of intersection of a straight line running astronomically N 58° 00' E commencing from a point situated on the southeasterly extension of the southwest line of lot 1 501 713 of the cadastre of Québec at a distance of 1,859.28 metres from the Legrade geodetic point (No. 67K1111) with a line parallel to the southwest line of lot 1 501 713 of the said cadastre from the intersection of the low-water mark of the St. Lawrence River and the left bank of rivière Beauport; southwesterly, the said straight line to the intersection of the line running astronomically N 58° 00' E with the line parallel to the southwest line of lot 1 501 713 of the said cadastre, such parallel line originating from the intersection of the low-water mark of the said river with the left bank of rivière Beauport; southwesterly, the said straight line running astronomically N 58° 00' E to its point of origin; southeasterly, the extension of the southwest line of lot 1 501 713 of the said cadastre to its intersection with an irregular line running midway between the outer facing of the Louise Basin wharves and the right shore of the St. Lawrence River; southwesterly, the said irregular line to the centre line of the said river; generally southwesterly, the centre line of the said river upstream to the southeasterly extension of the southwest line of lot 1 406 674; northwesterly, the said extension and the southwest line of lots 1 406 674, 1 406 673, 1 411 665, 1 406 671, 1 406 670, 1 411 666, 1 411 667, 1 411 651, 1 411 673, 1 411 668 and 1 411 674; northerly, the west line of lot 1 408 281; northwesterly, the southwest line of lots 1 406 639, 1 406 638, 1 406 640, 1 406 623, 1 411 385, 1 406 626, 3 166 887, 3 184 733, 3 166 886, 3 166 888, 3 205 227, 3 166 889, 1 406 618, 1 406 754, 1 406 741, 1 411 392, 1 406 740, 1 406 744, 1 406 742, 1 406 736, 1 406 735, 1 406 734, 1 406 739, 1 406 737, 1 406 600, 1 406 599, 1 406 604, 1 406 601, 1 406 595, 1 406 594, 1 411 398, 1 406 597, 1 406 591, 1 406 590, 1 406 589, 1 406 593, 1 406 592, 1 406 578, 1 406 577, 1 406 576, 1 406 575, 1 406 581, 1 406 579, 1 406 562 back to 1 406 559, 1 406 564, 1 406 547, 1 406 546, 1 406 545, 1 406 550, 1 406 543, 1 411 407 and 1 406 541; easterly, the north line of lots 1 406 541, 1 406 542, 1 406 544, 1 406 549, 1 406 552, 1 406 554 and 1 406 558; successively northeasterly, easterly and again northeasterly, the northwest line of lot 1 411 403, the north line of lots 1 411 403 and 1 411 384 and the northwest line of the latter lot to the apex of the southwest angle of lot 1 407 376;

northeasterly, the northwest line of lots 1 407 376, 1 411 512 and 1 411 890 to the apex of the east angle of lot 2 812 528; northwesterly, successively, the southwest line of lot 1 696 868 and a southwest line of lot 2 812 737, that latter line extended in lots 2 812 737, 2 812 780 and 2 811 699 to the southeast line of lot 1 696 830; southwesterly, part of the southeast line of the said lot and the southeast line of lots 1 696 957, 1 693 463, 1 693 440, 1 693 373, 1 693 285, 1 693 276 and 1 693 267; northwesterly, the southwest line of lot 1 693 267; westerly, a straight line into lac Saint-Augustin, to the apex of the south angle of lot 1 692 937; northwesterly, the southwest line of lots 1 692 937, 1 693 001, 1 692 999, 1 692 997, 1 692 996, 1 692 970, 1 692 967, 1 692 965, 1 692 964, 1 692 963, 1 692 954, 1 696 843 (autoroute Félix-Leclerc), 1 692 950, 1 692 939 and 1 696 847; southwesterly, the southeast side of the right-of-way of boulevard Wilfrid-Hamel bordering to the southeast part of lot 2 164 328 and lot 2 164 304; northwesterly, the southwest line of lots 2 164 304, 2 162 729, 2 164 400 and 2 162 764; southwesterly, part of the southeast line of lot 2 164 303 to the apex of the southernmost angle of the said lot; northwesterly, the southwest line of lots 2 164 303, 2 162 782, 2 162 781, 2 164 302, 2 162 787, 2 162 785, 2 164 140, 2 164 392 (railway), 2 163 637 and 2 163 620; westerly, part of the south line of lot 2 163 618 and the south line of lot 2 163 617; northwesterly, the southwest line of lots 2 163 617, 2 164 297 (avenue Notre-Dame), 2 163 761 and 2 163 762; southwesterly, part of the southeast line of lot 2 152 123; northwesterly, the southwest line of lots 2 152 123, 2 152 810, 2 151 915 and a southwest line of lot 2 341 181; successively easterly and northwesterly, a north line and a southwest line of the said lot to the apex of the southwest angle of lot 2 151 416; northwesterly, the southwest line of lots 2 151 416 and 2 151 412; easterly, the north line of lot 2 151 412 and part of the north line of lot 2 151 414 to the apex of the southwest angle of lot 2 150 932; northwesterly, the southwest line of the said lot; easterly, the north line of lots 2 150 932, 2 150 937, 2 150 936, 2 150 940, 2 150 938, 2 150 941, 2 150 939, 2 150 960, 3 001 988 and part of the northwest line of lot 2 150 960 to the apex of the southwest angle of lot 2 150 933; northwesterly, the southwest line of lots 2 150 933, 2 152 801 (chemin de Bélair), 2 151 290, 2 151 261 and 2 151 144; successively, easterly, northwesterly and northeasterly, the north line, a southwest line and a northwest line of lot 2 151 144 and the northwest line of lot 2 151 145; southeasterly, the northeast line of the said lot and a northeast line of lot 2 151 144 to the apex of the south angle of lot 2 196 067; northeasterly, a northwest line of lot 2 151 144, the northwest line of lots 2 152 832, 2 150 545, 2 152 833 (boulevard Pie-XI Nord), 2 150 532, 2 150 495, 2 152 887 and a northwest line of lot 2 149 947 to the apex of the east angle of lot 3 086 042; successively northwesterly, northeasterly and southeasterly, the southwest and northwest lines and

part of the northeast line of lot 2 149 947 to the apex of the west angle of lot 1 160 611; northeasterly, the northwest line of lots 1 160 611, 1 160 610, 1 160 609 and 1 159 617; southeasterly, the northeast line of lots 1 159 617, 1 159 620, 1 159 752 and part of the northeast line of lot 1 159 753 to the apex of the west angle of lot 1 160 559; northeasterly, the northwest line of lots 1 160 559 and 1 160 560; northwesterly, part of the southwest line of lot 1 025 107 and the southwest line of lots 1 026 090, 3 333 235, 3 333 236, 1 026 097, 1 026 096, 1 026 107, 1 025 760, 1 025 965, 1 025 951, 1 025 950, 1 025 949, 1 025 964 back to 1 025 961, 1 406 527, 1 025 952, 1 025 960, 1 025 948, 2 338 265, 2 338 264, 1 025 959, 1 025 946, 1 025 945, 1 025 958, 1 025 957, 1 025 944, 1 025 956, 1 025 955, 1 025 954, 1 025 943, 1 025 942, 1 025 941, 1 025 953, 1 025 903, 1 025 907 (lac du Sud-Ouest), 1 026 235, 1 025 912, 1 025 911, 1 025 910, 1 025 901, 1 025 884, 1 025 893, 1 025 892, 1 025 891, 1 025 895, 1 025 890 back to 1 025 885, 1 025 882, 1 025 881, 1 025 782, 1 025 788, 1 025 781, 1 025 780, 1 025 779, 1 025 787 back to 1 025 783 and 1 025 778; northeasterly, the northwest line of lots 1 025 778, 1 025 795 and 1 025 792; southeasterly, the northeast line of lot 1 025 792 to the southeast side of a private road (chemin du Curé); southwesterly, the southeast side of the said private road to the southwest line of lot 1 026 246; southeasterly, part of the southwest line of the said lot to the northwest line of lot 1 025 880; northeasterly, part of the northwest line of lot 1 025 880 and the northwest line of lot 1 025 864; southeasterly, the northeast line of lots 1 025 864, 1 025 865, 1 025 870 and 1 026 232, that latter line extended to the shore of lac Saint-Charles; generally southeasterly, the northeast shore of the said lake to the southwest line of lot 1 280 030; southeasterly, the southwest line of lots 1 280 030, 1 241 229 and the northeast line of lots 1 026 083, 1 026 089, 1 025 729, 1 025 728, 1 025 723, 1 025 697 and part of the northeast line of lot 1 025 429 to the apex of the west angle of lot 1 542 367; northeasterly, the northwest line of lots 1 542 367, 1 336 775, 1 336 919, 1 336 975, 1 336 973, 1 336 976, 1 336 980, 1 336 983, 1 336 984, 1 336 794 and 1 336 988; northwesterly, part of the southwest line of lot 1 542 284 and the southwest line of lots 1 542 283 back to 1 542 280; northeasterly, the northwest line of lots 1 542 280, 1 336 796, 1 336 799, 1 336 801, 1 336 806, 1 336 826, 1 336 805, 1 336 816 to 1 336 820, 3 080 357, 1 338 390, 3 086 081, 1 338 403 (boulevard Talbot), 1 336 878, 1 338 381 and 1 337 047, the latter two lots constituting the right-of-way of autoroute Laurentienne; northwesterly, part of the southwest line of lot 1 338 641 and the southwest line of lots 1 337 075 and 1 337 076; northeasterly, the northwest line of lot 1 337 076; northwesterly, part of the southwest line of lot 1 542 211 to the northwest line of the said lot; northeasterly, the northwest line of lots 1 542 211, 1 542 210, 1 542 209, 1 542 212, 1 337 534, 1 338 600 and 1 337 533; southwesterly, the northeast line of lots 1 337 533, 1 337 535

and part of the northeast line of lot 1 337 532 to the apex of the west angle of lot 1 542 216; northeasterly, the northwest line of lot 1 542 216; southeasterly, the northeast line of lots 1 542 216, 1 338 540, 1 337 659, 1 337 660, 1 337 661, 1 337 651, 1 337 701, 1 337 703, 1 337 705, 1 337 708, 1 337 709, 1 337 699, 1 337 700, 1 337 710 and 1 542 314, to the centre line of rivière Jaune; generally southwesterly, the centre line of the said river, along the southeast line of lots 1 542 314 and 1 542 320; southeasterly, successively, the southwest line of lots 1 542 323, 1 542 324, 1 336 746, 1 336 747, 1 336 750 and 1 336 751, the northeast line of lots 2 502 450, 2 059 055 and the southwest line of lot 1 542 339; northeasterly, the northwest line of lot 1 338 398; southeasterly, a northeast line of lot 1 338 398, the northeast line of lot 1 338 353 and part of the northeast line of lot 1 338 354 to the apex of the south angle of lot 3 151 479; northeasterly, the northwest line of lots 1 338 360 and 1 338 361; southeasterly, part of the northeast line of lot 1 338 361 to the apex of the south angle of lot 2 993 910; northeasterly, the northwest line of lots 1 040 196, 1 040 198 and 1 041 297; successively northwesterly and northeasterly, part of the southwest line of lot 1 041 298 and the northwest line of lots 1 041 298, 1 041 299, 1 041 233, 1 040 207, 1 041 301, 1 041 569, again 1 041 301, 1 041 302, 1 041 303, 1 040 427 and 1 040 428; successively northwesterly and northeasterly, part of the southwest line of lot 1 415 293 and the northwest line of lots 1 415 293, 1 415 289, 1 416 419 to 1 416 435, 1 416 156, 1 414 966, 1 414 962, 1 414 964, 1 414 965, 1 414 968, the broken line bordering lot 1 414 967 to the northwest, the northwest line of lots 1 415 194, 1 415 193, 1 415 192, 1 839 365, 1 415 191, 1 415 190, 1 415 189, 1 415 188, 1 415 180, 1 415 187 back to 1 415 181, 1 416 336, 1 416 335, 1 416 334, 1 416 182 back to 1 416 175, 1 416 157, 1 416 158, 1 416 209, 1 415 299, 1 415 298, 1 415 892, 1 415 886, 1 415 894, 1 416 192, 1 416 191, 1 415 884, 1 415 883, 3 418 572, 1 415 239, 1 415 240, 1 415 237, 1 416 226, 1 415 553, 1 415 303, 1 415 304, 1 415 305, 1 416 150, 1 415 306 to 1 415 308, 1 415 733, 1 415 555, 1 415 556, again 1 415 555, 1 416 402, 1 415 554, 1 416 306 to 1 416 309, 1 415 561, 1 416 310 to 1 416 328, 1 415 560, 1 416 098, 1 416 099, 1 416 331 and 1 416 100; southeasterly, successively, the northeast line of lots 1 416 100, 1 416 097, 1 416 081, 1 415 500, 1 415 668, 1 414 610, 1 414 609, 1 415 677, 1 414 612, 1 414 611, 1 415 696, 1 414 613, 1 414 614, again 1 415 696, 1 415 615, 1 414 616, again 1 415 696, 1 414 618, 1 414 617, 1 415 728, 1 415 149, 1 415 148, 1 415 147, 1 415 146, 1 415 145, 1 415 144, 1 415 676, 1 415 143, 1 415 311, 1 414 631, 1 415 678, 1 415 314, 1 415 315, 1 415 572, 1 224 403, 1 224 407, a straight line into rivière Montmorency to the apex of the north angle of lot 2 547 285, the northeast line of lots 2 547 285, 1 224 618, 1 224 617, 1 224 630 back to 1 224 626, 1 541 736 back to 1 541 730, 1 541 739, 1 541 728, 1 541 738, 1 542 076, 1 541 726, 1 541 737,

1 541 725, a straight line into rivière Montmorency to the apex of the north angle of lot 1 541 797, the northeast line of lots 1 541 797, 1 541 642, 1 541 641, 1 541 473, 1 541 476, 1 989 341, 1 989 342 and its extension to the centre line of rivière Montmorency; generally southwesterly, the centre line of the said river to its intersection with the southwest line of lot 334B of the cadastre of the parish of L'Ange-gardien near Montmorency falls; lastly, southeasterly, the southwest line of lot 334B of the said cadastre and its extension to the point of commencement.

The territories of the Hôpital Général, of Ville de L'Ancienne-Lorette and of the Wendake Reserve are to be withdrawn from the territory of Ville de Québec.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 11 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

SCHEDULE B

(s. 4)

OFFICIAL DESCRIPTION

Borough 8

Commencing at the apex of the north angle of lot 2 149 947 situated on the common boundary between Ville de Québec and Municipalité de Saint-Gabriel-de-Valcartier, thence, the following lines and demarcations: southeasterly, the northeast line of lots 2 149 947, 2 150 025, 2 150 026, 2 150 024, 2 150 027, 2 150 028, 2 150 001, 2 149 999, 2 150 000, 2 150 004, 2 150 002, 2 150 003, 2 150 007, 2 150 005, 2 150 006, 2 150 009, 2 150 010, 2 150 008, 2 150 014, 2 150 011 to 2 150 013, 2 150 015 to 2 150 017, 2 150 021, 2 150 018 to 2 150 020, 2 150 023, 2 150 022, 2 150 074, 2 341 371, 2 150 047, 2 150 046, 2 150 051, 2 150 052, 2 150 055, 2 150 058, 2 150 059, 2 150 062, 2 150 061, 2 150 066, 2 150 063 to 2 150 065, 2 150 068, 2 150 069, 2 150 067, 2 150 071, 2 150 070, 2 150 072, 2 150 073, 2 150 081 to 2 150 083, 2 341 218, 2 152 928 and 2 152 945 (rue du Petit Vallon); northeasterly, part of the northwest line of lot 2 152 945 then the northwest line of lots 2 341 273 and 2 148 832; southeasterly, the southwest side of the right-of-way of chemin du Vallon bordering to the northeast lots 2 148 832, 2 152 945, 2 148 831, 2 152 247, 2 152 485, 2 341 100, 2 148 544, 2 152 470, 2 148 540, 2 341 095, 2 341 093 and 2 341 098; successively

northeasterly, easterly and southeasterly, the northwest line and the north line of lot 2 341 098 then the broken line bordering lot 2 148 260 to the north, northeast and east; southeasterly, part of the northeast line of lot 2 341 104 to the apex of the east angle of the said lot; westerly, the south line of lots 2 341 104, 2 148 258 back to 2 148 255, 2 148 248, 2 148 252 and 2 148 249; northwesterly, part of the broken line bordering lot 2 148 249 to the southwest to the extension in lot 2 341 103 of the northeast line of lot 3 113 046; northwesterly, the said extension then the northeast line of lot 3 113 046; southwesterly, the southeast line of lots 2 148 373, 1 044 305 and 3 113 048; northwesterly, the southwest line of lots 3 113 048 and 3 113 049 then a southwest line of lot 2 148 373 for a distance of 45.00 metres; southwesterly, successively, a southeast line of lot 2 148 373 for a distance of 36.23 metres to the northeast line of lot 2 148 371, a straight line in the latter lot to the apex of the northeast angle of lot 3 113 047 then the southeast line of the said lot; westerly, the south line of lot 3 113 047 and its extension in lot 1 041 700 for a distance of 18.48 metres; northwesterly, a straight line in lot 1 041 700, at an interior angle of $138^{\circ} 56' 50''$ in relation to the preceding line, to the south line of lot 2 148 365; westerly, part of the south line of lot 2 148 365 then the south line of lots 2 148 349, 2 148 318, 2 148 298, 2 148 294 to 2 148 291, 2 148 287 to 2 148 280, 2 148 278 to 2 148 275, 2 148 265, 2 152 939 (autoroute Henri IV), 2 152 938, 2 148 605, 2 148 602, 2 152 936, 2 148 617, 2 148 616 and 2 148 610; northwesterly, the southeast line of lot 2 148 610; westerly, the south line of lot 2 152 934 (avenue Industrielle) to the apex of the north angle of lot 1 750 308; southeasterly, the northeast line of lots 1 750 308, 1 748 282 to 1 748 285, 1 748 293, 1 748 294, 1 748 286, 1 748 288, 1 748 287, 1 748 289 to 1 748 292, 1 748 277, 1 751 024, a straight line in lot 2 751 027 to the apex of the north angle of lot 1 748 279, the northeast line of lots 1 748 279, 1 748 280, 1 748 281, 1 750 294, 1 750 305, 1 750 142, 1 750 307, 1 746 555, 1 746 556, 1 746 554, 1 746 492 to 1 746 494, 1 750 323 (autoroute Henri IV) and 1 746 737; southwesterly, the southeast line of lot 1 746 737 and part of the broken southeast line of lot 1 750 323 to the centre line of autoroute Henri IV; southeasterly, the said centre line in lots 1 044 032 and 1 044 031; northeasterly, part of the northwest line of lot 1 780 625 to the northeast line of the said lot; southeasterly, the northeast line of lots 1 780 625, 1 780 626 (boulevard Chauveau), 1 780 038, 1 780 627, 1 780 027 to 1 780 029, 1 780 022 to 1 780 026, 1 780 030, 1 780 031, 1 780 019 to 1 780 021, 1 780 623 and 1 779 943, the latter lot being situated on the northwest limit of Ville de L' Ancienne-Lorette; generally, southwesterly, southeasterly and northeasterly, successively, the common boundary of Ville de Québec with Ville de L' Ancienne-Lorette to the apex of the east angle of lot 1 312 947; southeasterly, successively, the northeast line of lot 1 313 288, a

straight line in lot 1 309 587 to the apex of the north angle of lot 1 312 958 then the northeast line of the said lot; northeasterly, a northwest line of lot 1 532 078 then the northwest line of lot 1 532 096; southeasterly, the northeast line of lots 1 532 096, 1 532 078 and 1 532 090 to the apex of the south angle of lot 1 313 029; northeasterly, successively, the southeast line of lot 1 313 029, a straight line in lot 3 070 251 to the apex of the west angle of lot 3 110 256, the northwest line of lots 3 110 256 and 3 110 257 then part of the northwest line of lot 1 619 722 to the centre line of autoroute Henri IV; southeasterly, the said centre line in lots 1 619 722, 1 619 708 and 1 619 720 to the centre line of the right-of-way of the Canadian National railway line; generally, southwesterly and southerly, successively, the centre line of the said right-of-way to the northeast line of lot 1 411 647; southeasterly, successively, part of the northeast line of lot 1 411 647 then the northeast line of lots 1 411 286, 1 411 573, 1 411 284, 1 411 285, 1 411 287 to 1 411 291, 1 410 861 and 1 411 575; southwesterly, part of the southeast line of lot 1 411 575 (chemin Sainte-Foy) to the apex of the north angle of lot 1 410 855; southeasterly, the northeast line of lots 1 410 855, 1 410 849 to 1 410 853, 1 410 925, 1 410 920 to 1 410 924, 1 410 980 to 1 410 985, 1 410 978, 1 410 979, 1 411 321 to 1 411 324, 1 411 318 to 1 411 320, 1 411 340 to 1 411 342, 1 411 336 to 1 411 338 and 1 411 353; easterly, part of the north line of lot 1 411 545 (chemin Saint-Louis) to the apex of the east angle of lot 1 406 540; southeasterly, successively, the broken line bordering to the northeast lot 1 411 545 then the northeast line of lots 1 411 360, 1 411 357, 1 411 348, 1 411 742 and 1 411 292 to the St. Lawrence River; generally westerly, the north shore of the said river to the common boundary of Ville de Québec with Ville de Saint-Augustin-de-Desmaures; generally northwesterly, successively, the common boundary of Ville de Québec with Ville de Saint-Augustin-de-Desmaures and Ville de Sainte-Catherine-de-la-Jacques-Cartier; lastly, generally northeasterly, successively, the common boundary of Ville de Québec with Ville de Sainte-Catherine-de-la-Jacques-Cartier, Municipalité de Shannon and Municipalité de Saint-Gabriel-de-Valcartier to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 21 September 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7318

Gouvernement du Québec

O.C. 1213-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Montréal

WHEREAS Ville de Montréal was constituted on 1 January 2002 by the coming into force of section I and Schedule I to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of that city includes the territories of the former towns and cities of Baie-d'Urfé, Beaconsfield, Côte-Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, L'Île-Dorval, Montréal-Est, Montréal-Ouest, Mont-Royal, Pointe-Claire and Sainte-Anne-de-Bellevue and Westmount and the former Village de Senneville;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the Government may, by order, amend the charter of the central municipality;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

1. Section 10 of the Charter of Ville de Montréal (R.S.Q., c. C-11.4) is amended by replacing "27" in the second line of the first paragraph by "19".

2. Section 11 is amended

by replacing the first paragraph by the following :

"11. The Pierrefonds-Roxboro Borough is deemed to be recognized in accordance with section 29.1 of the Charter of the French language (chapter C-11).";

(2) by replacing "A borough referred to in the first paragraph" in the first line of the second paragraph by "The borough";

(3) by replacing "a borough" in the second line of the third paragraph by "the borough".

3. Section 14 is amended by replacing "73" in the first line by "64".

4. Section 18 is revoked.

5. Section 37 is revoked.

6. Section 72 is replaced by the following :

"72. A public safety committee under the name Commission de la sécurité publique de l'agglomération de Montréal is hereby established.

The committee is composed of seven members, one of whom is appointed by the Government; the six other members, including a chair and a vice-chair, are designated by the urban agglomeration council from among the members of the councils of the municipalities whose territory forms part of the urban agglomeration.

Among the members designated by the urban agglomeration council, two, including the chair or the vice-chair, are chosen from among the members of the councils of the municipalities other than the central municipality.

The person designated by the central municipality is to receive from the central municipality the salary fixed by the Government, which also fixes the member's other conditions of employment and term of office."

7. The following is inserted after section 89.1 :

"89.1.1. For the purposes of sections 89 and 89.1, if the decision to carry out a project referred to in the first paragraph of section 89 or to authorize its carrying out, subject to the applicable planning rules, is part of the exercise of an urban agglomeration power provided for in the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001), the reference to a by-law adopted by a borough council also includes a by-law adopted by the council of a municipality mentioned in section 4 of that Act.

The modification provided for in the first paragraph also applies to any other modification incidental to that Act, in particular the modifications whereby the reference to the city council is a reference to the urban agglomeration council and the reference to the territory of the city is a reference to the urban agglomeration. The latter modification applies in particular, in the case referred to in the first paragraph, for the purposes of the jurisdiction of the Office de consultation publique de Montréal referred to in the second paragraph of section 89.1.”

8. Schedule A to the Charter is amended by replacing the description of the boundaries of the territory of Ville de Montréal by the description in Schedule A attached to this Order in Council.

9. Schedule B to the Charter is amended

(1) by deleting “**Kirkland Borough**” in Part I and the description that follows;

(2) by deleting “**Mont-Royal Borough**” in Part I and the description that follows;

(3) by deleting “**Pointe-Claire Borough**” in Part I and the description that follows;

(4) by deleting “**Westmount Borough**” in Part I and the description that follows;

(5) by deleting “**Beaconsfield/Baie-d’Urfé Borough**” in Part I and the description that follows;

(6) by deleting “**Côte-Saint-Luc/Hampstead/Montréal-Ouest Borough**” in Part I and the description that follows;

(7) by deleting “**Dollard-des-Ormeaux/Roxboro Borough**” in Part I and the description that follows;

(8) by deleting “**Dorval/L’Île-Dorval Borough**” in Part I and the description that follows;

(9) by deleting “**L’Île-Bizard/Sainte-Geneviève/Sainte-Anne-de-Bellevue Borough**” in Part I and the description that follows;

(10) by deleting “**Pierrefonds/Senneville Borough**” in Part I and the description that follows;

(11) by replacing “**Ahuntsic/Cartierville Borough**” in Part I by “**Ahuntsic-Cartierville Borough**”;

(12) by deleting “**Côte-des-Neiges/Notre-Dame-de-Grâce Borough**” in Part I and the description that follows;

(13) by replacing “**Mercier/Hochelaga-Maisonneuve**” in Part I by “**Mercier–Hochelaga-Maisonneuve Borough**”;

(14) by replacing “**Plateau Mont-Royal Borough**” in Part I by “**Le Plateau-Mont-Royal Borough**”;

(15) by replacing “**Rosemont/Petite-Patrie Borough**” in Part I by “**Rosemont–La Petite-Patrie Borough**”;

(16) by replacing “**Sud-Ouest Borough**” in Part I by “**Le Sud-Ouest Borough**”;

(17) by replacing “**Villeray/Saint-Michel/Parc-Extension Borough**” in Part I by “**Villeray–Saint-Michel–Parc-Extension Borough**”;

(18) by deleting “**Rivière-des-Prairies/Pointe-aux-Trembles/Montréal-Est Borough**” in Part I and the description that follows;

(19) by adding the description of the boroughs in Schedule B to this Order in Council at the end of Part I;

(20) by replacing Part II by the following:

“II- NUMBER OF COUNCILLORS FOR EACH BOROUGH

Anjou : 2

Ahuntsic-Cartierville : 5

Côte-des-Neiges–Notre-Dame-de-Grâce : 6

Lachine : 2

LaSalle : 3

L’Île-Bizard–Sainte-Geneviève : 1

Mercier–Hochelaga-Maisonneuve : 5

Montréal-Nord : 3

Outremont : 1

Pierrefonds-Roxboro : 3

Le Plateau-Mont-Royal : 4

Rivière-des-Prairies–Pointe-aux-Trembles : 4

Rosemont–La Petite-Patrie : 5

Saint-Laurent : 3

Saint-Léonard : 3

Le Sud-Ouest : 3

Verdun : 3

Ville-Marie : 3

Villeray–Saint-Michel–Parc-Extension : 5”.

10. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

(s. 8)

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY OF VILLE DE MONTRÉAL

The territory of Ville de Montréal comprises all the lots and parts of lots of the cadastre of the parishes of Saint-Laurent, Lachine, Sault-au-Récollet and Île-Bizard, of the cadastre of the villages of Hochelaga, Côte-Saint-Louis and Côte-de-la-Visitation, of the cadastre of Cité de Montréal (Saint-Antoine ward), of the cadastre of the municipality of the parish of Montréal and their present and future subdivisions and of the cadastre of Québec on the date of this description and their successor lots, the hydrographic entities, built-up sites or parts thereof within the perimeter commencing at the meeting point of the centre line of the St. Lawrence River with a straight line parallel to the east side of the right-of-way of avenue Boylan (1 524 446) bordering to the west lots 1 524 452 to 1 524 469 and 1 524 405, the straight line which has its point of origin at the apex of the southeast angle of lot 1 524 498 and that runs along, the said perimeter, the following lines and demarcations : northerly, successively, the said straight line then the west line of lot 1 520 995, the easternmost line of lot 1 524 322 and its extension in lot 1 524 369 to the centre line of the public road (promenade Bord-du-Lac); southeasterly, the said centre line to the southerly extension of the west line of lot 1 524 426; northerly, the said extension then the west line of the said lot; easterly, the north line of lots 1 524 426, 1 524 433, 1 524 443 and 1 524 495; northerly part of the west line of lot 1 524 661 and the west line of lots 1 524 672, 1 524 691, 1 524 521, 1 524 713, 1 524 715 to 1 524 718, 2 692 008, 1 524 719 to 1 524 722, 1 524 500 to 1 524 505, 1 524 507 to 1 524 510, 2 691 988, 1 524 511 to 1 524 518, 1 524 654, 1 524 653, 1 524 652 and a west line of lot 1 524 523; successively westerly and northerly, part of the south line of lot 1 524 729 then the west

line of that lot and of lots 1 524 541, 1 524 546 and 1 524 557, a straight line in lots 1 524 431 and 1 524 432 to the apex of the southwest angle of lot 2 806 761, the west line of the latter lot and of lot 1 524 643, a straight line in lot 1 525 392 (autoroute 20) to the apex of the southwest angle of lot 1 706 786 then the west line of the said lot and of lot 1 706 785; easterly, the north line of the latter lot; northerly, part of the west line of lot 1 703 913 then the west line of lots 1 703 914 to 1 703 916; northeasterly, part of the northwest line of the latter lot to the apex of the south angle of lot 1 525 481; northwesterly, the southwest line of the latter lot; northeasterly, the broken line bordering the said lot to the northwest then the northwest line of lots 1 525 480, 1 525 479 and 1 525 478 (Chemin de la Côte-de-Liesse); northwesterly, the southwest line of lot 2 646 461, part of the southwest line of lot 1 238 723 (Autoroute Chomedey), the southwest line of lot 1 238 717, again part of the southwest line of lot 1 238 723, part of the southwest line of lot 2 745 762 and the southwest line of lot 1 236 242; generally southwesterly, the broken line bordering to the southeast lots 1 164 116 and 1 164 070, the southeast line of lots 1 164 080, 2 744 760, 2 744 759, 1 165 608 and again 2 744 759; successively northwesterly, north-easterly, northwesterly and northeasterly, the broken line bordering lot 2 744 759 to the southwest and to the northwest; northwesterly, part of a southwest line of lot 2 597 314 then the southwest line of lots 1 163 771, 1 163 812 and 1 163 770; northeasterly, the northwest line of lots 1 163 770, 1 163 772, 1 163 773 and part of the northwest line of lot 1 163 792 to the apex of the southwest angle of lot 1 165 581; generally northerly, an irregular dividing line between lots 1 165 581, 1 165 578, 1 165 577, 2 379 564 and 2 379 563 on one side and lots 1 523 090, 1 523 113, 1 524 388, 1 524 385, 1 524 735 and 1 525 385 on the other side; northeasterly, the northwest line of lots 2 379 563, 1 163 763 and 1 165 584; successively northwesterly, westerly and again northwesterly, the southwest line of lot 1 165 584, part of the south line of lot 1 163 767 then the southwest line of lots 1 163 767, 1 163 766, 1 163 764, 2 490 333, 1 902 500, 1 899 460 and 1 902 499; successively southwesterly and northwesterly, the southeast line of lot 2 262 709 then the broken line bordering the said lot to the southwest; southwesterly, the southeast line of lots 1 899 935, 1 899 938, 1 902 472 and 1 902 474; northwesterly, the southwest line of lot 1 902 474; southwesterly, part of the southeast line of lot 1 902 441 then the southeast line of lots 1 902 432 and 1 902 423; northwesterly, the southwest line of lots 1 902 423, 1 900 226 to 1 900 236, 1 900 258, 1 900 259, 1 900 302 back to 1 900 287; northerly, the west line of lots 1 900 287 back to 1 900 283; easterly, the north line of lot 1 900 283 to the apex of the west angle of lot 1 900 304; generally northeasterly the northwest line of lot 1 900 304 then

part of the north line of lot 1 899 939 to the apex of the southwest angle of lot 1 902 484; northerly, the west line of the said lot; northwesterly, part of the southwest line of lot 1 902 686 and part of the southwest line of lot 1 900 032 to the apex of the west angle of lot 1 900 126; generally southeasterly, the northeast line of lots 1 389 595, 2 261 821 and 2 261 377; southwesterly, the southeast line of lots 2 261 377, 2 262 121, 2 262 120, 2 262 118 back to 2 262 109, 2 262 107 back to 2 262 100, 2 262 090, 2 262 089, 2 262 088, 2 262 087, 2 262 085, 2 262 084, 2 262 083, 2 262 082 and 2 262 662; northwesterly, the southwest line of the said lot; southwesterly, part of the southeast line of lot 1 389 464 and the southeast line of lots 1 389 463 back to 1 389 449, 1 389 591 back to 1 389 587, 1 389 344, 1 389 343, 1 389 342, 1 389 341, 1 389 582 and a southeast line of lot 1 389 581; northwesterly, a southwest line of the said lot to the apex of the east angle of lot 1 389 592; southwesterly, the southeast line of the said lot; northwesterly, the southwest line of the said lot, a southwest line of lot 1 389 581 then the southwest line of lots 1 389 580, 1 390 465, 1 390 654, 1 390 296 to 1 390 301, 1 389 315 to 1 389 317, 1 389 320, 1 390 639, 1 389 313, 1 389 312, 1 389 314, 1 389 118 and part of the southwest line of lot 2 871 712 to the apex of the north angle of lot 1 390 813; northeasterly, a straight line in lot 2 871 712 to the apex of the south angle of lot 1 389 246; northwesterly, the southwest line of lots 1 389 246 to 1 389 248; successively southwest-erly, northwesterly and northeasterly, part of the south-east line, the southwest line then part of the northwest line of lot 1 390 653 to the apex of the south angle of lot 1 389 147; northwesterly, the southwest line of lot 1 389 147 and a southwest line of lot 1 389 148 to the apex of the north angle of lot 1 390 671; southwesterly, a southeast line of lot 1 389 148 then the southeast line of lots 1 389 308, 1 172 004 and 1 172 395; northwesterly, the southwest line of the said lot; southwesterly, part of the southeast line of lot 1 172 394 then the southwest line of lots 1 171 371, 1 171 291, 1 171 279, 1 171 234, 1 171 233, 1 171 145, 1 171 144, 1 171 044, 1 171 042 and 1 172 183; successively southerly and westerly, the east line then the south line of lot 1 766 015 then the south line of lot 1 766 014; southwesterly, the southeast line of lots 1 172 215, 1 170 943, 1 170 937, 1 172 182, 1 170 936, 3 117 849, part of the southeast line of lot 3 302 128, the southeast line of lots 3 302 127 back to 3 302 119, 3 117 793 back to 3 117 783, 3 117 850, 1 169 417, 1 169 416, 1 169 405 back to 1 169 402, 1 172 227, 1 370 275, 1 370 261, 1 370 260, 1 370 258, 1 370 226 back to 1 370 223, 1 370 221 and 1 370 219; southerly, the east line of lot 1 370 217; southwesterly, the southeast line of lots 1 370 217, 1 370 176 and a southeast line of lot 1 370 532; northerly, the west line of the said lot; southwesterly, a southeast line of the said lot and the southeast line of lots 1 370 145 back to 1 370 140,

1 370 098, 1 370 096 and part of the southeast line of lot 1 370 086 to the apex of the west angle of lot 1 766 481; southeasterly, part of the northeast line of lot 2 160 309 and the northeast line of lots 1 370 139 and 1 370 628; southwesterly, the broken line bordering to the southeast lots 1 370 628, 1 370 606, 1 369 675, 1 844 375, 1 842 666 and 2 217 994; northerly, the west line of the latter lot; southwesterly, part of the southeast line of lots 1 842 665 and 2 852 512 to the apex of the north angle of lot 3 087 209; generally southerly, the broken line bordering to the east lots 3 087 209, 1 842 627, 1 844 350, 1 844 348, 1 844 184, 1 842 428, 1 844 347, 1 842 430, 1 842 419, 1 844 346, 1 842 421, 1 842 456, 1 844 345, 1 842 452, 1 842 455, 1 844 344, 1 844 441, 1 844 442, 1 842 449, 1 842 458 and 1 844 340; southwesterly, the broken line bordering to the southeast lots 1 844 340, 1 842 380, 1 844 418, 1 842 323, 1 842 249, 1 842 248, 1 842 246, 1 842 244, 1 842 242, 1 842 238, 1 842 237, 1 842 168, 1 842 167, 1 842 164, 1 842 161, 1 842 102, 1 842 091 back to 1 842 088, 1 841 994, 1 841 992, 1 841 990, 1 841 983, 1 841 982, 1 844 423, 1 072 876, 1 072 868 back to 1 072 864, 1 072 111, 1 072 078, 1 072 077, 1 072 076, 1 072 074 and 1 072 073; southerly, part of the east line of lot 1 072 072 and the east line of lots 1 072 066 and 1 072 068; northeasterly, part of the northwest line of lot 1 072 069; southeasterly, the northeast line of lots 1 072 069, 1 072 070, 1 072 061, 1 072 063, 1 072 107 to 1 072 110, 1 072 101 to 1 072 106, 1 072 875, 1 072 083 and 1 072 874; southwesterly, the southeast line of lots 1 072 874, 1 072 891, 1 072 095, 1 072 094, 1 072 093, 1 072 090, 1 072 082, 1 072 081, 1 072 080, 1 072 079, 1 072 027, 1 072 026, 1 072 083, 1 072 018, 1 072 016, 1 071 861, 1 071 945, 1 071 944, 1 071 942, 1 071 934 back to 1 071 930, 1 071 851, 1 071 849, 1 071 837 back to 1 071 831, 1 071 723 and part of the southeast line of lot 1 071 722 to the apex of the north angle of lot 1 995 028; southeasterly, the northeast line of lots 1 995 028, 1 994 626 and 1 994 625; southwesterly, the southeast line of lots 1 994 625, 1 994 624, 1 994 622 back to 1 994 609, 1 995 033 back to 1 995 029, 1 071 203, 1 071 177, 1 071 176, 1 071 175, 1 071 174, 1 071 172, 1 071 170, 1 071 168, 1 073 089, 1 073 090 to 1 073 092, that line extending in lot 1 071 149 to the northeast line of lot 1 073 030 corresponding to the northeast side of the right-of-way of boulevard Saint-Charles; southeasterly, the northeast side of the said right-of-way bordering to the northeast lots 1 073 030 and 2 240 592 to the north-easterly extension, in lot 2 240 592, of the southeast line of lot 1 349 429; southwesterly, the said extension and the southeast line of lots 1 349 429, 1 349 425 back to 1 349 422, 1 349 420, 1 349 100, 1 349 097, 1 349 086 back to 1 349 082, 1 349 034, 1 349 033, 1 349 032, 1 349 030, 1 349 028, 1 349 026, 1 349 022, 1 348 959 back to 1 348 953, 1 348 951, 1 348 877, 1 348 875,

1 348 873, 1 348 866, 1 348 865, 1 348 864, 1 348 745 back to 1 348 741, 1 348 738, 1 348 737, 1 348 144 back to 1 348 136, 1 348 133, 1 348 132, 1 348 124, 1 348 123, 1 348 122, 1 348 121, 1 348 104 back to 1 348 100, 1 348 097, 1 348 095, 1 348 093, 1 348 056 back to 1 348 049, 1 348 013, 1 348 010, 1 347 999 back to 1 347 995, 1 346 893, 1 346 892, 1 346 891, 1 346 889 and 1 346 887; westerly, the south line of lots 1 978 608, 1 978 599, 1 978 595, 1 978 594, 1 978 592, 1 978 590, 1 978 552, 1 978 549, 1 978 547, 1 978 536, 1 978 535, 1 978 534, 1 978 533, 1 978 470 and 1 978 469; generally southwesterly, the southeast line of lots 1 978 469 back to 1 978 466, 1 978 464, 1 978 465, 1 978 397, 1 978 391, 1 978 390, 1 978 388, 1 978 387, 1 978 386, 1 978 291, 1 978 289, 1 978 278 back to 1 978 273, 1 978 160, 1 978 145 back to 1 978 141, 1 978 139, 1 978 137, 1 978 033, 1 978 030, 1 978 028 back to 1 978 025, 1 977 935, 1 990 825 to 1 990 831, 1 990 834 to 1 990 836, 1 990 841, 1 979 022, 1 990 843 and 2 513 737; southerly, part of the west line of lot 2 461 590 to the easterly extension, in lot 2 461 328, of the latter segment of the broken dividing line between lots 2 461 328 and 1 977 480; successively westerly and northwesterly, the said extension then the broken dividing line between lots 1 977 480 and 2 461 328; northwesterly, the southwest line of lots 1 977 841 and 1 977 475; westerly, the south line of lots 1 977 475, 1 979 025, 1 977 464, 1 977 462, 1 977 460, 1 977 457, 1 977 456, 1 977 444, 1 977 442 and 1 997 441; successively southerly, westerly and northerly, part of the east line, the south line then part of the west line of lot 1 977 432 to the apex of the east angle of lot 1 977 332; successively southwesterly and northwesterly, the southeast line and part of the southwest line of lot 1 977 332 to the apex of the east angle of lot 1 977 331; generally southwesterly, the broken line bordering to the southeast lots 1 977 331, 1 977 330, 3 070 208, 1 990 925, 3 337 339, 1 977 304, 1 977 303, 1 990 781 (Chemin de l'Anse-à-l'Orme), 1 978 994, 1 978 993, 1 978 991, part of the southeast line of lot 1 977 298 to its meeting with the dividing line between lots 1 977 297 and 1 559 473 then the broken dividing line between lot 1 977 297 on one side and lots 1 559 473, 1 559 469 and 1 559 455 on the other side; northwesterly, the southwest line of lots 1 977 297, 1 990 781 (Chemin de l'Anse-à-l'Orme), a straight line in lot 1 977 224 to the apex of the southwesternmost angle of lot 1 977 292, the southwest line of the said lot then the southwest line of lots 1 979 019 and 1 978 984; northwesterly, a straight line running in a 300° 00' 00" direction, whose point of origin is the apex of the west angle of lot 1 978 984, to the centre line of lac des Deux-Montagnes; northeasterly, the said centre line to its meeting with the northwesterly extension of the line running midway between île Bizard and Roussin and Jésus islands; generally southeasterly, the

said extension, the said line running midway between the said islands, then another line running midway between île Bizard on one side and île Bigras, the island bearing number 1 082 681, île Verte and île Ronde (lot 1 082 680) on the other side, the last segment of that line extending to the centre line of rivière des Prairies; generally southeasterly and northeasterly, the centre line of the said river downstream and running southeast of île Ronde (lot 1 082 680), île Verte and île Pariseau, northwest of île aux Chats (lot 1 902 618) and southeast of île Paton to its meeting with the northwesterly extension of the northeast line of lot 1 983 680; southeasterly, the said extension to the southeast shore of rivière des Prairies; generally northeasterly, the southeast shore of the said river to the southwest line of lot 2 125 873; northwesterly, the southwest line of the said lot connecting île de Montréal to île de la Visitation; the shore of île de la Visitation following the contours of the island clockwise to the broken line bordering lot 2 125 873 to the northeast; southeasterly, the latter broken line to the southeast shore of rivière des Prairies; generally northeasterly, the southeast shore of the said river to the northwesterly extension of the northeast line of lot 1 742 241; in rivière des Prairies, northwesterly, the said extension to the centre line of the said river skirting to the southwest île du Cheval de Terre (lot 1 745 456); generally northeasterly, the centre line of the said river downstream and running northwest of the islands identified by numbers 1 055 834, 1 055 899 and île Gagné and southeast of the islands bearing numbers 1 613 846, 1 982 394, 1 982 396 to 1 982 399 to an irregular line running midway between île Bonfoin (lot 1 874 447) on one side and Serre (1 754 502) and Bourdon (lots 1 750 503, 1 750 506, 1 750 637, 1 754 694, 2 016 153 and 2 016 154) islands on the other side; southerly, the latter line running midway to an irregular line running midway between île de Montréal and Bourdon and Bonfoin islands; easterly, the latter line running midway to another irregular line in the St. Lawrence River running midway between île de Montréal on one side and Aigle (lots 1 754 778 and 1 754 779), aux Asperges, Sainte-Thérèse, au Veau and Saint-Patrice islands on the other side; southerly, the latter line running midway to its meeting with the easterly extension of the north line of lot 1 262 110; westerly, the said extension to the west shore of the St. Lawrence River; generally southerly, the west shore of the said river to the south line of lot 1 093 333; westerly, the south line of the said lot and lots 1 092 441 (rue Notre-Dame), 1 093 646, 1 093 317, 1 093 397, 1 093 407, 1 093 406, 1 093 392, 1 093 391 back to 1 093 383, 1 093 374, 1 091 757 (rue Prince-Albert), 1 093 263, 1 093 262, 1 091 760 (rue Victoria), 1 093 320, 1 093 309, 1 093 310, 1 091 617, 1 093 430, 1 093 442, 1 093 443, 1 093 484, 1 093 485, 1 093 505, 1 093 506, 1 093 554, 1 093 289, 2 490 353, 2 490 354, 1 093 561, 1 093 600,

1 093 601, 1 093 614, 1 093 626, 1 091 758, 1 093 264, 1 093 265, 1 865 991 and 1 866 184; northeasterly, the northwest line of the said lot; northwesterly, the broken line bordering to the southwest lots 1 865 991, 1 865 990, 1 865 969, 1 865 970 (boulevard Métropolitain), 1 865 968, 1 865 828, 1 505 794 and 1 505 795 to the centre line of boulevard Henri-Bourassa; generally southwesterly, the centre line of the central part of the said boulevard, crossing lots 1 250 908 and 1 250 903, then the centre line of the said boulevard bordering to the southeast lots 1 250 899, 1 250 110, and 1 509 600 to the apex of the north angle of lot 1 250 895, the broken line bordering lot 1 250 865 to the southeast, part of the southeast line of lot 1 510 940 then the southeast line of lots 1 076 455, 1 251 023 and 1 250 998; southeasterly, the northeast line of lots 1 005 704, 1 005 706, 1 005 707, 1 144 242, 2 171 870, 1 302 069, 1 302 070, 1 144 220, 1 005 727, 1 148 003, 1 005 729, 1 005 734, 1 110 467, 1 110 465 (boulevard Métropolitain), 1 110 466, 1 110 468 and 1 114 672; southerly, the east line of the latter lot and part of the east line of lot 2 944 624 to the apex of the northwest angle of lot 1 295 512; easterly, the north line of lots 1 295 512, 1 295 471, 1 295 470, 1 295 457, 1 295 468, again 1 295 457, 1 292 878, 1 294 292, 1 295 430, 1 295 413, 1 295 424, again 1 295 413, 1 295 401, 1 295 383, 1 295 382, 1 295 364, 1 295 375, 1 295 367, 1 294 991, 1 295 365, again 1 295 364, 1 295 352, 1 295 328, 1 295 327, 1 295 321, 1 295 303, 1 295 302, 1 295 275, 1 295 274, 1 295 266, 1 295 265, 1 295 260, 1 295 259, 1 295 248, 1 295 247, 1 295 246, 1 294 879, 1 295 221, 1 295 215, 1 295 214 back to 1 295 210, 1 295 208, 1 295 207, 1 295 510, 1 295 511, 1 422 868, 1 422 870, 1 422 879, 1 422 867, 1 295 521, 1 422 866, 1 295 531, 1 295 530, 1 295 529, 1 295 527, 1 295 526, 1 295 502, 1 295 501, 1 293 731, 1 295 466, 1 295 422, 1 295 411, 1 295 393, 1 295 390, 1 295 322, 1 295 311, 1 295 279 and part of the north line of lot 1 422 874 to the apex of the southwest angle of lot 1 250 986; southwesterly, the northwest shore of the St. Lawrence River to the northeast line of lot 1 879 330; southeasterly, the northeast line of lots 1 879 330 and 1 879 975 and the extension of the latter line to the centre line of the St. Lawrence River; southwesterly, the centre line of the said river upstream to its meeting with a line parallel to the southwest limit of the lands belonging to the St. Lawrence Seaway Authority and situated 45.72 metres (150 feet) northeast of the latter limit; southeasterly, the said parallel line to its meeting with a perpendicular line above the southwest limit of the lands belonging to the St. Lawrence Seaway Authority 457.20 metres (1,500 feet) northwest of the northwest line of lot 2 627 045, such distance being measured along the southwest limit of the said lands; southwesterly, the said perpendicular line to the southwest limit of the said lands; southeasterly, the said limit to its meeting with a line parallel to the northwest line of lot 2 627 045 and situated 9.114 metres

(30 feet) northwest of that line; southwesterly, the said parallel line to the centre line of the St. Lawrence River; lastly, generally southwesterly, the centre line of the said river upstream and running east of île des Sœurs, south of île aux Hérons and north of île au Diable to the point of commencement.

The territories of the cities or towns of Côte-Saint-Luc, Hampstead, Montréal-Ouest, Mont-Royal and Westmount are to be withdrawn from the territory.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 3 May 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

SCHEDULE B

(s. 9, par. 19)

OFFICIAL DESCRIPTION

Côte-des-Neiges-Notre-Dame-de-Grâce Borough

Commencing at the apex of the north angle of lot 2 174 259 of the cadastre of Québec situated on the southeast limit of Ville de Mont-Royal; thence, the following lines and demarcations: in reference to that cadastre, southeasterly, the northeast line of lots 2 174 259, 2 174 246, 2 174 248, 2 174 251, 2 174 253 to 2 174 255, 2 174 257, 2 174 353 to 2 174 363, 2 453 219, 2 174 054 to 2 174 058, 2 173 589 to 2 173 594, 2 482 312, 2 173 624 to 2 173 634, 2 173 636, 2 453 221, 2 173 656, 2 173 416 to 2 173 419, 2 173 428, 2 173 420 to 2 173 423, 2 482 307 and 2 173 279; southwesterly, the southeast line of lots 2 173 279, 2 482 308, 2 173 278 and a part of the southeast line of lot 2 173 425 to the apex of the west angle of lot 1 353 048; southeasterly, part of the northeast line of lot 2 173 223, the northeast line of lots 2 482 265, 2 173 242, 2 173 243, 2 173 241, 2 173 240, 2 482 216, 2 173 239, 2 173 236, 2 173 235, 2 173 234, 2 173 270 and 2 482 315; southwesterly, a southeast line of lot 2 482 315 to the apex of the westernmost angle of lot 1 512 971; southeasterly, a northeast line of lot 2 482 315, the northeast line of lots 2 173 063, 2 173 064, 2 172 948, 2 173 070, 2 173 071, 2 172 949, 2 172 950 and 2 172 951; southwesterly, the southeast line of lots 2 172 951, 2 482 320, 2 172 961, 2 172 963, 2 482 321, 2 172 983, 2 482 278, 2 482 523, 2 173 007, 2 173 008, 2 482 323, 2 482 226, 2 173 036, 2 482 324 and a part of the southeast line of lot 2 173 038 to the apex of the north angle of lot 2 172 880; south-

easterly, the northeast line of lots 2 172 880, 2 482 326, 2 172 873, a northeast line of lot 2 172 872 and a northeast line of lot 2 172 826 to the apex of the south angle of lot 2 172 933; northeasterly, a northwest line of lot 1 172 826, the northwest line of lots 2 172 827 to 2 172 833, 2 482 331, 2 172 834 to 2 172 842, 2 482 291, 2 482 176, 3 428 150, 2 482 191, 2 172 844, 2 482 208, 2 172 845, 2 482 336, 2 172 846 to 2 172 849, 2 482 193, 2 172 850 to 2 172 857, 2 176 565, 2 482 436, 2 172 858 to 2 172 860, 2 172 862 and 2 172 861; southeasterly, successively, the southwest side of the right-of-way of avenue Vincent-D'Indy then a part of the northeast line of lot 2 177 245, the broken line bordering lot 2 172 524 to the northeast to the apex of the westernmost angle of lot 1 349 842; successively northeasterly, southeasterly, again northeasterly and again southeasterly, the broken line bordering lot 1 349 842 then the extension, across the said lot, of the latter section of that broken line to chemin Remembrance; generally southwesterly, chemin Remembrance to the limit of Ville de Westmount on the northeast line of lot 2 626 555; generally southwesterly, southeasterly and then northeasterly, the limits of Ville de Westmount to its meeting with autoroute 20; southerly, autoroute 20 to rue Pullman; southwesterly, successively, rue Pullman to the crest of the Saint-Jacques escarpment then the crest of the said escarpment to the limit of Ville de Montréal-Ouest; northwesterly, the limit of Ville de Montréal-Ouest; generally northeasterly, the southeast limit of the towns of Côte-Saint-Luc and Hampstead; generally northwesterly, the northeast limit of Ville de Hampstead and Ville de Côte-Saint-Luc, again the northeast limit of Ville de Hampstead and Ville de Côte-Saint-Luc; successively southwesterly and northwesterly, the limits of Ville de Côte-Saint-Luc to the southeast limit of Ville de Mont-Royal; lastly, in a general easterly direction, the limits of Ville de Mont-Royal to the point of commencement.

Île Bizard–Sainte-Geneviève Borough

Commencing at the meeting point of the centre line of rivière des Prairies with the northerly extension of the west line of lot 1 843 376 of the cadastre of Québec, in lot 3 368 983 of the said cadastre and in the said river, thence, the following lines and demarcations: in reference to the said cadastre, southerly, successively, the said extension in the said river and in lot 3 368 983, the west line of lots 1 843 376, 1 844 419 (boulevard Gouin Ouest) and 2 754 750; easterly, the south line of lots 2 754 750, 2 754 761, 2 602 936, 2 602 925, 1 843 387, 1 843 390, 1 843 445, 1 843 472, 1 843 496, 1 843 474, 1 843 495, a straight line in lot 3 306 759 to the apex of the southwest angle of lot 1 843 505, the south line of lots 1 843 505, 1 843 520 and 1 843 516 to 1 843 518; northwesterly, the northeast line of lots 1 843 522, 1 843 521, 1 843 520, 1 843 634, 1 843 633, 1 844 400

and 1 843 636; northeasterly, the southeast line of lots 1 843 637, 1 844 401, 1 843 642, 1 843 644, 1 844 402, 1 843 674, 1 843 676, 1 843 677, 1 844 403, 1 843 696, 1 843 678, 1 843 698, 3 377 470, 1 843 776, 1 843 806, 1 843 807, 1 841 744, 1 843 817, 1 843 819, 1 844 432, 1 844 399, 1 843 831, 1 843 832, 1 843 842, 1 843 843, 1 843 846, 1 843 848, 1 843 849, 1 843 851, 1 844 436, 1 843 944, 1 844 003, 1 844 032, a straight line in lot 1 841 497 to the apex of the south angle of lot 1 844 396, a southeast line of lot 1 844 396, the southeast line of lots 1 844 069, 1 844 395, a straight line in lots 1 841 500, 1 844 070, 1 841 510, 1 841 511 to the apex of the south angle of lot 1 844 460, the southeast line of lots 1 844 460, 1 844 129, 1 844 131, 1 844 137 and 1 844 539; northwesterly, successively, the northeast line of lots 1 844 539, 1 844 460, 1 844 547, 1 844 548, 1 844 167, 1 844 459 and 1 841 516, then, in rivière des Prairies, a broken line skirting île Ménard (lot 1 841 520) to the southwest to the centre line of the said river; northeasterly, the centre line of the said river passing to the northwest of Ménard, Jasmin and Barwick islands to an irregular line passing midway between the southwest shore of île Ronde and the northeast shore of île Bizard; northwesterly, the line passing midway between the northeast shore of île Bizard and the southwest shore of Ronde, Verte and Bigras islands; westerly, a line passing midway between the north shore of île Bizard and the south shore of Jésus and Roussin islands and its extension to the centre line of lac des Deux-Montagnes; generally southwesterly, the centre line of the said lake to its meeting with a straight line running astronomically 300° 00' and originating at the apex of the north angle of lot 1 978 987; lastly, generally easterly, the extension of the latter segment of the centre line of rivière des Prairies then the centre line of the said river to the point of commencement.

Pierrefonds-Roxboro Borough

Commencing at the meeting point of the centre line of rivière des Prairies with the northwesterly extension of the northeast line of lot 2 338 050 of the cadastre of Québec across lots 1 898 888 and 1 901 330 of the said cadastre and in rivière des Prairies, thence, the following lines and demarcations: in reference to that cadastre, southeasterly, successively, the said extension across lots 1 898 888 and 1 901 330, the northeast line of lot 1 902 682, a straight line across lot 1 898 898 to the apex of the north angle of lot 1 898 894, the northeast line of the latter lot and of lots 1 898 896, 1 898 897, 1 898 890, 1 898 891 then a straight line in lot 1 901 271 to the apex of the north angle of lot 1 163 631; generally westerly, successively, a southeast line of lot 1 901 271, a southeast line of lot 1 898 891, the southwest line of the latter lot, the south line of lot 1 898 890, the broken line bordering lot 1 898 902 to the south, the south line of lot

1 902 676 then the broken line bordering lot 1 898 906 to the south; northwesterly, the southwest line of lots 1 898 906, 1 898 907 and a southwest line of lot 1 898 908; southwesterly, a southeast line of lot 1 898 908, the southeast line of lot 1 898 904 and a southeast line of lot 1 900 313; generally northwesterly, the broken line bordering lot 1 900 313 to the southwest, the southwest line of lots 1 898 889, 1 898 925, 1 899 164 and a part of the southwest line of lot 1 899 163 to the apex of the east angle of lot 1 899 175; generally southwesterly, the southeast line of lot 1 899 175, the broken line bordering lot 1 901 461 to the southeast, the southeast line of lots 1 899 447, 1 899 535 and 1 899 378; southeasterly, the northeast line of lots 1 902 497, 1 899 460 and 1 902 498; westerly, the south line of lot 1 902 498; southeasterly, the northeast line of lots 1 902 498, 1 899 723 and 1 902 500; southwesterly, the broken line bordering lot 1 902 500 to the southeast to the limit of Ville de Dollard-Des Ormeaux on the northeast line of lot 2 263 013; generally northwesterly and westerly, the northeast limit of Ville de Dollard-Des Ormeaux then the north limit of the towns of Dollard-Des Ormeaux, Kirkland, Sainte-Anne-de-Bellevue and Village de Senneville to the meeting point of a straight line running astronomically 300° 00' originating at the apex of the north angle of lot 1 978 987 with the extension of the latter segment of the centre line of rivière des Prairies; easterly, the said extension then the centre line of the said river to the northerly extension, in lot 3 368 983 and in the said river, of the west line of lot 1 843 376; southerly, successively, the said extension in the said river and in lot 3 368 983, the west line of lots 1 843 376, 1 844 419 (boulevard Gouin Ouest) and 2 754 750; easterly, the south line of lots 2 754 750, 2 754 761, 2 602 936, 2 602 925, 1 843 387, 1 843 390, 1 843 445, 1 843 472, 1 843 496, 1 843 474, 1 843 495, a straight line in lot 3 306 759 to the apex of the southwest angle of lot 1 843 505, the south line of lots 1 843 505, 1 843 520 and 1 843 516 to 1 843 518; northwesterly, the northeast line of lots 1 843 522, 1 843 521, 1 843 520, 1 843 634, 1 843 633, 1 844 400 and 1 843 636; northeasterly, the southeast line of lots 1 843 637, 1 844 401, 1 843 642, 1 843 644, 1 844 402, 1 843 674, 1 843 676, 1 843 677, 1 844 403, 1 843 696, 1 843 678, 1 843 698, 3 377 470, 1 843 776, 1 843 806, 1 843 807, 1 841 744, 1 843 817, 1 843 819, 1 844 432, 1 844 399, 1 843 831, 1 843 832, 1 843 842, 1 843 843, 1 843 846, 1 843 848, 1 843 849, 1 843 851, 1 844 436, 1 843 944, 1 844 003, 1 844 032, a straight line in lot 1 841 497 to the apex of the south angle of lot 1 844 396, a southeast line of lot 1 844 396, the southeast line of lots 1 844 069, 1 844 395, a straight line in lots 1 841 500, 1 844 070, 1 841 510, 1 841 511 to the apex of the south angle of lot 1 844 460, the southeast line of lots 1 844 460, 1 844 129, 1 844 131, 1 844 137 and 1 844 539; north-

westerly, successively, the northeast line of lots 1 844 539, 1 844 460, 1 844 547, 1 844 548, 1 844 167, 1 844 459 and 1 841 516, then, in rivière des Prairies, a broken line skirting île Ménard (lot 1 841 520) to the southwest to the centre line of the said river; lastly, successively northerly and easterly, the centre line of the said river to the point of commencement.

Rivière-des-Prairies–Pointe-aux-Trembles Borough

Commencing at the meeting point of the centre line of rivière des Prairies with the northwesterly extension of the southwest line of lot 1 055 216 of the cadastre of Québec, thence, the following lines and demarcations: in reference to the said cadastre, successively northeasterly and easterly, the centre line of the said river separating Ville de Montréal from the Ville de Laval and the towns of Terrebonne and Repentigny to an irregular line in the St. Lawrence River; generally southerly, the said irregular line in the St. Lawrence River passing midway between île de Montréal on one side and Aigle, aux Asperges, Sainte-Thérèse, au Veau and Saint-Patrice islands on the other side to the easterly extension of the north line of lot 1 262 110; westerly, the said extension to the west shore of the said river; generally southerly, the west shore of the said river to the south line of lot 1 093 333, corresponding to a part of the north limit of Ville de Montréal-Est; successively westerly and northwesterly, the north limit then the northeast limit of Ville de Montréal-Est to the centre line of the centre part of boulevard Henri-Bourassa; southwesterly, the centre line of the said boulevard, the first part of which limits Ville de Montréal-Est to the northwest, to the southwest line of lot 2 401 706; lastly, northwesterly, the southwest line of lots 2 401 706, 1 697 340, 1 697 339, 1 005 865, 1 050 673, 3 051 750, 3 051 752, 2 866 595, 2 866 594, 1 055 900, 1 058 933 (boulevard Maurice-Duplessis), 1 058 986, 1 055 907, 1 058 761 (boulevard Perras), 1 055 349, 1 059 028, 1 059 018, 1 059 100, 1 059 098, 1 058 770 (boulevard Gouin), 1 055 215, 1 055 216 and the extension of that latter line to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 23 August 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7323

Gouvernement du Québec

O.C. 1214-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of Longueuil

WHEREAS Ville de Longueuil was constituted on 1 January 2002 by the coming into force of section 3 and Schedule III to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of the city includes the territories of the former Ville de Boucherville, the former Ville de Brossard, the former Ville de Saint-Bruno-de-Montarville and the former Ville de Saint-Lambert;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Longueuil is made up of the territories of Ville de Longueuil, Ville de Boucherville, Ville de Brossard, Ville de Saint-Bruno-de-Montarville and Ville de Saint-Lambert and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS, by Order in Council 596-2004 dated 21 June 2004, the Government, in accordance with section 51 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, established a transition committee to participate, together with the administrators and employees of the city and with any persons elected in advance in the reconstituted municipalities, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Chapter IV of Title V of the Act respecting the exercise of certain municipal powers in certain urban agglomerations provides that the Government may make an order designated as an “urban agglomeration order” for each urban agglomeration;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Longueuil;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

TITLE I OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Longueuil, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations, in relation to the exercise of urban agglomeration powers.

2. In this Order, Ville de Longueuil is designated as the “central municipality” and Ville de Boucherville, Ville de Brossard, Ville de Saint-Bruno-de-Montarville and Ville de Saint-Lambert are designated as “reconstituted municipalities”; their territories make up the urban agglomeration of Longueuil, hereinafter designated as the “urban agglomeration”. They are related municipalities.

The term “city”, used alone, designates Ville de Longueuil as it existed before the coming into force of this Order; “former municipality” means Ville de Boucherville, Ville de Brossard, Ville de Saint-Bruno-de-Montarville or Ville de Saint-Lambert that ceased to exist upon the constitution of the city.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I URBAN AGGLOMERATION COUNCIL

DIVISION I NATURE AND COMPOSITION

3. The urban agglomeration council within the central municipality is a deliberative body distinct from the council of the central municipality.

4. The urban agglomeration council is composed of the mayor of each related municipality and of five councillors of the central municipality designated in writing by the mayor of the central municipality.

A designation, unless revoked, is valid until the term of office of the designated person as councillor terminates.

The person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the central municipality.

5. If the office of mayor of a related municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor. The mayor may, however, make the designation in advance, in writing; if the mayor does so, the designation may not be made by the council of the municipality.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor terminates.

In the case of a reconstituted municipality, the person may not sit on the urban agglomeration council until an authenticated copy of the resolution or the writing designating the person has been received by the central municipality. In the case of a person designated by the mayor of the central municipality, the person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the municipality.

6. The urban agglomeration council has the special positions of chair and vice-chair, the holders of which are designated by the council from among its members.

The chair must be a representative of the central municipality and the vice-chair a representative of a reconstituted municipality.

7. The function of the chair is to preside the meetings of the urban agglomeration council.

The vice-chair exercises that function while the chair is unable to act, if the position is vacant or when the exercise of that function has been delegated to the vice-chair by the chair.

If the regular council of the central municipality has a position of chair and its holder has additional functions in relation to the council's work, the holder of the position of chair on the urban agglomeration council has the same functions in relation to that council's work.

DIVISION II ASSIGNMENT OF VOTES

8. Each member of the urban agglomeration council has the number of votes determined under sections 9 to 11.

9. The representation of the related municipality with the smallest population has one vote.

The representation of every other related municipality has a number of votes equal to the quotient obtained by dividing the population of the related municipality by the population of the municipality referred to in the first paragraph.

For the purposes of the first two paragraphs, the population of each related municipality is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

10. In the case of a reconstituted municipality, the representative has the number of votes assigned to the representation of the municipality.

In the case of the central municipality, each representative has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the municipality by six.

11. If the quotient calculated under the second paragraph of section 9 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

In the case of the central municipality, the rounding under the first paragraph also applies to the quotient calculated under the second paragraph of section 10.

DIVISION III QUORUM AND DECISION-MAKING RULES

12. The quorum at meetings of the urban agglomeration council is five members, of whom three represent the central municipality and two represent the reconstituted municipalities.

13. Subject to any provision of an Act requiring a decision to be made unanimously, the decisions of the urban agglomeration council are made by a majority of votes. That majority requires a majority both of the votes cast by the members representing the central municipality and of the votes cast by the members representing the reconstituted municipalities.

DIVISION IV OTHER RULES

14. The mayor of the central municipality is the chief executive officer of the municipality for urban agglomeration matters as for any other purpose.

15. All the functions of the executive committee are exercised by the urban agglomeration council when they are included in the exercise of an urban agglomeration power.

The urban agglomeration council may, however, in respect of its functions, avail itself of section 34 of the Charter of Ville de Longueuil (R.S.Q., c. C-11.3) and of any other provision of an Act authorizing the council of the central municipality to delegate functions to the executive committee.

16. Every other rule applying to the council of the central municipality, in particular as regards the drawing up of the agenda paper and the holding of meetings or their convocation, also applies to the urban agglomeration council.

The urban agglomeration council may, however, adopt a by-law setting a time period different from that required by section 323 of the Cities and Towns Act (R.S.Q., c. C-19) for service of the notice of convocation for a special meeting of the council.

CHAPTER II AGGLOMERATION COMMISSIONS

17. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to it involve in whole or in part any matter relating to an urban agglomeration power.

Any member of the council of a related municipality may be designated as a member of such a commission.

The urban agglomeration council designates as a member of such a commission at least one member of the council of one of the reconstituted municipalities.

For the purposes of the first three paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I REMUNERATION

DIVISION I INTERPRETATION

18. For the purposes of Divisions II and III,

(1) “Act” means the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II REMUNERATION AND COMPENSATION

19. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

20. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers. The urban agglomeration council may, however, even if it does not grant basic remuneration in accordance with the first paragraph of section 2 of the Act, grant additional remuneration in accordance with the second paragraph of that section.

Where an urban agglomeration commission pursuant to section 17 has as a member a person who is not a member of the urban agglomeration council, the urban

agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act.

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of each reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

21. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for a councillor of the central municipality who is a member of the urban agglomeration council, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of a reconstituted municipality, the amount used is the greater of the amount established in the mayor's respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for a councillor of the central municipality who is a member of the urban agglomeration council; and

(4) for a councillor of a related municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person's respect in section 16 of the Act, the latter minimum applies.

22. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of a reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

23. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of a reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

24. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

DIVISION III OTHER COMPONENTS OF REMUNERATION

25. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 17 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act.

26. The first paragraph of section 25 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

27. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

28. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

29. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 30, and has none of the powers provided for in that Act that concern membership in the plan.

30. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body regarding the contribution in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

31. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursement referred to in section 25 are also deemed to be incurred in the exercise of those powers.

32. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council or, where applicable, by the executive committee of the central municipality acting in the council's place.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

33. If the expenditures related to the conditions of employment referred to in the second paragraph of section 32 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 26.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

34. The thoroughfares identified in plan 04EP003 appended as part of resolution CM-2004-229 passed on 2 March 2004 by the council of Ville de Longueuil form the arterial road system of the urban agglomeration.

35. The water mains larger than 300 mm in diameter shown on the plan prepared by Consultants SM inc. (Sheets 1 and 2 dated 16 March 2005) and appended to the report of 5 October 2005 of the transition committee of the urban agglomeration of Longueuil are those in the water system in the urban agglomeration that are not purely local within the meaning provided in section 25 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

36. The sewer mains 600 mm in diameter or larger used for the sanitary system and the mains 1800 mm in diameter or larger used for the storm drainage system, shown on plans 603182-MU888 and MU999 dated 10 March 2005 prepared by SNC-Lavalin inc. and appended to the report of 5 October 2005 of the transition committee of the urban agglomeration of Longueuil, are those in the sewer system in the urban agglomeration that are not

purely local within the meaning provided in section 25 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

37. The equipment, infrastructures and activities listed in the Schedule are of collective interest.

The municipality that owns immovable property of collective interest cannot alienate the property.

The management of the equipment, infrastructures and activities listed in the Schedule, the financing of the related expenditures and the use of the revenues generated are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, except in the case of the Parc de la voie maritime.

In that case, the management is assumed by Ville de Saint-Lambert and the financing of the expenditures related to the park and the use of the revenues it generates are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V

SHARING OF ASSETS AND LIABILITIES

CHAPTER I

ASSETS

38. The property listed in Schedules I, J and K to the report of 5 October 2005 of the transition committee of the urban agglomeration of Longueuil, as amended by resolution 05-12-01 dated 2 December 2005, becomes the property of the reconstituted municipalities as provided in those Schedules.

Subject to section 42, all movable property situated in or on an immovable listed in Schedule I to the report and that ensures its use becomes the property of the reconstituted municipality which, as provided in that Schedule, becomes the owner of the immovable, except if part of such an immovable is used for the purposes of the exercise of an urban agglomeration power, in which case all the movable property situated in or on that part of the immovable and that ensures its use remains the property of the central municipality.

All movable property used for the purposes of the exercise of a local power that is situated in or on an immovable that is not the property of the city becomes the property of the reconstituted municipality in the territory in which the immovable is situated.

Equipment or an infrastructure referred to in section 37 that is situated in the territory of a reconstituted municipality, if it is municipal property, becomes the property of the reconstituted municipality.

39. All property of the city not referred to in section 38 remains the property of the central municipality.

If the central municipality alienates property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

The central municipality must, before alienating an immovable that is used for the exercise of an urban agglomeration power and is situated in the territory of a reconstituted municipality, offer it to that municipality at a price that is not to exceed its fair market value.

40. For the purposes of the exercise of an urban agglomeration power, the central municipality may continue to use or occupy all or any part of any immovable that becomes the property of a reconstituted municipality under this Order.

For the purposes of the exercise of its local powers, a reconstituted municipality may continue to use or occupy all or any part of any immovable that remains the property of the central municipality.

The use or occupancy is subject to market conditions which are set out in an agreement entered into between the two municipalities.

41. Until 30 June 2006, the central municipality continues to use, jointly with Ville de Boucherville and on such terms and conditions as they determine for that use, the part of the immovable situated at 500, rue Rivière-aux-Pins in Boucherville that is used by the Direction de l'approvisionnement, des bâtiments et des équipements.

The central municipality also continues until that date to use the part of the immovable situated at 2001, boulevard Rome in Brossard that is used by the general directorate and the legal affairs and finance divisions.

During that period, the central municipality is to reimburse the reconstituted municipality that becomes the owner of the immovable for the costs related to operating the immovable, including the costs of operating the parking lot next to the immovable in the proportion that the area of the immovable used by the central municipality is of the total area of the immovable.

The central municipality is also to reimburse the reconstituted municipality for any reasonable expenditure incurred by the reconstituted municipality by reason of the fact that the central municipality continues to use part of its immovable, including any expenditure incurred to lease and equip another immovable and any expenditure incurred to enable the reconstituted municipality to use its part of the immovable after the central municipality has ceased to use it.

The central municipality and the reconstituted municipality must agree on the terms and conditions of the reimbursement under the third and fourth paragraphs.

Despite the foregoing, the central municipality and the reconstituted municipality may agree to shorten or extend the period of use or to modify the central municipality's financial contribution.

42. All movable property in the part of the immovable to which section 41 refers that is used by an employee of the central municipality during the period mentioned in that section remains the property of the central municipality, except if the property belonged to a former municipality before the constitution of the city. In such a case, the property at the end of the period of use becomes the property of the reconstituted municipality whose territory corresponds to that of the former municipality.

For the purposes of the first paragraph, property acquired by the city to replace property that belonged to a former municipality is considered to be such property.

43. Every document of the city that before its constitution was the property of a former municipality becomes the property of the reconstituted municipality whose territory corresponds to the territory of the former municipality, except a document in the record of an employee who remains in the employment of the city.

Every document contained in the record of an employee of the city who is transferred to a reconstituted municipality becomes the property of that municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in

respect of documents held by the central municipality that were created between the time the city was constituted and the time this Order comes into force.

44. To recover the amount of a tax that was the subject of a demand for payment before the reorganization of the city, the central municipality may, even in respect of an immovable situated in the territory of a reconstituted municipality, exercise any of its functions provided for in the legislative provisions governing it as regards the sale of immovables for non-payment of taxes and as regards the repurchase or redemption of immovables sold.

The reconstituted municipality in whose territory the immovable is situated may not exercise such functions to recover the amount referred to in the first paragraph.

For the purposes to which that paragraph refers,

(1) when, under the legislative provisions referred to in that paragraph, a function must be exercised by the council of the municipality, it is exercised by the urban agglomeration council;

(2) the expenditures incurred in the exercise of any function referred to in that paragraph are urban agglomeration expenditures that are to be financed by urban agglomeration revenues; and

(3) the assets recovered in the exercise of any function referred to in that paragraph are urban agglomeration assets.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUTED MUNICIPALITIES

45. Among the debts that exist immediately before the reorganization of the city, those that were contracted by a former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality whose territory corresponds to the territory of that former municipality.

The same applies to debts contracted by the city that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by that municipality from the property, services or activities.

46. Debt securities relating to a debt to which section 45 refers are, if in the name of a former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality whose territory corresponds to the territory of that former municipality and that reconstituted municipality becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

47. Despite section 45, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality is to pay to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, by a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by a by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

48. The debts referred to in section 45 include the debts listed in Schedule F to the report of 5 October 2005 of the transition committee of the urban agglomeration of Longueuil.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

49. A debt of the city that does not become a debt of a reconstituted municipality remains a debt of the central municipality.

When expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to the city's constituting act, by revenue not reserved for other purposes or by another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of a reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

50. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the city and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the city and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the city and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the city, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the city related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the city, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(5) debts the city assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

51. The debts referred to in section 50 include the debts listed in Schedule G to the report of 5 October 2005 of the transition committee of the urban agglomeration of Longueuil.

§3. Debts incidental to the powers of the regular council of the central municipality

52. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the city and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the city and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

**CHAPTER III
PROVISIONS OF A FINANCIAL AND FISCAL
NATURE**

53. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from a territory that is to become part of the territory of a reconstituted municipality becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that remains for the exclusive benefit of the inhabitants and ratepayers of a territory that is to become part of the territory of a reconstituted municipality becomes a surplus of the reconstituted municipality.

54. A deficit or surplus of the city that is not covered by section 53 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the city, the central municipality must cover the deficit or use the surplus in the exercise of its urban agglomeration powers. In the case where the city has a surplus, the central municipality must, before using it in the exercise of its urban agglomeration powers, use the surplus to pay a sum of money to each of the reconstituted municipalities, up to the amount

available, corresponding to the revenue derived from the territory of the reconstituted municipalities that was collected by the city to finance the expenditures related to the holding of the 2005 general election. If the amount available is not sufficient to pay the entirety of the sum to each of the reconstituted municipalities, the amount is apportioned among each of the reconstituted municipalities proportionately to the revenue collected.

55. Section 54 applies, with the necessary modifications, in respect of any of the city's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the city, at least one of which is to become the territory of a reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

56. The city's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to the exercise of urban agglomeration powers, subject to

(1) payment to Ville de Saint-Lambert on 1 January 2006 of a sum of \$24,987 which represents the unappropriated balance at 31 December 2001 of the working fund of the former Ville de Saint-Lambert; and

(2) a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

57. The central municipality remains a party to any dispute to which the city was a party and that was commenced after 1 January 2002. It also has, to the exclusion of the reconstituted municipalities, the requisite capacity and interest to be a party to any dispute commenced after 1 January 2006 in relation to an event arising after the constitution of the city and prior to 1 January 2006.

The central municipality's participation in a dispute referred to in the first paragraph is deemed to be an act performed in the exercise of an urban agglomeration power.

A reconstituted municipality must give effect to the conclusions of any final decision on a dispute referred to in the first paragraph if its implementation is within the reconstituted municipality's powers.

The related municipalities share the revenues and costs relating to any dispute referred to in the first paragraph. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

In this section, "dispute" includes any legal proceedings.

58. Despite the second paragraph of section 57, the central municipality is deemed to act in the exercise of a local power for the purposes of legal proceedings commenced to have the decision-making rule set out in section 13 declared invalid.

59. The costs relating to the motion to institute proceedings for a declaratory judgment bearing number 500-17-028232-051 are financed by revenue derived exclusively from the territory of the central municipality.

60. A reconstituted municipality becomes, without continuance of suit, a party to any proceedings to which the city was a party at the time of the coming into force of this Order, in relation to events arising before 1 January 2002 that concern the reconstituted municipality.

61. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 205 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) for a particular fiscal year, the figures 0.006 and 0.01 appearing in the first and second paragraphs of section 205.1 of that Act are replaced as provided in the following paragraphs.

In the case of the urban agglomeration council, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the quotient obtained by dividing the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate by the total of the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate, the regular aggregate taxation rate of the central municipality and the aggregate taxation rates of the reconstituted municipalities, according to the budgets adopted for the preceding fiscal year. Only the first three decimals in the figure representing the quotient are used; if the fourth decimal would have been greater than 4, the third decimal is increased by 1.

In the case of the regular council of the central municipality or the council of a reconstituted municipality, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the difference obtained by subtracting the quotient obtained under the second paragraph from 1.

Despite the foregoing, for the fiscal year 2006, the replacement figure results from the multiplication of the figure referred to in the first paragraph by 0.6 for the urban agglomeration council and by 0.4 for the regular council of the central municipality or the council of a reconstituted municipality.

62. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 231 of the Act respecting municipal taxation for a particular fiscal year, the amount of \$10 appearing in the first paragraph of that section is replaced as provided in the second, third and fourth paragraphs of section 61, with the necessary modifications.

TITLE VI MISCELLANEOUS, TRANSITIONAL AND FINAL

63. The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

64. Despite section 12, the quorum at a meeting of the urban agglomeration council held before 1 April 2006 is four members.

At a meeting referred to in the first paragraph, every decision necessary to maintain services to citizens and for the continuation of the central municipality's activities, in particular decisions regarding human or physical resource allocation for urban agglomeration matters and decisions on administrative measures, is, despite section 13, to be made by a majority of the votes cast.

Section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations applies to decisions referred to in the second paragraph; each such decision, whether made by resolution or by-law, nonetheless comes into force in accordance with the provisions applicable and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

65. Despite section 15, the executive committee of the central municipality prepares, for the purposes of the fiscal year 2006, the part of the budget and the three-year capital program relating to urban agglomeration powers which it is to submit for adoption to the urban agglomeration council not later than 15 December 2005.

66. If, on 1 January 2006, the budget of the central municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the urban agglomeration council for the fiscal year 2006 is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the regular council for the fiscal year 2006 is considered to be the budget for the preceding fiscal year.

If, on 1 January 2006, the budget of a reconstituted municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied with, for the purposes of the applicable appropriations, the budget adopted for the fiscal year 2001 by the council of the former municipality whose territory corresponds to that of the reconstituted municipality being considered to be the budget for the preceding fiscal year.

67. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the city council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, "former municipality" means the city and "new municipality" means the reconstituted municipality concerned.

68. The reconstituted municipalities succeed, as provided in the following paragraphs, to the rights and obligations of the city arising out of any contract or agreement that deals in whole or in part with a local matter and pursuant to the terms of which the contract or agreement continues to have effect after 31 December 2005.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of one reconstituted municipality only, that municipality succeeds to the rights and obligations arising therefrom.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of several related municipalities, each reconstituted municipality in whose territory the contract or agreement continues to have effect succeeds, for its territory and according to the terms of the contract or agreement, to the rights arising therefrom, and the related municipalities together are solidarily liable for the obligations arising therefrom.

If the contract or agreement deals in part with an urban agglomeration matter and continues to have effect in the territory of one or more related municipalities, each reconstituted municipality succeeds, for its territory, to the rights arising out of the contract or agreement that deals with a local matter, and the related municipalities together are solidarily liable for the obligations arising therefrom.

Where a contract or agreement referred to in any of the preceding paragraphs continues to have effect in the territory of more than one related municipality, the municipality with the largest population is responsible for managing the contract or agreement until it expires and every other municipality is required to assume its share of the management costs.

For the purposes of the preceding paragraph, if the contract or agreement was entered into by the city in the exercise of a borough council power, reference is made to the population of the borough concerned rather than to that of the central municipality.

For the purpose of financing the expenditures resulting from the application of the third, fourth and fifth paragraphs, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement that is to be payable by each municipality concerned.

69. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 47 or section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

70. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

71. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

72. This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on the day on which this Order in Council is published in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

(s. 37)

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

The following equipment, infrastructures and activities are of collective interest:

- (1) Parc régional de Longueuil
- (2) Frayère Rivière-aux-Pins
- (3) Rivière Saint-Jacques
- (4) Musée Marcil
- (5) Parc Marie-Victorin
- (6) Port de plaisance Réal-Bouvier
- (7) Place Charles-Le Moyne
- (8) Métro Building
- (9) Métro parking
- (10) Îles de Boucherville ferry
- (11) La Riveraine bicycle trail (along the river)
- (12) Voie cyclable du fleuve Saint-Laurent
- (13) Seaway dam
- (14) Parc du Pont Champlain
- (15) Parc de la voie maritime
- (16) Route verte (long route and walkway 116)
- (17) Île Charron
- (18) Halte des motorisés
- (19) Montréal-Longueuil ferry
- (20) Longueuil-Île Charron ferry
- (21) Complexe multi-sport Jean-Béliveau
- (22) Fibre optic network
- (23) Centre sportif Édouard-Montpetit
- (24) Club d'aviron de Boucherville
- (25) Orchestre symphonique de Longueuil

7322

Gouvernement du Québec

O.C. 1215-2005, 7 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Ville de Longueuil

WHEREAS Ville de Longueuil was constituted on 1 January 2002 by the coming into force of section 3 and Schedule III to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of the city includes the territories of the former Ville de Boucherville, the former Ville de Brossard, the former Ville de Saint-Bruno-de-Montarville and the former Ville de Saint-Lambert;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the Government may, by order, amend the charter of the central municipality;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

1. The Charter of Ville de Longueuil (R.S.Q., c. C-11.3) is amended in section 11 by replacing “seven” in the second line of the first paragraph by “three”.

2. Section 15 is amended by replacing “42” by “26”.

3. The following is inserted after section 58.3:

“**58.3.1.** For the purposes of sections 58.2 and 58.3, if the decision to carry out a project referred to in the first paragraph of section 58.2 or to authorize its carrying out, subject to the applicable planning rules, is part of the exercise of an urban agglomeration power provided for in the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001), the reference to a by-law adopted by a borough council includes a by-law adopted by the council of a municipality mentioned in section 6 of that Act.

The modification provided for in the first paragraph also applies to any other modification incidental to that Act, in particular the modification whereby the reference to the city council is a reference to the urban agglomeration council.”

4. Schedule A to the Charter is amended by replacing the description of the boundaries of the territory of Ville de Longueuil by the description in Schedule A to this Order in Council.

5. Schedule B to the Charter is amended

(1) by deleting “**Boucherville Borough**” and the description that follows in Part I;

(2) by deleting “**Brossard Borough**” and the description that follows in Part I;

(3) by deleting “**Vieux-Longueuil Borough**” and the description that follows in Part I;

(4) by deleting “**Saint-Bruno-de-Montarville Borough**” and the description that follows in Part I;

(5) by deleting “**Saint-Hubert Borough**” and the description that follows in Part I;

(6) by deleting “**Saint-Lambert/LeMoyné Borough**” and the description that follows in Part I;

(7) by adding the description of the boroughs in Schedule B to this Order in Council at the end of Part I;

(8) by replacing Part II by the following:

“II- NUMBER OF COUNCILLORS FOR EACH BOROUGH

Greenfield Park: 3
Saint-Hubert: 8
Vieux-Longueuil: 15”.

6. Section 48 of Schedule C to the Charter is amended by replacing the sixth paragraph by the following:

“The boundaries of the territory referred to in the first paragraph are as follows:

— to the west by boulevard Taschereau, from Route 116 to boulevard Jacques-Cartier ouest;

— to the northwest, to the north and to the northeast by boulevard Jacques-Cartier ouest, from boulevard Taschereau to projected boulevard Julien-Lord;

— to the northeast, to the north and to the northwest by projected boulevard Julien-Lord, from boulevard Jacques-Cartier ouest to Chemin de Chambly;

— to the northwest by boulevard Vauquelin and its extension to the northeast, from Chemin de Chambly to the limit of the agricultural zone;

— to the northeast by the southwest limit of the agricultural zone, from the extension to the northeast of boulevard Vauquelin to Chemin de la Savane;

— to the northwest by Chemin de la Savane, from the southwest limit of the agricultural zone to boulevard Clairevue;

— to the northeast and to the north by boulevard Clairevue, from Chemin de la Savane to Route 30;

— to the west by Route 30, from boulevard Clairevue ouest to montée Montarville;

— to the north by montée Montarville, from Route 30 to the power transmission line;

— to the east, to the northeast and to the southeast by the power transmission line, from montée Montarville to boulevard Clairevue ouest;

— to the northeast by projected rue La Grande Allée, from boulevard Clairevue ouest to rue Marie-Victorin;

— to the southeast by rue Marie-Victorin, from projected rue La Grande Allée to the rear lots (southwest side) of croissant Pease;

— to the southwest by the rear lots (southwest side) of croissant Pease and rue Pease and its extension to the southeast, from rue Marie-Victorin to Route 116;

— to the south by Route 116, from the extension to the southeast of the rear lots (southwest side) of rue Pease to boulevard Cousineau;

— to the east by boulevard Cousineau, from Route 116 to rue Gareau;

— to the south and the southeast by rue Gareau, from boulevard Cousineau to the Canadian National railway;

— to the southwest by the Canadian National railway, from rue Gareau to Route 116;

— to the south by Route 116, from the Canadian National railway to boulevard Taschereau.”.

7. Sections 56 and 58 of Schedule C to the Charter are revoked.

8. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

(s. 4)

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY OF VILLE DE LONGUEUIL

The territory of Ville de Longueuil comprises all the lots and parts of lots of the cadastres of the parishes of Saint-Antoine-de-Longueuil, Saint-Hubert and Sainte-Famille-de-Boucherville, their present and future subdivisions, all the lots of the cadastre of Québec as of the date of this description and their successor lots, the hydrographic and topographic entities, built-up sites or parts thereof within the perimeter that commences at the meeting point of the extension in the St. Lawrence River of the northeast line of lot 2 585 312 of the cadastre of Québec with the line midway between the south shore of the said river and île Charron and that follows the lines and demarcations, to wit: in reference to that cadastre, southeasterly, the said extension and the northeast line of lots 2 585 312, 2 584 608, 2 583 441, 2 583 440, 2 585 092, 2 584 699, 2 583 442, 2 585 264, 2 585 219, 2 585 226, 2 584 606, 2 585 318, 2 585 317, 3 359 728, 3 026 699, 2 585 314, 3 359 727, 2 585 328, 2 585 330, 2 585 331, 3 460 441, 2 585 337, 2 585 348, 2 585 335, 2 585 332, 2 585 333 and a part of the northeast line of lot 1 of the cadastre of the parish of Saint-Hubert to the southeast side of a public road (rue d'Alençon); northeasterly, the southeast side of the said road bordering to the northwest lots 227 back to 223 and 221 of the cadastre of the parish of Sainte-Famille-de-Boucherville; in reference to that cadastre, southeasterly, the northeast line of lots 221 and 222, a straight line across a public road then the northeast line of lots 236 and 237, the latter line extended to the centre line of lot 2 348 538 (chemin Rang des Vingt-Cinq Ouest) of the cadastre of Québec; in reference to that latter cadastre, southwest-erly, the centre line of lots 2 348 538, 2 115 114 and 2 348 539; northwesterly, part of the southwest line of lot 2 348 539 and a southwest line of lot 3 444 871 to the apex of the north angle of lot 2 110 814; southwest-erly, the southeast line of lots 3 444 871, 2 928 357, 2 928 443, 3 086 815, 2 928 450, 2 928 457 and 3 086 833; southeasterly, the northeast line of lots 2 878 199, 3 086 737, 3 086 738, 2 878 200, 2 878 201, 3 086 736, 3 086 703, 2 878 288, 3 086 700, 2 878 289, 2 878 395, 3 086 707, 2 878 409, 2 878 295, 2 878 046, 2 878 119, 2 878 156, 2 878 141 and 2 878 315; successively northeasterly,

southeasterly and southwesterly, the dividing line between lot 2 878 120 and lot 2 229 026 to the apex of the north angle of lot 2 878 321; southeasterly, the northeast line of lots 2 878 321, 2 878 323 and a northeast line of lot 2 928 476 to the apex of the south angle of lot 2 229 002; northeasterly, the northwest line of lots 2 928 476, 3 086 743 and 2 928 472; southeasterly, successively, the broken line bordering lot 2 928 472 to the northeast, the northeast line of lot 3 086 731 then the northeast line of lots 64 to 70 and 72 to 81 of the cadastre of the parish of Saint-Hubert; in reference to that cadastre, southwesterly, the southeast line of lot 81 then its extension to the southwest side of the right-of-way of chemin de Chambly; northwesterly, the southwest side of the right-of-way of the said road to the apex of the east angle of lot 89; southwesterly, the southeast line of the said lot, that line across boulevard Cousineau and the right-of-way of a railroad it meets; northwesterly, the southwest line of lots 89, 90 and a part of lot 91 to the apex of the north angle of lot 2 601 212 of the cadastre of Québec; in a general southwest direction, the broken line bordering the cadastre of the parish of Saint-Hubert to the southeast to the apex of the south angle of lot 198; northwesterly, successively, the southwest line of lot 198, the southwest side of the former right-of-way of boulevard Grande-Allée then, in reference to the cadastre du Québec, the southwest line of lots 2 927 015, 2 927 014, 2 927 013, 2 927 002, 2 927 001, 2 927 000, 2 669 769, 1 897 534, 1 897 485 and a part of the southwest line of lot 1 897 625 to the apex of the east angle of lot 2 936 715; southwesterly, the southeast line of lots 2 936 715, 2 936 488, 2 936 487, 2 936 502, 2 797 971, 2 936 747 and a part of the southeast line of lot 2 797 959 for a distance of 143.26 metres; southerly, a straight line in lot 3 303 880 to a point situated on the northeast extension, the southeast line of lot 2 026 052, that point being situated to the southwest of the southwest side of the right-of-way of boulevard Taschereau at a distance of 97.54 metres, measured along the said extension; southwesterly, the said extension and the southeast line of lots 2 026 052, 2 025 974, 2 025 827, 2 025 805 back to 2 025 802, 2 025 800 back to 2 025 791, 2 025 788 back to 2 025 779; northwesterly, successively, the southwest line of lot 2 025 779, the broken line bordering lot 2 025 777 to the southwest then the southwest line of lot 2 025 776; southwesterly, the southeast line of lot 2 795 523 then the northwest line of lot 2 026 182 (boulevard Lapinière); northwesterly, the extension of the southwest line of lot 2 026 182 (boulevard Lapinière) to the south line of lot 2 395 663; westerly, part of the south line of the said lot; northwesterly, the broken line bordering to the southwest lots 2 395 663 back to 2 395 660, 2 395 656, 2 395 655 and a part of lot 2 395 654 (avenue Victoria) to the southwest extension of the southeast line of lot 2 116 564 (rue Industrielle); northeasterly, the said extension and the southeast line

of lots 2 116 564 and 2 361 937 (rue Industrielle); generally northwesterly, the broken line bordering to the southwest lots 2 361 894, 2 361 895, 2 361 897, 2 355 537 to the apex of the south angle of lot 2 119 024; northwesterly, the southwest line of lots 2 119 024, 2 119 011 back to 2 119 008; southerly, the east line of lot 2 633 044; northwesterly, the broken line bordering to the southwest lots 2 633 044, 2 951 532, 2 633 043, 2 633 036, 2 633 042 back to 2 633 040, 2 633 012 and 2 631 407; northerly, the west line of lot 2 631 407 and part of the west line of lot 2 631 409 to the apex of the southeast angle of lot 2 631 694; northwesterly, the southwest line of the said lot and its extension in the St. Lawrence River to a line parallel to the southwest boundary of the land belonging to the St. Lawrence Seaway Authority and situated at a perpendicular distance of 45.72 metres (150.0 feet) to the northeast of that boundary; northerly, the said parallel line to the centre line of the St. Lawrence River then the centre line of the St. Lawrence River; generally northeasterly, the centre line of the said river downstream to its meeting with the western extension of the north line of lot 3 026 693; generally easterly, successively, the said extension and the broken line bordering to the north lots 3 026 693, 3 026 691, 3 026 694, 2 585 307, 2 585 305, 2 585 306, 2 585 028 then an irregular line skirting the northeast tip of île Charron to the left, passing midway between the said island and île Sainte-Marguerite (1 908 771), to a line passing midway between the south shore of the St. Lawrence River and île Charron; lastly, southerly, the said line passing midway to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 25 April 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

SCHEDULE B

(s. 5, par. 7)

OFFICIAL DESCRIPTION

Vieux-Longueuil Borough

Commencing at the meeting point of the common boundary of Ville de Longueuil and Ville de Boucherville with the centre line of the St. Lawrence River, thence, the following lines and demarcations: generally southeasterly, the said common boundary to the centre line of boulevard Roberval; successively southwesterly and southerly, the centre line of boulevard Roberval to the

dividing line between the cadastres of the parishes of Saint-Antoine-de-Longueuil and Saint-Hubert then, following the said centre line, a distance of 91.66 metres to its meeting with the extension of the projected centre line of boulevard des Capucines; generally southeasterly, the said extension then the said centre line for a total distance of 107.46 metres; still southeasterly, successively, in lots 107 and 108 of the cadastre of the parish of Saint-Antoine-de-Longueuil, the arc of a curve for a distance of 143.88 metres along a radius of 318.51 metres, a part of the dividing line between lots 108 and 109 of the cadastre of the parish of Saint-Antoine-de-Longueuil and lot 11 of the cadastre of the parish of Saint-Hubert for a distance of 133.13 metres, a straight line in lots 11-36, 11-307 and 11 of the cadastre of the parish of Saint-Hubert for a distance of 320.47 metres, the arc of a curve along a radius of 446.09 metres for a distance of 110.90 metres then a straight line for a distance of 39.58 metres to the extension of the centre line of boulevard Vauquelin; generally southwesterly, the centre line of boulevard Vauquelin then the centre line of boulevard Julien-Lord to its meeting with a straight line in lot 113 of the cadastre of the parish of Saint-Antoine-de-Longueuil that originates at a point situated on the dividing line between the said lot 113 and lot 156 of the cadastre of the parish of Saint-Hubert at a distance of 4.26 metres to the southwest of the south corner of lot 307 of the cadastre of the parish of Saint-Antoine-de-Longueuil where that line makes an angle of 39° 53' 04" with the said line dividing the lots; in reference to the latter cadastre, southeasterly, the said line in lots 113 and 307 of the said cadastre to its point of origin; southwesterly, part of the southeast line of lots 113 and 307 to the south line of lot 307; westerly, part of the south line of the said lot to the northwest line of lot 119; southwesterly, part of the northwest line of the said lot to the north side of the right-of-way of boulevard Sir-Wilfrid-Laurier; westerly, in lot 120, the north side of the right-of-way of the said boulevard following the arc of a curve along a radius of 3,515.62 metres to the southwest line of lot 120 then the south line of lot 2 799 369 of the cadastre of Québec; in reference to that cadastre, westerly, a straight line in lot 2 936 678 to the apex of the northeast angle of lot 2 936 681 then the north line of lots 2 936 681, 2 798 662, 2 936 680 and 2 799 367; northeasterly, the southeast line of lots 2 118 892 and 2 951 801; westerly, the north line of lots 2 951 801, 2 118 892 and 2 355 500; westerly, part of the broken line bordering to the north lot 2 355 502 to the extension of the last segment of the southwest broken line of lot 2 355 574; southeasterly, the said extension then the southwest broken line of lot 2 355 574, part of the northeast line of lot 2 355 620 to the extension of the centre line of boulevard Taschereau; southerly, the said extension then the centre line of the said boulevard to its meeting with the extension of the northwest line of

lot 2 355 602; southwesterly, the said extension then the northwest side of the right-of-way of King-Edward street, bordering lots 2 355 602, 2 355 601 and 2 120 531 to the northwest then the extension of the latter to the limits of Ville de Saint-Lambert; successively northwesterly, northeasterly and again northwesterly, the limits of Ville de Saint-Lambert to a line parallel to the southwest boundary of the land belonging to the St. Lawrence Seaway Authority and situated at a perpendicular distance of 45.72 metres to the northeast of that boundary; lastly, northerly, the said parallel line to the centre line of the St. Lawrence River then the centre line of the said river downstream to the point of commencement.

Saint-Hubert Borough

Commencing at the apex of the east angle of lot 2 585 333 of the cadastre of Québec, situated on the common boundary of Ville de Longueuil and Ville de Boucherville, thence, the following lines and demarcations: generally southeasterly, successively, the limits of Ville de Boucherville then the limits of Ville de Saint-Bruno-de-Montarville to the apex of the east angle of lot 81 of the cadastre of the parish of Saint-Hubert; in reference to that cadastre, southwesterly, the southeast line of the said lot then its extension to the southwest side of the right-of-way of chemin de Chambly; northwesterly, the southwest side of the right-of-way of the said road to the apex of the east angle of lot 89; southwesterly, the southeast line of the said lot; northwesterly, the southwest line of lots 89, 90 and a part of lot 91 to the apex of the north angle of lot 2 601 212 of the cadastre of Québec; in a general southwest direction, the broken line bordering the cadastre of the parish of Saint-Hubert to the southeast to the apex of the south angle of lot 198 situated on the northeast limit of Ville de Brossard, that latter section, from lot 91 to lot 198, corresponding to a part of the northwest limit of Ville de Carignan; from the apex of the south angle of lot 198 of the cadastre of the parish of Saint-Hubert, corresponding to the apex of the east angle of lot 2 702 170 of the cadastre of Québec, the northeast limit of Ville de Brossard to the apex of the west angle of lot 1 897 534 of the cadastre of Québec; in reference to that cadastre, northeasterly, the northwest line of lots 1 897 534, 1 896 004, 1 897 533 and 1 897 224; northwesterly, part of the southwest line of lot 1 897 600, the southwest line of lot 1 897 599 and part of the southwest line of lot 1 897 598 to the apex of the east angle of lot 1 897 448; southwesterly, the southeast line of lots 1 897 448, 1 897 550, 1 896 884, 1 896 867, 1 896 827, 1 896 770, 1 896 769, 1 896 767, 1 896 759, 1 896 758, 1 896 667, 1 896 666, 1 896 662, 1 897 580, 1 896 564, 1 896 562, 1 896 560, 1 896 557, 1 896 556, 1 896 441, 1 896 440, 1 896 439, 1 896 320 back to 1 896 317, 1 897 581, 1 885 992 back to 1 885 988, 1 885 979, 1 897 561, 1 895 977, 1 897 671, 1 897 670,

1 897 669, 1 894 846, 1 894 845, 1 894 844, 1 894 810, 1 894 808, 1 894 806, 1 894 804 and 1 894 762; northwesterly, the southwest line of lots 1 894 762, 1 894 760, 1 894 759, 1 897 424, 1 894 758 and a part of the southwest line of lot 1 894 757 to the extension in lot 1 897 629 of the southeast line of lot 2 936 714; southwesterly, the said extension then the southeast line of lots 2 936 714, 2 798 297, 2 798 295, 2 936 724, 2 798 291, 2 798 263, 2 936 733, 2 798 262, 2 798 260, 2 936 740, 2 798 208, 3 334 517 and the extension of that latter line in lot 2 936 747 to a line parallel to and 45.72 metres distant from the northeast side of the right-of-way of boulevard Taschereau; northwesterly, the said parallel line in lots 2 936 747, 2 936 748, a broken line in lot 2 936 749 to the northeast side of the right-of-way of boulevard Taschereau on the southwest line of lot 2 796 297, the northeast side of the said right-of-way to the apex of the west angle of lot 2 936 692; northeasterly, the southeast line of lots 2 796 547 and 2 796 546; northwesterly, the northeast line of lots 2 796 546, 2 796 545, 2 796 493, 2 796 492, 2 796 491, a straight line in lot 2 936 703 to the apex of the east angle of lot 2 796 494, the northeast line of lots 2 796 494, 2 796 436, 2 496 435, 2 796 391, 2 799 226, a straight line in lot 2 799 206 to the apex of the west angle of lot 2 936 781; northeasterly, the northwest line of lots 2 936 781 and 2 936 783; northwesterly, the northeast line of lots 2 936 784, 2 936 785, 2 795 119, 2 936 786 and 2 795 070; southwesterly, the northwest line of lot 2 795 070; generally northerly, the east side of the right-of-way of boulevard Taschereau, corresponding to the west line of lot 2 361 941 extended across lot 2 355 577 to the west line of lot 2 118 503 then the west line of the said lot; northerly, a straight line in lot 2 355 620 to the apex of the southwest angle of lot 2 118 863; generally northwesterly, successively, a straight line in lot 2 355 620 to the apex of the south angle of lot 2 422 685, the northeast line of lot 2 355 620 then the broken line southwest of lot 2 355 574, the latter segment extended to the south line of lot 2 422 673; easterly, part of the broken line bordering lot 2 355 502 to the north to the apex of the northwest angle of lot 2 355 500, the north line of the said lot and lots 2 118 892 and 2 951 801; southwesterly, the southeast line of lots 2 951 801 and 2 118 892 to the north side of the right-of-way of boulevard Sir-Wilfrid-Laurier; easterly, the north side of the said right-of-way bordering lots 2 799 367, 2 936 680, 2 798 662, 2 936 681 to the north, a straight line in lot 2 936 678 to the apex of the southwest angle of lot 2 799 369 then the south line of that latter lot to the southwest line of lot 120 of the cadastre of the parish of Saint-Antoine-de-Longueuil; in reference to that cadastre, in lot 120, a line along a

radius of 3,515.62 metres to the northwest line of lot 119; northeasterly, part of the northwest line of the said lot to the south line of lot 307; easterly, part of the said south line to the southeast line of lot 113; north-easterly, successively, the southeast line of lot 307 then part of the southeast line of lot 113 to a point situated at 4.26 metres to the southwest of the south corner of the said lot 307; in lots 113 and 307, making an angle of 39° 53' 04" with the preceding line to the centre line of boulevard Julien-Lord; northeasterly, the centre line of boulevard Julien-Lord then the centre line of boulevard Vauquelin to the northeast line of lot 111-97 then its extension in lot 11 of the cadastre of the parish of Saint-Hubert for a distance of 31.57 metres; in reference to that cadastre, generally northwesterly, the projected centre line of boulevard des Capucines between Vauquelin and Roberval boulevards, following successively, in lots 11, 11-307 and 11-36, a straight line making an angle of 103° 05' 51" with the preceding line for a distance of 39.58 metres, the arc of a curve for a distance of 110.90 metres along a radius of 446.09 metres then a straight line for a distance of 320.47 metres to the dividing line between lot 11 of the cadastre of the parish of Saint-Hubert and lot 109 of the cadastre of the parish of Saint-Antoine-de-Longueuil; still in a general northwest direction, part of the dividing line between lots 109 and 108 of the cadastre of the parish of Saint-Antoine-de-Longueuil and lot 11 of the cadastre of the parish of Saint-Hubert for a distance of 133.13 metres, successively in lots 108 and 107, the arc of a curve for a distance of 143.88 metres along a radius of 318.51 metres then a straight line for a distance of 107.46 metres to the centre line of boulevard Roberval; successively northerly and northeasterly, the centre line of the said boulevard to the limit of Ville de Boucherville; lastly, southeasterly, the limit of Ville de Boucherville to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 15 September 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7319

Gouvernement du Québec

O.C. 1229-2005, 8 December 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of Montréal

WHEREAS Ville de Montréal was constituted on 1 January 2002 by the coming into force of section 1 and Schedule I to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of the city includes the territories of the former towns and cities of Baie-d'Urfé, Beaconsfield, Côte-Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, L'Île-Dorval, Montréal-Est, Montréal-Ouest, Mont-Royal, Pointe-Claire and Sainte-Anne-de-Bellevue, the former Village de Senneville and the former Ville de Westmount;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the city corresponding to the territories of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government, by order, reconstituted as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Montréal is made up of the territories of Ville de Montréal, Ville de Baie-D'Urfé, Ville de Beaconsfield, Ville de Côte-Saint-Luc, Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Hampstead, Ville de Kirkland, Ville de L'Île-Dorval, Ville de Montréal-Est, Ville de Montréal-Ouest, Ville de Mont-Royal, Ville de Pointe-Claire, Ville de Sainte-Anne-de-Bellevue, Village de Senneville and Ville de Westmount and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS, by Order in Council 596-2004 dated 21 June 2004, the Government, in accordance with section 51 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, established a transition committee to participate, together with the administrators and employees of the city and with any persons elected in advance in the reconstituted municipalities, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Chapter IV of Title V of the Act respecting the exercise of certain municipal powers in certain urban agglomerations provides that the Government may make an order designated as an "urban agglomeration order" for each urban agglomeration;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Montréal;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, as follows:

TITLE I OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Montréal, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations, in relation to the exercise of urban agglomeration powers.

2. In this Order, Ville de Montréal is designated as the "central municipality" and Ville de Baie-D'Urfé, Ville de Beaconsfield, Ville de Côte-Saint-Luc, Ville de Dollard-des-Ormeaux, Ville de Dorval, Ville de Hampstead, Ville de Kirkland, Ville de L'Île-Dorval, Ville de Montréal-Est, Ville de Montréal-Ouest, Ville de Mont-Royal, Ville de Pointe-Claire, Ville de Sainte-Anne-de-Bellevue, Village de Senneville and Ville de Westmount are designated as "reconstituted municipalities"; their territories make up the urban agglomeration of Montréal, hereinafter designated as the "urban agglomeration". They are related municipalities.

The term "city", used alone, designates Ville de Montréal as it existed before the coming into force of this Order; "former municipality" means the former towns of Baie-d'Urfé, Beaconsfield, Côte-Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, L'Île-Dorval, Montréal-Est, Montréal-Ouest, Mont-Royal, Pointe-Claire, Sainte-Anne-de-Bellevue, the former Village de Senneville and the former Ville de Westmount that ceased to exist upon the constitution of the city.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II

URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I

URBAN AGGLOMERATION COUNCIL

DIVISION I

NATURE AND COMPOSITION

3. For the purposes of this Chapter, Ville de L'Île-Dorval is not taken into consideration and its territory is deemed to be within the territory of Ville de Dorval.

4. The urban agglomeration council within the central municipality is a deliberative body distinct from the council of the central municipality.

5. The urban agglomeration council is composed of the mayor of each related municipality, of a councillor of Ville de Dollard-Des Ormeaux designated by the mayor of that town and of fifteen councillors of the central municipality designated by its mayor.

Every designation under the first paragraph is to be made in writing and, unless revoked, is valid until the term of office of the designated person as councillor terminates.

In the case of the councillor designated by the mayor of Ville de Dollard-Des Ormeaux, the person may not sit on the urban agglomeration council until an authenticated copy of the writing designating the person has been received by the central municipality. In the case of a person designated by the mayor of the central municipality, the person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the central municipality.

6. If the office of mayor of a related municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor. The mayor may, however, make the designation in advance, in writing; if the mayor does so, the designation may not be made by the council of the municipality.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor terminates.

In the case of a reconstituted municipality, the person may not sit on the urban agglomeration council until an authenticated copy of the resolution or the writing designating the person has been received by the central municipality. In the case of a person designated by the mayor of the central municipality, the person may not sit on the urban agglomeration council until a copy of the writing designating the person has been filed at the office of the municipality.

7. The urban agglomeration council has the special positions of chair and vice-chair, the holders of which are designated by the council from among its members.

The chair must be a representative of the central municipality and the vice-chair a representative of a reconstituted municipality.

8. The function of the chair is to preside the meetings of the urban agglomeration council.

The vice-chair exercises that function while the chair is unable to act or if the position is vacant.

If the regular council of the central municipality has a position of chair and its holder has additional functions in relation to the council's work, the holder of the position of chair on the urban agglomeration council has the same functions in relation to that council's work.

DIVISION II

ASSIGNMENT OF VOTES

9. Each member of the urban agglomeration council has the number of votes determined under sections 10 to 12.

10. The representation of the related municipality with the smallest population has one vote.

The representation of every other related municipality has a number of votes equal to the quotient obtained by dividing the population of the related municipality by the population of the municipality referred to in the first paragraph.

For the purposes of the first two paragraphs, the population of each related municipality is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for

the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

11. In the case of a municipality having only one representative, that representative has the number of votes assigned to the representation of the municipality.

In the opposite case, each representative has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the municipality by the number of representatives of the municipality.

12. If the quotient calculated under the second paragraph of section 10 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

In the case of the central municipality, the rounding under the first paragraph also applies to the quotient calculated under the second paragraph of section 11.

DIVISION III OTHER RULES

13. The mayor of the central municipality is the chief executive officer of the municipality for urban agglomeration matters as for any other purpose.

14. The quorum of the urban agglomeration council is one-third of its members representing a majority of the votes on the council.

15. Every other rule applying to the council of the central municipality, in particular as regards the drawing up of the agenda paper and the holding of meetings or their convocation, also applies to the urban agglomeration council.

The urban agglomeration council may, however, adopt a by-law setting a time period different from that required by section 323 of the Cities and Towns Act (R.S.Q., c. C-19) for service of the notice of convocation for a special meeting of the council.

16. In accordance with section 18 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, the functions of the central municipality that, on the date of publication of this Order in the *Gazette officielle du Québec*, are under the authority of the executive committee, are exercised by the executive committee in respect of urban agglomeration powers, except the powers under subparagraph 1 of the first paragraph of section 34.1 of the Charter of Ville de Montréal (R.S.Q., c. C-11.4) as regards the awarding of contracts

involving an expenditure of \$500,000 or more and those under subparagraph *a* of subparagraph 5 of that section that relate to the negotiation of collective agreements.

The urban agglomeration council may avail itself of section 34 of that Charter and of any other provision of an Act authorizing the council of the city to delegate functions to the executive committee. The majority for such a decision requires a majority of the votes of the members representing the central municipality and a majority of the votes of the members representing the reconstituted municipalities.

17. The mayor of Ville de Dorval must in timely fashion provide the mayor of Ville de L'Île-Dorval with all documents relevant to the making of a decision by the urban agglomeration council so that the latter mayor may examine them and make submissions.

CHAPTER II AGGLOMERATION COMMISSIONS

18. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to it involve in whole or in part any matter relating to an urban agglomeration power.

Every such commission is composed of the mayor of the central municipality who is by virtue of office its chair, and of six other members designated by the urban agglomeration council, of whom one is the vice-chair.

Among the members designated by the urban agglomeration council,

(1) two, including the vice-chair, are chosen from among the members of the councils of the reconstituted municipalities; and

(2) four are chosen from among the members of the municipal and borough councils of the urban agglomeration.

The mayor of the central municipality may decline the chair of any commission, in which case the chair is chosen by the urban agglomeration council from among the members referred to in subparagraph 2 of the third paragraph.

For the purposes of this section, "commission" means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III
CONDITIONS OF EMPLOYMENT OF ELECTED
OFFICERS

CHAPTER I
REMUNERATION

DIVISION I
INTERPRETATION

19. For the purposes of Divisions II and III,

(1) “Act” means the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II
REMUNERATION AND COMPENSATION

20. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

21. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers. The urban agglomeration council may, however, even if it does not grant basic remuneration in accordance with the first paragraph of section 2 of the Act, grant additional remuneration in accordance with the second paragraph of that section.

Where an urban agglomeration commission pursuant to section 18 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act.

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to

functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

22. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for a councillor of the central municipality who is a member of the urban agglomeration council, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of a reconstituted municipality, the amount used is the greater of the amount established in the mayor’s respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for a councillor of the central municipality who is a member of the urban agglomeration council;

(4) for a councillor of a reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of a related municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person’s respect in section 16 of the Act, the latter minimum applies.

23. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of a reconstituted municipality, the minimum established in the person’s respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

24. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of a reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

25. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

DIVISION III OTHER COMPONENTS OF REMUNERATION

26. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 18 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act.

27. The first paragraph of section 26 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

28. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

29. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

30. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 31, and has none of the powers provided for in that Act that concern membership in the plan.

31. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body regarding the contribution in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

32. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursement referred to in section 26 are also deemed to be incurred in the exercise of those powers.

33. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council or, where applicable, by the executive committee of the central municipality acting in the council's place.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

34. If the expenditures related to the conditions of employment referred to in the second paragraph of section 33 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 27.

TITLE IV **PROVISIONS RELATING TO CERTAIN POWERS**

35. The arterial road system referred to in the central municipality's by-law 02-003, identified in resolution 05-05-156 adopted by the transition committee of the urban agglomeration of Montréal on 11 May 2005, forms the arterial road system of the urban agglomeration.

36. The plans of the principal mains and conduits, adopted by resolutions 05-10-275 and 05-10-276 dated 17 October 2005 by the transition committee of the urban agglomeration of Montréal, identify the mains and conduits that are not purely local within the meaning of section 25 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

37. The equipment, infrastructures and activities listed in the Schedule are of collective interest.

The municipality that owns immovable property of collective interest cannot alienate the property.

The management of the equipment, infrastructures and activities referred to in the first paragraph, the financing of the related expenditures and the use of the revenues generated are the same as for property in respect of

which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

The third paragraph does not apply to the ecoterritories listed in the Schedule. Their management is assumed by the related municipality in the territory in which the ecoterritory is situated and the financing of the expenditures related to the park area and the use of the revenues it generates are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V **SHARING OF ASSETS AND LIABILITIES**

CHAPTER I **ASSETS**

38. The property on the lists appended to resolutions 05-11-289 and 05-11-290 adopted on 17 November 2005 by the transition committee of the urban agglomeration of Montréal becomes the property of each reconstituted municipality as provided in those lists. The following property also becomes the property of the reconstituted municipality in whose territory it is situated: fire station #8 situated at 11369-11371 Notre-Dame Est in Montréal-Est and fire station #77 situated at 114-116 Westminster Nord in Montréal-Ouest.

The first paragraph also applies to any movable property situated in or on an immovable whose ownership is transferred and that ensures its use, except movable property situated in or on a part of such an immovable that is used for the exercise of an urban agglomeration power.

Equipment or an infrastructure referred to in section 37 that is situated in the territory of a reconstituted municipality, if it is municipal property, also becomes the property of the reconstituted municipality.

Notwithstanding the first paragraph, fire station #52 situated at 300 Surrey in Baie-D'Urfé, identified by number 3189 on one of the lists to which the first paragraph refers and whose technical description appears under No. 875 of the minutes of Luc Lévesque, land surveyor, in file 20240 in the joint records of the land surveyors of the central municipality, remains the property of the central municipality.

39. All other property not referred to in any of the first three paragraphs of section 38 also remains the property of the central municipality.

If the central municipality alienates property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

The central municipality must, before alienating an immovable that is used for the exercise of an urban agglomeration power and is situated in the territory of a reconstituted municipality, offer it to that municipality at a price that is not to exceed its fair market value.

40. Every document of the city that before its constitution was the property of a former municipality becomes the property of the reconstituted municipality whose territory corresponds to the territory of the former municipality, except a document in the record of an employee who remains in the employment of the city.

Every document contained in the record of an employee of the city who is transferred to a reconstituted municipality becomes the property of that municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the city was constituted and the time this Order comes into force.

41. To recover the amount of a tax that was the subject of a demand for payment before the reorganization of the city, the central municipality may, even in respect of an immovable situated in the territory of a reconstituted municipality, exercise any of its functions provided for in the legislative provisions governing it as regards the sale of immovables for non-payment of taxes and as regards the repurchase or redemption of immovables sold.

The reconstituted municipality in whose territory the immovable is situated may not exercise such functions to recover the amount referred to in the first paragraph.

For the purposes to which that paragraph refers,

(1) when, under the legislative provisions referred to in that paragraph, a function must be exercised by the council of the municipality, it is exercised by the urban agglomeration council;

(2) the expenditures incurred in the exercise of any function referred to in that paragraph are urban agglomeration expenditures that are to be financed by urban agglomeration revenues; and

(3) the assets recovered in the exercise of any function referred to in that paragraph are urban agglomeration assets.

42. For the purposes of the exercise of its urban agglomeration powers, the central municipality may continue to use or occupy all or any part of any immovable that becomes the property of a reconstituted municipality under this Order.

For the purposes of the exercise of its local powers, a reconstituted municipality may continue to use or occupy all or any part of any immovable that remains the property of the central municipality.

The use or occupancy is subject to market conditions which are set out in an agreement entered into between the two municipalities.

43. Until 30 June 2006, the central municipality continues to occupy, jointly with Ville de Montréal-Est on the terms of use they determine, a part of the immovable situated at 11370 rue Notre-Dame Est. The right of occupancy is exercised on the third and fourth floors of the immovable. Despite section 38, any movable property situated in that immovable and used in the performance of the duties of an employee remaining in the employment of the central municipality remains the property of the central municipality.

During that period, the central municipality is to reimburse Ville de Montréal-Est for the costs related to operating the immovable, in the proportion that the area of the immovable used by the central municipality is of the total area of the immovable.

The central municipality is also to reimburse Ville de Montréal-Est for any reasonable expenditure incurred by the town by reason of the fact that the central municipality continues to use part of its immovable, including any expenditure incurred to lease and equip another immovable and any expenditure incurred to enable Ville de Montréal-Est to use its part of the immovable after the central municipality has ceased to use it.

The central municipality and the reconstituted municipality must agree on the terms and conditions of the reimbursement under the third and fourth paragraphs.

Despite the foregoing, the central municipality and the reconstituted municipality may agree to shorten or extend the period of use or to modify the central municipality's financial contribution.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUTED MUNICIPALITIES

§1. Former debts

44. Among the debts that exist immediately before the reorganization of the city, those that were contracted by a former municipality and that were, immediately before the reorganization, financed by revenue derived exclusively from the territory of that municipality and secured by debt instruments in the name of the former municipality, become debts of the reconstituted municipality whose territory corresponds to the territory of that former municipality. The debt securities relating to such a debt are deemed to be in the name of the reconstituted municipality, which becomes the debtor of the debt secured by those instruments and which, to finance the expenditure relating to the debt, is to apply the financing rules applicable immediately before the reorganization. However, any subsidy in connection with work ordered by a loan by-law pursuant to which such a debt was contracted is to be paid to the central municipality.

§2. Specific debts

45. To compensate for the fact that the central municipality continues after the reorganization to assume certain debts, each of the following reconstituted municipalities is, subject to section 49, a debtor to the central municipality for the following sums :

(1) Baie-D'Urfé :	\$3,184,110
(2) Beaconsfield :	\$12,339,928
(3) Côte-Saint-Luc :	\$25,350,811
(4) Dollard-Des Ormeaux :	\$22,666,971
(5) Dorval :	\$32,107,931
(6) Hampstead :	\$4,752,530
(7) Kirkland :	\$33,962,603
(8) L'Île-Dorval :	\$42

(9) Mont-Royal :	\$7,517,041
(10) Montréal-Est :	\$28,304,477
(11) Montréal-Ouest :	\$5,937,948
(12) Pointe-Claire :	\$58,369,414
(13) Sainte-Anne-de-Bellevue :	\$5,844,487
(14) Senneville :	\$210,900
(15) Westmount :	\$12,891,015.

46. The debts referred to in section 45 bear interest until the day before the repayment date at a rate equal to the average annual rate of three-month bankers' acceptances published by the Bank of Canada for the period between 1 January 2006 and the day before the repayment date, increased by

- (1) 0.3% for any period before 1 April 2006 ; and
- (2) 4.3% for any period after 1 April 2006.

47. The expenditures relating to any debt contracted by the former Ville de Montréal before 1 January 2002 in connection with facilities used to produce and supply drinking water in the territory of the municipalities mentioned in the second paragraph are apportioned among those municipalities according to decision CMQ-56171 dated 26 October 2001, made by the Commission municipale du Québec.

The municipalities to which the first paragraph refers are Ville de Côte-Saint-Luc, Ville de Hampstead, Ville de Mont-Royal, Ville de Montréal-Est, Ville de Montréal-Ouest and Ville de Westmount.

The urban agglomeration council is to adopt every year in timely fashion a statement of account determining the sums owing for the current fiscal year pursuant to the first paragraph and the date on which they must be paid to Ville de Montréal ; as soon as possible after its adoption, an authenticated copy of the statement of account must be served on or sent by registered or certified mail to each of the municipalities. In the event that a municipality is in default, the urban agglomeration council may, for the purpose of collecting the revenues necessary in the territory of that municipality, use any source of financing a municipality is authorized to use in its own territory.

The first three paragraphs cease to apply, as the case may be in respect of a municipality referred to in the second paragraph, as of the fiscal year following payment of a sum by the municipality to Ville de Montréal in an amount previously determined by similar resolutions passed by the council of the municipality and by the urban agglomeration council.

48. The expenditures relating to any debt contracted by the former Ville de Pointe-Claire before 1 January 2002 in connection with its drinking water production facility are apportioned among the municipalities mentioned in the second paragraph in the proportion that the water consumption attributable to the territory of each municipality is of the facility's total production.

The municipalities to which the first paragraph refers are Ville de Baie D'Urfé, Ville de Beaconsfield, Ville de Dollard-Des Ormeaux, Ville de Kirkland and Ville de Sainte-Anne-de-Bellevue.

The council of Ville de Pointe-Claire is to adopt every year in timely fashion a statement of account determining the sums owing for the current fiscal year pursuant to the first paragraph and the date on which they must be paid to Ville de Pointe-Claire; as soon as possible after its adoption, an authenticated copy of the statement of account must be served on or sent by registered or certified mail to each of the municipalities.

The first three paragraphs cease to apply, as the case may be in respect of a municipality referred to in the second paragraph, as of the fiscal year following payment of a sum by the municipality to Ville de Pointe-Claire in an amount previously determined by similar resolutions passed by the council of the municipality and by the urban agglomeration council.

§3. *Transition committee debt*

49. Before 31 December 2005, the transition committee may, on behalf of the reconstituted municipalities, make borrowings on the conditions authorized beforehand by the Minister of Municipal Affairs and Regions in an amount not to exceed \$253,440,208, the proceeds of which are to be paid to the central municipality to compensate for the fact that the central municipality continues to assume certain debts in their place.

In such a case, section 45 does not apply and each reconstituted municipality becomes a debtor to the creditor chosen by the transition committee for the sum appearing opposite its name in that section, increased by the amount of interest and other charges agreed on between the creditor and the transition committee pursuant to the first paragraph.

§4. *Financing of certain debts*

50. Each reconstituted municipality is authorized to contract a loan for the purpose of temporary and long-term financing to repay the debt it takes on by reason of section 45 or section 49, the payment of interest on the temporary loan, where applicable, and the financing charges relating to the debt instruments issued.

The council of the municipality determines by resolution the source of the revenue to be applied to the long-term loan repayment. For that purpose, the resolution may provide for the use of any source of financing the municipality is authorized to use for other purposes. It may also directly link any part of the loan to a by-law of the former municipality under which a debt was contracted, in which case the sums to be applied to the repayment of that part so identified are supplied from the revenue source determined in that by-law.

Any provision in the resolution that, under any applicable provision, must normally be adopted by by-law may be amended only in the manner provided for the amendment of such a by-law in the applicable legislative provisions.

An authenticated copy of the resolution must be sent to the Minister of Municipal Affairs and Regions as soon as possible after being passed.

DIVISION II **DEBTS OF THE CENTRAL MUNICIPALITY**

51. Every debt of the city not covered by section 44 remains a debt of the central municipality.

The urban agglomeration council has jurisdiction to establish the rules for the financing of the expenditure incurred to repay the debts referred to in the third paragraph, the sum of which constitutes the urban agglomeration debt of Ville de Montréal and may be financed by revenue derived from the urban agglomeration as a whole.

The debts are those that were, before the constitution of the city, debts of the Communauté urbaine de Montréal and those that were contracted by the city between its constitution and the reorganization, and that relate to property, services or activities relating to the exercise of an urban agglomeration power or to equipment, infrastructures or activities of collective interest listed in the Schedule.

The regular council of the central municipality has jurisdiction to establish the rules for the financing of the expenditure incurred to repay the other debts of the city, which must be financed by revenue derived exclusively from the city's own territory.

52. The sums to be paid to the central municipality pursuant to section 45 or 49 must be allocated not later than 31 March 2006 to the financing of borrowing replacement expenditures authorized by by-law. The regular council of the central municipality must identify in a resolution, a copy of which must be sent to the Minister of Municipal Affairs and Regions, the by-laws whose borrowing powers are so reduced and determine to what extent those powers are reduced.

CHAPTER III PROVISIONS OF A FINANCIAL AND FISCAL NATURE

53. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from a territory that is to become part of the territory of a reconstituted municipality becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that remains for the exclusive benefit of the inhabitants and ratepayers of a territory that is to become part of the territory of a reconstituted municipality becomes a surplus of the reconstituted municipality.

54. A deficit or surplus of the city that is not covered by section 53 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the city, the central municipality must cover the deficit or use the surplus in the exercise of its urban agglomeration powers. In the case where the city has a surplus, the central municipality must, before using it in the exercise of its urban agglomeration powers, use the surplus to pay a sum of money to each of the reconstituted municipalities, up to the amount available, corresponding to the revenue derived from the territory of the reconstituted municipalities that was collected by the city to finance the expenditures related to the holding of the 2005 general election. If the amount available is not sufficient to pay the entirety of the sum to each of the reconstituted municipalities, the amount is apportioned among each of the reconstituted municipalities proportionately to the revenue collected.

55. Section 54 applies, with the necessary modifications, in respect of any of the city's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the city, at least one of which is to become the territory of a reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

56. The city's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to the exercise of urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

57. The central municipality remains a party to any dispute to which the city was a party and that was commenced after 1 January 2002. It also has, to the exclusion of the reconstituted municipalities, the requisite capacity and interest to be a party to any dispute commenced after 1 January 2006 in relation to an event arising after the constitution of the city and prior to 1 January 2006.

The central municipality's participation in a dispute referred to in the first paragraph is deemed to be an act performed in the exercise of an urban agglomeration power. A reconstituted municipality must give effect to the conclusions of any final decision on such a dispute if its implementation is within the reconstituted municipality's powers.

The related municipalities share the revenues and costs relating to any dispute referred to in this section. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

In this section, “dispute” includes any legal proceedings.

58. A reconstituted municipality becomes, without continuance of suit, a party to any proceedings to which the city was a party at the time of the coming into force of this Order, in relation to events prior to 1 January 2002 that concern the reconstituted municipality.

59. The revenues and costs relating to legal proceedings or a dispute to which the Régie intermunicipale de gestion des déchets sur l’Île de Montréal or the Société intermunicipale de gestion des déchets sur l’Île de Montréal was a party before the constitution of the city are shared as provided in section 205 of the Charter of Ville de Montréal, which remains applicable with the necessary modifications.

The central municipality, to the exclusion of the reconstituted municipalities, remains a party to legal proceedings or a dispute referred to in the first paragraph.

Despite the first paragraph, lawyers’ and experts’ fees relating to the dispute are shared first between the central municipality and all the reconstituted municipalities in accordance with the criteria set out in the third paragraph of section 205 of the Charter of Ville de Montréal, with the necessary modifications. That part thus determined for which the reconstituted municipalities are responsible is then shared among them in the same manner. The expenditure incidental to the costs is covered by revenue derived from the whole territory of each of the municipalities and, in the case of Ville de Montréal, despite the second paragraph of section 205 of its Charter.

For the purposes of the third paragraph, the reconstituted municipalities are those whose territory corresponds to the territory of a former municipality that before the constitution of the city was a member of the Board referred to in the first paragraph.

60. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 205 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) for a particular fiscal year, the figures 0.006 and 0.01 appearing in the first and second paragraphs of section 205.1 of that Act are replaced as provided in the following paragraphs.

In the case of the urban agglomeration council, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the quotient obtained by dividing the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate by the total of the revenues taken into consideration in establishing the urban agglomeration aggregate taxation rate, the regular aggregate taxation rate of the central municipality and the aggregate taxation rates of the reconstituted municipalities, according to the budgets adopted for the preceding fiscal year. Only the first three decimals in the figure representing the quotient are used; if the fourth decimal would have been greater than 4, the third decimal is increased by 1.

In the case of the regular council of the central municipality or the council of a reconstituted municipality, the replacement figure results from the multiplication of the figure referred to in the first paragraph by the difference obtained by subtracting the quotient obtained under the second paragraph from 1.

Despite the foregoing, for the fiscal year 2006, the replacement figure results from the multiplication of the figure referred to in the first paragraph by 0.6, for the urban agglomeration council, and by 0.4 for the regular council of the central municipality or the council of a reconstituted municipality.

61. For the purposes of the exercise by the urban agglomeration council, and by the regular council of the central municipality or the council of a reconstituted municipality, of the power provided for in section 231 of the Act respecting municipal taxation for a particular fiscal year, the amount of \$10 appearing in the first paragraph of that section is replaced as provided in the second, third and fourth paragraphs of section 60, with the necessary modifications.

TITLE VI **MISCELLANEOUS, TRANSITIONAL AND FINAL**

62. The urban agglomeration council must, before 1 April 2006, create urban agglomeration commissions in accordance with section 18.

63. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001) to any member of the city council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, “former municipality” means the city and “new municipality” means the reconstituted municipality concerned.

64. The reconstituted municipalities succeed, as provided in the following paragraphs, to the rights and obligations of the city arising out of any contract or agreement that deals in whole or in part with a local matter and pursuant to the terms of which the contract or agreement continues to have effect after 31 December 2005.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of one reconstituted municipality only, that municipality succeeds to the rights and obligations arising therefrom.

If the contract or agreement deals exclusively with a local matter and continues to have effect in the territory of several related municipalities, each reconstituted municipality in whose territory the contract or agreement continues to have effect succeeds, for its territory and according to the terms of the contract or agreement, to the rights arising therefrom, and the related municipalities together are solidarily liable for the obligations arising therefrom.

If the contract or agreement deals in part with an urban agglomeration matter and continues to have effect in the territory of one or more related municipalities, each reconstituted municipality succeeds, for its territory, to the rights arising out of the contract or agreement that deal with a local matter, and the related municipalities together are solidarily liable for the obligations arising therefrom.

Where a contract or agreement referred to in any of the preceding paragraphs continues to have effect in the territory of more than one related municipality, the municipality with the largest population is responsible for managing the contract or agreement until it expires and every other municipality is required to assume its share of the management costs.

For the purposes of the preceding paragraph, if the contract or agreement was entered into by the city in the exercise of a borough council power, reference is made to the population of the borough concerned rather than to that of the central municipality.

For the purpose of financing the expenditures resulting from the application of the third, fourth and fifth paragraphs, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement that is to be payable by each municipality concerned.

For the purpose of providing for a source for the sums to be used to honour its obligations under this section, each reconstituted municipality may avail itself of the provisions of sections 2 and 3 of the Municipal Works Act (R.S.Q., c. T-14), except that a loan provided for in section 3 of that Act need not be submitted for approval to the qualified voters.

65. A by-law adopted by the urban agglomeration council before the coming into force of this Order pursuant to section 47 or section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations need not be preceded by a notice of motion and the by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of that Act or before the approval required under the third paragraph of that section.

66. A tax by-law adopted by the council of a related municipality before the coming into force of this Order need not be preceded by a notice of motion.

The by-law may be published to meet the publication requirement for its coming into force before the expiry of the time period prescribed in section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or before the approval required under the third paragraph of that section.

67. Despite paragraph 5 of section 19 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, amended by section 155 of chapter 28 of the Statutes of 2005, the operation of the water treatment plants situated in the territory of Ville de Pointe-Claire and of Ville de Dorval is an aspect of power other than an urban agglomeration power that is under the responsibility of those municipalities.

The first paragraph ceases to have effect on 31 December 2008.

68. Despite any inconsistent provision, the actual costs relating to the supply of water provided by the central municipality in the territory of the reconstituted municipalities are shared between the latter municipalities in proportion to the actual consumption attributable to the territory of each.

For the purpose of financing the expenditures relating to the exercise of its powers as regards the supply of water in the territory of the reconstituted municipalities, the central municipality has the use exclusively of the revenue collected from those municipalities pursuant to the first paragraph, to the exclusion of any means of financing it would otherwise be authorized to use under the applicable legislative provisions.

Despite the foregoing, the exclusion under the second paragraph does not apply to the special tax provided for in section 569.11 of the Cities and Towns Act.

This section ceases to have effect on 31 December 2008.

69. Despite subparagraph *a* of paragraph 8 of section 19 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations, amended by section 155 of chapter 28 of the Statutes of 2005, the component of public security consisting of the first responder services in the territory of Ville de Côte-Saint-Luc is an aspect of power other than an urban agglomeration power that is under the responsibility of Ville de Côte-Saint-Luc.

The costs related to the exercise of the power referred to in the first paragraph are financed exclusively by sums that Ville de Montréal sends to Ville de Côte-Saint-Luc for that purpose and takes out of its urban agglomeration revenues.

This section ceases to have effect on 31 December 2008.

70. Despite section 49 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations and the absence of similar resolutions provided for in section 48 of that Act, a borough council may, in respect of equipment or an infrastructure or activity of collective interest listed in the Schedule, continue to exercise its rights, powers and obligations.

Any act performed or decision made by a borough council pursuant to the first paragraph is deemed to relate to the exercise of an urban agglomeration power.

This section ceases to have effect on 1 January 2007 or on any earlier date determined by the urban agglomeration council and that may vary according to the equipment, infrastructure or activity.

71. The time period in the first paragraph of section 474.1 of the Cities and Towns Act does not apply to the first report on the financial position of the municipality to be made by the mayor of the central municipality.

The mayor must, however, make such a report before the parts of the budget for the fiscal year 2006 are submitted for adoption to the regular council and to the urban agglomeration council, as the case may be.

72. If, on 1 January 2006, the budget of the central municipality for the fiscal year commencing on that date is not adopted, section 148.1 of the Charter of Ville de Montréal is applied as follows:

(1) for the purposes of the appropriations applicable for urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the urban agglomeration council for the fiscal year 2006, is considered to be the budget for the preceding fiscal year; and

(2) for the purposes of the appropriations applicable for purposes other than urban agglomeration purposes, the part of the budget prepared by the executive committee and submitted for adoption to the regular council for the fiscal year 2006, is considered to be the budget for the preceding fiscal year.

For the application of section 92 of Schedule C to the Charter of Ville de Montréal to the budget for the fiscal year referred to in the first paragraph, the date of 1 December is replaced by that of 15 December.

If, on 1 January 2006, the budget of a reconstituted municipality is not adopted, the fifth paragraph of subsection 3 of section 474 of the Cities and Towns Act is applied with, for the purposes of the applicable appropriations, the budget adopted for the fiscal year 2001 by the council of the former municipality whose territory corresponds to that of the reconstituted municipality, modified so that all the appropriations provided for are reduced by 50%, being considered to be the budget for the preceding fiscal year.

73. The provisions of Title V of this Order are deemed to conform to those of Division III of Chapter V of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and to any directive issued by the Minister of Municipal Affairs and Regions pursuant to the second paragraph of section 120 of that Act, amended by section 160 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

74. This Order in Council comes into force on 1 January 2006, the date on which the reorganization of the city becomes effective, except the provisions in the Order that are meant to apply to an act which may be performed in advance of the reorganization pursuant to the Act respecting the exercise of certain municipal powers in certain urban agglomerations; those provisions come into force on the day on which this Order in Council is published in the *Gazette officielle du Québec*.

SCHEDULE

(s. 37)

**EQUIPMENT, INFRASTRUCTURES AND
ACTIVITIES OF COLLECTIVE INTEREST****Equipment and infrastructures**

- Aréna Maurice-Richard
- Centre de tennis Jarry
- Centre d'histoire de Montréal
- Chapelle historique du Bon-Pasteur
- Complexe sportif Claude-Robillard
- Atwater market
- Jean-Talon market
- Pointe-à-Callière museum
- Lachine museum
- Parc Angrignon
- Parc du Mont-Royal
- Parc Jarry
- Parc Jean-Drapeau
- Parc Lafontaine
- Parc Maisonneuve
- Parc René-Lévesque
- Parc du complexe environnemental Saint-Michel
- Cap-Saint-Jacques nature park
- L'Anse-à-l'Orme nature park
- Bois-de-l'Île-Bizard nature park
- Bois-de-Liesse nature park
- L'Île-de-la-Visitation nature park
- Pointe-aux-Prairies nature park
- Bois-de-la-Roche agricultural park
- Bois-de-Saraguay nature park
- Bois-d'Anjou nature park
- Promenades Bellerive
- The following ecoterritories: Senneville Woods, Rivière l'Orme Ecoforest Corridor, Île-Bizard Ecoforest Corridor, Cheval-Blanc Rapids, Bertrand Stream Basin, Summits and Slopes of Mount Royal, De Montigny Stream Basin, East Island Greenbelt, Lachine Rapids, Saint-Jacques Escarpment

Activities and subjects of activities

- Culture Montréal
- Cité des Arts du cirque
- Tour de l'Île
- Film and television show production
- Permanent forum on cultural facilities
- Enhancement of Old Montréal
- Festival du monde arabe
- Urban revitalisation of the South-West, Ville-Marie, Montréal-Nord and Lachine (Saint-Pierre neighbourhood) sectors

- Redevelopment, for reintegration into the urban setting, of large sites such as railroad yards, obsolete or deserted industrial zones or abandoned railway rights-of-way (including decontaminating, demolishing or relocating harmful businesses)
- Bodies responsible for planning and development in the urban agglomeration
- Coup de cœur francophone
- Festival international Nuits d'Afrique
- Francofolies de Montréal
- Just for Laughs
- Montréal High Lights Festival
- Présence autochtone – Terres en vue
- Biennale Les coups de théâtre
- Fringe
- Shakespeare in the Park – Repercussion Theatre
- Biennale FIND
- Chamber Music Festival
- Festival international de jazz
- MEG (Montréal électronique groove)
- Off festival de jazz
- World Film Festival
- Montréal Jewish Film Festival
- FNCM
- Les 400 coups
- Rendez-vous du cinéma québécois
- Vues d'Afrique
- Journée des musées
- Festival interculturel du conte
- Festival international de littérature
- Salon du livre de Montréal
- Carifesta
- Divers/Cité
- Canada Day
- National Holiday
- St. Patrick's Day
- Assistance for sports elite and metropolitan, national and international sports competitions
- Implementation of the framework agreement between Ville de Montréal, the Ministère de la Culture et des Communications and the Bibliothèque nationale du Québec
- Harmonization of computer systems in the libraries
- World Outgames Montréal 2006
- City-wide bikeway network
- Municipal contributions and management of agreements and government programs to fight poverty
- Municipal contributions and management of agreements and government programs to develop property, sites and districts recognized under the Cultural Property Act

— Municipal contributions to government programs or Communauté métropolitaine de Montréal programs set up to improve the protection and conditions of use of the banks and shores bordering the urban agglomeration of Montréal or to create waterside parks in the urban agglomeration

— Development and redevelopment of public lands, including infrastructure works, in an urban agglomeration sector designated as the downtown area and delimited as follows (the directions are approximate): commencing at a point being the intersection of Amherst and Cherrier streets; thence southeast along rue Amherst and its extension to the St. Lawrence River; thence south along the bank of the St. Lawrence River to the point of intersection with Autoroute 15-20, namely the Champlain Bridge; thence west along Autoroute 15-20 to the point of intersection with the railway right-of-way; thence northeast along the railway right-of-way and the building alongside the railway to the point of intersection with the end of that building; thence northwest along the building to the point of intersection with rue du Parc-Marguerite-Bourgeois; thence northeast along rue du Parc-Marguerite-Bourgeois and the railway right-of-way to the point of intersection with the extension of rue Sainte-Madeleine; thence west along rue Sainte-Madeleine to the point of intersection with rue Le Ber; thence north along rue Le Ber and its extension to the point of intersection with the extension of rue de Sébastopol; thence west along rue de Sébastopol to the point of intersection with rue Wellington; thence north along rue Wellington to the point of intersection with rue Bridge; thence west along rue Bridge to the point of intersection with rue Saint-Patrick; thence northwest to the point of intersection with Guy, William and Ottawa streets; thence northwest along rue Guy to the point of intersection with rue Notre-Dame Ouest; thence northwest along the boundary of Ville-Marie Borough to the point of intersection with the boundary of the Mount Royal Historic and Natural District; thence northwest along the boundary of the Mount Royal Historic and Natural District to the point of intersection with avenue des Pins Ouest; thence northeast along avenue des Pins Ouest to the point of intersection with rue Saint-Denis; thence southeast along rue Saint-Denis to the point of intersection with rue Cherrier; thence northeast along rue Cherrier to the point of intersection with rue Amherst, that point being the point of commencement.

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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