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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 1620-95, 13 December 1995

Animal Health Protection Act
(R.S.Q., c. P-42)

Artificial Insemination of Cattle — Amendments

Regulation to amend the Artificial Insemination of Cattle Regulation

WHEREAS under subparagraphs 1 to 4 and 10 of the first paragraph of section 28 of the Animal Health Protection Act (R.S.Q., c. P-42), amended by section 5 of Chapter 29 of the Statutes of 1995, the Government may make regulations to

- (1) determine the conditions under which a person may exercise some or all of the activities listed in section 24, and restrict such activities to the classes of persons it determines;
- (2) prescribe classes of permits and the rights, conditions and restrictions relating to each class;
- (3) prescribe conditions for the issue and renewal of permits, the form of permits and the fees therefor;
- (4) determine the qualifications required of a person applying for a permit and of an employee assigned to activities for which a permit is required; and
- (10) exempt such activities listed in section 24 or such classes of persons or categories of animals as it determines from some or all of the provisions of Division III of the Act or of the regulations under it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation entitled Regulation to amend the Artificial Insemination of Cattle Regulation, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 6 September 1995 with a notice that upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS the 45-day period prescribed by the Act has expired;

WHEREAS no comments were made following that publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Artificial Insemination of Cattle Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Artificial Insemination of Cattle Regulation

Animal Health Protection Act
(R.S.Q., c. P-42, s. 28, 1st par., subpars. 1 to 4, 10; 1995, c. 29, s. 5)

1. The Artificial Insemination of Cattle Regulation, made by Order in Council 690-88 dated 11 May 1988 and amended by the Regulations made by Orders in Council 151-90 dated 14 February 1990, 1771-92 dated 9 December 1992, 1828-93 dated 15 December 1993 and 726-94 dated 18 May 1994, is further amended by substituting the following for paragraphs 3 to 5 of section 1:

“(3) Semen Possession Permit.”.

2. The following is inserted after section 1:

“**1.1** An owner or custodian of animals who carries out the artificial insemination of his own animals or of those of which he has permanent custody shall be exempt from the obligation to hold a General Insemination Permit.”.

3. Section 2 is amended

(1) by striking out the words “, in the form of Schedule I” in the first paragraph;

(2) by substituting the following for subparagraphs 1 to 5 of the third paragraph:

- “(1) for a Semen Collection Permit: \$2 585.00
 (2) for a General Insemination Permit: \$80.00
 (3) for a Semen Possession Permit: \$45.00.”;

(3) by adding the following paragraph:

“For the purposes of this section, the word “establishment” includes a vehicle in the case of an application for a Semen Possession Permit authorizing delivery.”.

4. Section 2.1 is amended by substituting “1997” for “1993” in the first paragraph.

5. The following is substituted for section 3:

“**3.** A person who applies for a General Insemination Permit shall:

(1) know the anatomy and physiology of the reproductive system of cattle, possess the skills required to carry out an act of artificial insemination and know the sanitary conditions therefor;

(2) know the legislative and regulatory provisions applicable in Québec in that matter;

(3) be able to deal with the health risks inherent in visiting multiple livestock outfits; and

(4) master the techniques for the conservation of semen and for pedigree control.

Those qualifications shall be verified by means of an examination prepared by the Minister and held prior to the issue of the permit. To pass that examination, a candidate must obtain the pass mark for each category of aptitudes established in the first paragraph.

3.1 Any person referred to in section 3 shall attach to his application a certificate to the effect that he is authorized by a breeders’ association, formed under the Live-stock Pedigree Act (R.S.C., 1970, c. L-10), to carry out the insemination of purebred cattle or of cattle identified in the National Identification Program administered by such breeders’ association.”.

6. Section 5 is amended

(1) by striking out the words “in the form of Schedule I” in paragraph 1;

(2) by striking out paragraph 3.

7. The following is inserted after section 5:

“**5.1** An application for a permit and an application for renewal of a permit shall be made in writing and shall contain the following information:

(1) the applicant’s name, address and telephone number and, where applicable, his fax number; the same information shall be given by the applicant’s representative, where applicable;

(2) where applicable, the applicant’s registration number in the register of sole proprietorships, partnerships and legal persons, instituted under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (1993, c. 48);

(3) the name under which the establishment or the vehicle is operated;

(4) the address of the establishment or, in the case of a vehicle, the make, model, year and registration number;

(5) the nature and class of the permit applied for;

(6) the applicant’s signature or the signature of the applicant’s duly authorized representative.”.

8. Section 7 is amended by substituting the words “and deliver it” for the words “, deliver it to any person or trade in it”.

9. Division V is revoked.

10. The heading of Division VI is amended by striking out the word “FARM”.

11. The following is substituted for section 55:

“**55.** A semen possession permit holder may only keep semen in his possession and deliver it as permitted under the permit.”.

12. Division VI.1 is revoked.

13. Section 59 is amended by striking out the words “Subparagraph *a* of paragraph 2 of section 3 and”.

14. Section 61 is amended by substituting “58” for “58.6”.

15. Schedule I is revoked.

16. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Draft Regulations

Draft Regulation

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1)

Criteria for the fixing of rent — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the criteria for the fixing of rent, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to establish, as is done every year, the percentages applicable to certain criteria which the Régie du logement du Québec must take into account in fixing rent during the next period for fixing rents.

The impact of the draft Regulation will be to ensure, for lessees and lessors, that the adjustment percentages for the criteria for fixing rent will vary in accordance with the fluctuation of prices in corresponding expenditure items. As for the adjustment of net income, it would reflect the current economic situation.

Further information may be obtained by contacting Mr. Daniel Maisonneuve, Régie du logement, 1, rue Notre-Dame Est, 11^e étage, Montréal (Québec), H2Y 1B6, tel.: (514) 873-6375, fax : (514) 873-6805.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Regional Development and Minister of Municipal Affairs, 20, rue Chauveau, Québec (Québec), G1R 4J3.

GUY CHEVRETTE,
*Minister of State for Regional Development
and Minister of Municipal Affairs*

Regulation to amend the Regulation respecting the criteria for the fixing of rent

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1, s. 108, 1st par., subpars. 3 and 6)

1. The Regulation respecting the criteria for the fixing of rent, made by Order in Council 738-85 dated 17 April 1985 and amended by the Regulations made by Orders in Council 1430-85 dated 10 July 1985, 562-86 dated 30 April 1986, 1047-87 dated 30 June 1987, 688-88 dated 11 May 1988, 528-89 dated 12 April 1989, 344-90 dated 21 March 1990, 519-91 dated 17 April 1991, 637-92 dated 29 April 1992, 580-93 dated 28 April 1993, 454-94 dated 30 March 1994, 825-94 dated 8 June 1994 and 505-95 dated 12 April 1995, is further amended by adding the following after paragraph XI of Schedule 1:

“XII. Applications for the fixing of rent in respect of leases expiring between 1 April 1996 and 31 March 1997 and for contestations of adjustment of rent to take effect between 2 April 1996 and 1 April 1997:

Percentage applicable to the cost of electricity subject to the:

| | |
|--------------------------------|--------|
| domestic rate (D or DM) | -0.3 % |
| domestic dual energy rate (DT) | -0.4 % |
| general small power rate (G) | -0.2 % |
| all other rates | -0.3 % |

Percentage applicable to the cost of fuel:

| | |
|------------------------------|--------|
| heating oil | -5.6 % |
| gas and other form of energy | -2.8 % |

Percentage applicable to the cost of maintenance: 1.7 %

Percentage applicable to the cost of providing services: 0.1 %

Percentage applicable to management costs: 0.1 %

Percentage applicable to capital expenditure: 8.1 %

Percentage applicable to net revenue: 1.0 %

Where the percentage applicable to the costs of electricity and fuel is not representative for the building concerned, the tribunal, where it has the necessary information, shall take those costs into account by proceeding, in their respect, in the manner provided for in the second paragraph of section 4.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

9505

Draft Regulation

An Act respecting child day care
(R.S.Q., c. S-4.1)

Exemption and financial assistance for a child in day care — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care, made by the members of the Office des services de garde à l'enfance, the text of which appears below, may be approved by the Government with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the amendment is to establish a fixed amount for the eligible contribution used to compute the maximum daily amount of exemption and financial assistance and to include in the Regulation certain characteristics of the contribution.

To date, study of the matter shows the following impacts for day care services concerned and for the beneficiary of the program:

— stabilization at its present level of the maximum daily amount of exemption and financial assistance;

— more precise definition of a contribution in order to establish the exemption and payment of financial assistance.

Further information may be obtained by contacting Sylvie Charbonneau, 100, rue Sherbrooke Est, Montréal (Québec), H2X 1C3, tel.: (514) 843-2425, fax: (514) 873-4250.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Chairman of the Office des services de garde à l'enfance, 100, rue Sherbrooke Est, Montréal (Québec), H2X 1C3.

NICOLE MARCOTTE,
*Chairman of the Office des
services de garde à l'enfance*

Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care

An Act respecting child day care
(R.S.Q., c. S-4.1, s. 73, 1st par., subpars. 20, 21, 22 and 22.1)

1. The Regulation respecting exemption and financial assistance for a child in day care, approved by Order in Council 69-93 dated 27 January 1993 and amended by the Regulations approved by Orders in Council 382-93 dated 24 March 1993, 661-94 dated 11 May 1994, 1345-94 dated 7 September 1994 and 1020-95 dated 2 August 1995, is amended by substituting the following for section 29:

“**29.** For the purposes of the calculation provided for in sections 27 and 28, the contribution required of the person by the day care establishment shall not exceed one of the following amounts:

- (1) \$12.14, for a half-day of day care per day;
- (2) \$24.29, for a day of day care per day;

and, as regards home day care establishments, in addition to the amounts provided for in subparagraphs 1 and 2, the following amounts:

- (3) \$36.43, for one and one-half days of day care per day;
- (4) \$48.58, for 2 days of day care per day.

Such contribution shall be exempt from the administration expenses related to the management of the applicant's exemption file and may not be greater than the contribution paid by a person not eligible for the program for equivalent day care services or day care services of the same nature and duration offered by the day care establishment.”.

2. The Regulation is amended by revoking sections 29.1 and 29.2.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

9506

Municipal Affairs

Gouvernement du Québec

O.C. 1610-95, 13 December 1995

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of the Ville de Baie-Saint-Paul, the Paroisse de Baie-Saint-Paul and the Municipalité de Rivière-du-Gouffre

WHEREAS each of the municipal councils of the Ville de Baie-Saint-Paul, the Paroisse de Baie-Saint-Paul and the Municipalité de Rivière-du-Gouffre adopted a by-law authorizing the filing of a joint application with the Government, requesting that it constitute a local municipality resulting from the amalgamation of the three municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS objections were sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Ville de Baie-Saint-Paul, of the Paroisse de Baie-Saint-Paul and the Municipalité de Rivière-du-Gouffre be constituted, under the following conditions:

(1) The name of the new town is “Ville de Baie-Saint-Paul”.

(2) The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 10 November 1995; that description is attached as Schedule A to this Order in Council.

(3) The new town is governed by the Cities and Towns Act (R.S.Q., c. C-19).

(4) The new town will be part of the Municipalité régionale de comté de Charlevoix.

(5) A provisional council shall remain in office until the first general election. It shall be composed of all the members of the three councils existing at the time of the coming into force of this Order in Council. The quorum will be half the existing members, plus one. The current mayors will alternate as mayor of the provisional council for three equal periods. The mayor of the former Municipalité de Rivière-du-Gouffre will serve as mayor of the new town for the first period, followed by the mayor of the former Paroisse de Baie-Saint-Paul, for the second period, and then the mayoress of the former Ville de Baie-Saint-Paul, for the third period.

If a seat is vacant at the coming into force of this Order in Council or falls vacant during the period of the provisional council, one additional vote per vacant seat shall be allotted to the mayor of the former municipality in the territory in which the seat becomes vacant.

For the duration of the term of the provisional council, the council members shall continue to receive the same remuneration they were receiving prior to the coming into force of this Order in Council.

Notwithstanding the alternation provided for in the first paragraph, the mayoress of the former Ville de Baie-Saint-Paul shall retain the qualities necessary to act as warden of the regional county municipality and as president of the Union des municipalités régionales de comté et des municipalités locales du Québec until the first general election.

(6) The first general election shall be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date falls on the first Sunday in January, the first general election shall be postponed until the first Sunday in February. The second general election shall be held on the first Sunday in November 1999.

For the first general election, the council of the new town shall be composed of a mayor and six councillors, and the territory of the new town shall be divided into six electoral districts, of which a description is attached as Schedule B to this Order in Council.

(7) Any budget adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by

the council of the new town, and the expenditures and revenues shall be accounted for separately as if those municipalities had continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in their financial reports for the fiscal year preceding that during which expenditures must be shared.

The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force prior to the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

(8) The working capital of the former Ville de Baie-Saint-Paul and of the former Paroisse de Baie-Saint-Paul shall be abolished once any amounts borrowed from those funds have been reimbursed in accordance with the provisions of the Act. Moneys borrowed from those funds shall be reimbursed by levying a special property tax each year on all the taxable immovables in the sector formed of the territory of each of the former municipalities. No additional sum may be borrowed from the working capital of either of those former municipalities.

The un-borrowed part of the working capital of each of the former municipalities, as well as the amounts reimbursed each year, shall be added to the surplus accumulated on behalf of each of the former municipalities and shall be used in accordance with section 10.

Notwithstanding the first two paragraphs, the council of the new town may, where it deems it expedient to do so, set up a new working capital in accordance with the Act.

(9) By-law 368-95 of the former Ville de Baie-Saint-Paul is amended for the purpose of increasing the total loan amount decreed by that By-law from \$394 300 to \$1 209 438.

The amount of \$394 300 is intended to bail out the general fund of the former Ville de Baie-Saint-Paul by compensating for the amounts paid out of that fund by the former town under the By-law.

That amount shall be used in accordance with section 10 of this Order in Council, as though it were part of the surplus accumulated on behalf of that former town.

By-law 368-95 is amended accordingly.

(10) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets, as well as the total amount of the working capital to which reimbursements will be added, in the case of the former Ville de Baie-Saint-Paul and the former Paroisse de Baie-Saint-Paul, shall be used for the benefit of the ratepayers in the sector formed of the territory of the former municipality in whose name it was accumulated. Those sums may be allocated for public works in the sector formed of the territory of that former municipality or for a reduction of the taxes applicable to all the taxable immovables in that sector.

Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets, as the case may be, shall remain charged to all the taxable immovables in the sector formed of the territory of that former municipality.

(11) Taxes levied under loan by-laws of any of the former municipalities that were charged to a sector thereof shall continue to be collected by the new town in accordance with the taxation clauses provided for in those by-laws.

(12) The balance in principal and interest on the loans contracted by a former municipality under the following by-laws shall be chargeable to all the users of the water supply and sewer system of the new town and shall be reimbursed by means of the compensation tariff that the town will adopt each year in respect of:

— for the former Ville de Baie-Saint-Paul:

— By-laws A-44, A-45, A-47, A-54, 126, 149 and 86-253, for the total balance;

— By-law 251-86, in a proportion of 30.30 %;

— By-law 279-88, in a proportion of 36.73 %;

— By-law 229-84, in a proportion of 36.53 %;

— By-law 314-90, in a proportion of 40 %;

— By-law 148, in a proportion of 41.17 %;

— By-law 258-87, in a proportion of 27.61 %;

— By-law 368-95, in a proportion of 38.10 %;

— for the former Paroisse de Baie-Saint-Paul:

— By-law 38(64), for the total balance;

— By-law 74-A, in a proportion of 41.06 %;

— By-law 145, in a proportion of 38.38 %;

— By-law 156, in a proportion of 70.04 %;

— By-law 176, in a proportion of 73.66 %;

— By-law 177, in a proportion of 53.31 %;

— By-law 232, in a proportion of 57.14 %.

The taxation clauses of those by-laws are amended accordingly. The new town may amend those by-laws in accordance with the Act, if it carries out work to extend the system.

(13) The balance in principal and interest on the loans contracted by a former municipality under the following by-laws shall be chargeable to all the taxable immovables of the new town.

A special tax shall therefore be imposed and levied on all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in force each year, in respect of:

— for the former Ville de Baie-Saint-Paul:

- By-law 183, for the total balance;
- By-law 251-86, in a proportion of 69.70 %;
- By-law 279-88, in a proportion of 63.27 %;
- By-law 229-84, in a proportion of 63.47 %;
- By-law 314-90, in a proportion of 60 %;
- By-law 148, in a proportion of 58.83 %;
- By-law 258-87, in a proportion of 72.39 %;
- By-law 368-95, in a proportion of 61.90 %;

— for the former Paroisse de Baie-Saint-Paul:

- By-laws 94(94-A), 106, 144, 155, 165, 170, 211, 213, 235 and 255, for the total balance;
- By-laws 247, 248 and 249, in a proportion of 30 %.

The taxation clauses provided for in those by-laws are amended accordingly.

If a loan by-law pertaining to work carried out under the Canada-Québec Infrastructure Works was made by any of the former municipalities prior to the coming into force of this Order in Council, the reimbursement in principal and interest of the annual payments on loans contracted under that by-law shall be divided among all the taxable immovables of the new town, on the basis of their value as it appears on the assessment roll in force each year. The taxation clause provided for in such by-law shall be amended accordingly.

If a loan by-law is made by the Régie intermunicipale de Baie-Saint-Paul prior to the coming into force of this Order in Council, the reimbursement in principal and interest of the annual payments on loans contracted under such by-law shall be divided among all the taxable immovables of the new town, on the basis of their value as it appears on the assessment roll in force each year. The taxation clause provided for in such by-law shall be amended accordingly.

(14) For the first ten complete fiscal years following the coming into force of this Order in Council, the sums allotted for capital expenditure out of the annual revenues, other than revenue from government subsidies, and intended for work on road infrastructures (road work, paving, sidewalks and lighting) and the water supply and sewer system, except for work considered by the council to be of common interest, shall be used in the three sectors formed of the territory of the former municipalities and shall be shared among the three sectors in proportion to the standardized real estate values of each of the former municipalities within the meaning of section 261.1 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) at the date of the coming into force of this Order in Council and, subsequently, at the date on which the three-year roll is submitted or at the anniversary date of that submission.

(15) For each of the first eight complete fiscal years following the coming into force of this Order in Council, a special property tax shall be imposed on the immovables of the sector formed of the territory of each of the former municipalities, on the basis of their value as it appears on the assessment roll in force each year. The rate of the special tax shall be equal to the rate that would have been imposed by the Government in respect of the territory of each of the former municipalities under the Regulation respecting the amount payable by the municipalities for the services of the Sûreté du Québec, if the amalgamation had not taken place. Notwithstanding the foregoing, this section ceases to apply before eight years have elapsed if the Government ceases to pay in respect of the territory of either the former Paroisse de Baie-Saint-Paul or the former Municipalité de Rivière-du-Gouffre its financial assistance for the transfer of responsibility for the local road network.

(16) For each of the first five complete fiscal years following the coming into force of this Order in Council, a general property tax credit shall be granted to all the taxable immovables in the sector formed of the territory of the former Municipalité de Rivière-du-Gouffre. The reduction in the rate of the general property tax in respect of that credit shall be calculated each year by dividing the following amounts by the total amount of the taxable assessment of the sector formed of the territory of the former Municipalité de Rivière-du-Gouffre, in accordance with the assessment roll in force each year:

- 1st year: an amount of \$98 945;
- 2nd year: an amount of \$79 156;
- 3rd year: an amount of \$59 367;
- 4th year: an amount of \$39 578;
- 5th year: an amount of \$19 789.

(17) The council of the new town shall gradually abolish, over a period of three years, the property surtax imposed on non-residential immovables in the territory of the former Paroisse de Baie-Saint-Paul. For the first complete fiscal year following the coming into force of this Order in Council, the rate of the property surtax imposed on non-residential immovables in the sector formed of the territory of the former Paroisse de Baie-Saint-Paul shall be fixed at two-thirds of the rate in force in the former municipality for the preceding fiscal year. For the second fiscal year, that surtax shall be fixed at one-third and, for the third fiscal year, it shall be abolished.

Notwithstanding the provisions of the first paragraph, the council of the new town may, where it deems it expedient to do so, impose a property surtax or a property tax on all the non-residential immovables in its territory, or any business tax provided for in the Act.

(18) For each of the first two complete fiscal years following the coming into force of this Order in Council, a general property tax shall be granted on all the taxable immovables in the sector formed of the territory of the former Paroisse de Baie-Saint-Paul. The reduction in the rate of the general property tax in respect of that credit shall be calculated each year by dividing the product of the property surtax imposed under the first paragraph of section 17 by the total amount of the taxable assessment of the sector formed of the territory of that municipality, in accordance with the assessment roll in force each year.

(19) Notwithstanding section 119 of the Act respecting municipal territorial organization, the new town shall, for the purposes of imposing taxes during its first complete fiscal year following the coming into force of this Order in Council, use the values entered on the assessment rolls in force in the former municipalities for the 1995 fiscal year, kept up to date and adjusted in accordance with the second paragraph from the coming into force of this Order in Council.

The adjustment shall be done as follows: the values entered on the assessment rolls of the former Paroisse de Baie-Saint-Paul and the former Municipalité de Rivière-du-Gouffre shall be divided by their respective median proportions and shall be multiplied by the median proportion of the roll of the former Ville de Baie-Saint-Paul. The median proportions used shall be those established for the 1995 fiscal year.

The whole formed by the roll in force in the former Ville de Baie-Saint-Paul for the 1995 fiscal year and the rolls of the former Paroisse de Baie-Saint-Paul and the former Municipalité de Rivière-du-Gouffre, adjusted in

accordance with the second paragraph of this section, shall constitute the roll of the new town for the first complete fiscal year that follows the coming into force of this Order in Council. The median proportion and the comparative factor for that roll shall be those of the former Ville de Baie-Saint-Paul. The first fiscal year of the new town shall be deemed to be the third year of application of the roll.

For the second fiscal year of the new town, the assessor shall draw up, in accordance with the Act, a new assessment roll based on the amalgamation. He shall, for each assessment unit, ensure the accuracy of the relevant data in his possession. He shall also carry out an equilibration. The total cost of drawing up the new roll shall be divided among the sectors formed of the territory of each former municipality on the basis of the actual costs incurred for each sector.

If, at the submission of the new roll, the percentage increase of the total taxable value of the sector formed of the territory of the former Paroisse de Baie-Saint-Paul, in relation to the total adjusted value in force for the first fiscal year, is greater than the percentage increase of the total taxable value of the sectors formed of the territories of the former Ville de Baie-Saint-Paul and the former Municipalité de Rivière-du-Gouffre, taken together, the new town shall apply, for each assessment unit in the sector formed of the territory of the former Paroisse de Baie-Saint-Paul, the averaging of the variation in the taxable values of that part of the value increase exceeding the percentage increase in the two sectors formed of the territories of the former Ville de Baie-Saint-Paul and the former Municipalité de Rivière-du-Gouffre.

(20) Any debt or gain that may result from legal proceedings, for any act performed by a former municipality shall continue to be charged or credited to all the taxable immovables in that former municipality.

(21) A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Baie-Saint-Paul".

That municipal bureau shall replace the municipal housing bureau of the former Ville de Baie-Saint-Paul, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new town as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau shall be the members of the municipal housing bureau of the former Ville de Baie-Saint-Paul.

(22) The Régie intermunicipale de Baie-Saint-Paul shall cease to exist from the coming into force of this Order in Council.

(23) The new town shall have the rights, obligations and responsibilities of the former municipalities and of the Régie intermunicipale de Baie-Saint-Paul. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities and that former board.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities and of the former Régie intermunicipale de Baie-Saint-Paul shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

(24) The council of the new town may, within two years of the coming into force of this Order in Council, revise zoning, subdivision and building by-laws, by-laws provided for in section 116 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) and by-laws respecting minor exemptions from planning by-laws, respecting comprehensive development programs, site planning and architectural integration programs or respecting municipal works agreements of each of the former municipalities, in accordance with the following terms and conditions:

— for consultation purposes, those revised by-laws shall be deemed to be by-laws affecting all of the territory of the new town;

— for the purposes of approving qualified voters, as the case may be, those revised by-laws shall be deemed to be by-laws affecting all of the territory of the new town and must, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), be approved by all the qualified voters in the territory of the new town;

— notwithstanding sections 131 and 132 of the Act respecting land use planning and development, those revised by-laws of the new town may amend, replace or revoke a provision pertaining to a matter covered by any of subparagraphs 1 to 6 and 10 to 22 of the second paragraph of section 113 or a matter covered in any of subparagraphs 1, 3, 4 and 4.1 of the second paragraph of section 115, insofar as each such provision is aimed at revising into one single by-law the provisions contained in the zoning by-law or the provisions contained in the subdivision by-law of each of the former municipalities.

(25) The resolutions adopted by the former Paroisse de Baie-Saint-Paul and the former Municipalité de Rivière-du-Gouffre in accordance with section 45 of the Act respecting the conditions of employment in the public sector and the municipal sector (1993, c. 37) apply to the new town as if the new town had adopted them.

(26) All the movable and immovable property belonging to each of the former municipalities and the former Régie intermunicipale de Baie-Saint-Paul shall become the property of the new town.

(27) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE BAIE-SAINT-PAUL, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE CHARLEVOIX

The current territory of the Municipalité de Rivière-du-Gouffre, of the Paroisse de Baie-Saint-Paul and of the Ville de Baie-Saint-Paul, in the Municipalité régionale de comté de Charlevoix, comprising, in reference to the cadastre of the Paroisse de Baie-Saint-Paul, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights of way, islands, lakes and watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the line dividing the cadastres of the parishes of Saint-Hilarion and Baie-Saint-Paul and the line dividing the parishes of des Éboulements and Baie-Saint-Paul; thence, successively, the following lines and demarcations: in a general southerly direction, the broken line limiting the cadastre of the Paroisse de Baie-Saint-Paul to the east up to the southeast line of lot 253 of the said cadastre (low water mark), that line extended across the public roads and the railway right of way that it meets; in reference to the cadastre of the Paroisse de Baie-Saint-Paul, in a general southwesterly direction, the low water mark of the St. Lawrence River to the line dividing the cadastres of the parishes of Baie-Saint-Paul and Saint-François-Xavier, namely the southeast line of lot 1185 of that first cadastre, that low water mark extended across the mouths of du Gouffre and du Moulin rivers; in a general southwesterly direction, the broken line limiting the cadastre of the Paroisse de Baie-Saint-Paul to the southeast to the apex of the southwestern angle of lot 1907 of the said cadastre, that line extended across the railway right of

way and the public roads that it meets; northwesterly, the line dividing the cadastres of the parishes of Saint-Tite and Baie-Saint-Paul to its meeting with the north-west line of the Seigneurie de la Côte-de-Beaupré, that line extended across the public road that it meets; the northwest line of the said seigniorie northeasterly to its meeting with the broken line dividing the cadastres of the parishes of Saint-Urbain and Baie-Saint-Paul; easterly, part of the said line dividing the cadastres to the apex of the eastern angle of lot 476 of the cadastre of the Paroisse de Baie-Saint-Paul, that line extended across the public roads that it meets; the extension of the said line dividing the cadastres to the centre line of rivière du Gouffre; the centre line of the said river downstream to the extension of the north line of lot 474 of the cadastre of the Paroisse de Baie-Saint-Paul; the said extension; finally, easterly, the broken line dividing the cadastres of the parishes of Saint-Urbain and Saint-Hilarion from the cadastre of the Paroisse de Baie-Saint-Paul to the starting point, that line extended across the public roads that it meets; the said limits define the territory of the new Ville de Baie-Saint-Paul.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 10 November 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

B-215

SCHEDULE B

DESCRIPTION OF THE LIMITS OF THE ELECTORAL DISTRICTS

Electoral district No. 1

The municipal limit (north, east and south sides), rivière du Gouffre, part of the western limit of the Municipalité de Rivière-du-Gouffre, and rivière du Gouffre to the starting point.

Electoral district No. 2

Starting from a point situated at the meeting of rue Leclerc and the western part of the Municipalité de Rivière-du-Gouffre, rivière du Gouffre, the St. Lawrence River, the eastern limit of the Paroisse de Baie-Saint-Paul, the Canadian National railway line, the access leading to the Petites Franciscaines de Marie Cemetery, rue Ambroise-Fafard and rue Leclerc to the starting point.

Electoral district No. 3

Starting from a point situated at the meeting of rivière du Bras-Nord-Ouest and rue Saint-Jean-Baptiste, that street, rue Ambroise-Fafard, the access leading to the Petites Franciscaines de Marie Cemetery, the Canadian National railway line, the eastern limit of the Paroisse de Baie-Saint-Paul and rivière du Bras-Nord-Ouest to the starting point.

Electoral district No. 4

Rivière du Gouffre, the limit of the western part of the Municipalité de Rivière-du-Gouffre, rue Leclerc, rue Saint-Jean-Baptiste, rivière du Bras-Nord-Ouest and the eastern limit of the Paroisse de Baie-Saint-Paul to the starting point.

Electoral district No. 5

Starting from a point situated at the meeting of rivière du Bras-Nord-Ouest and the eastern limit of the Paroisse de Baie-Saint-Paul, the municipal limit (south and west sides), the Hydro-Québec power line and rivière du Bras-Nord-Ouest to the starting point.

Electoral district No. 6

Rivière du Gouffre, part of the eastern limit of the Paroisse de Baie-Saint-Paul, rivière du Bras-Nord-Ouest, the Hydro-Québec power line and the municipal limit (west and north sides) to the starting point.

9501

Gouvernement du Québec

O.C. 1611, 13 December 1995

An Act respecting municipal territorial organization (R.S.Q., c. O-9)

Amalgamation of the Village de Pont-Rouge and the Municipalité de Sainte-Jeanne-de-Pont-Rouge

WHEREAS each of the municipal councils of the Village de Pont-Rouge and the Municipalité de Sainte-Jeanne-de-Pont-Rouge adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS no objections were sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Village de Pont-Rouge and the Municipalité de Sainte-Jeanne-de-Pont-Rouge, under the following conditions:

1. The name of the new municipality is "Ville de Pont-Rouge".

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 20 November 1995; that description is attached as a Schedule to this Order in Council.

3. The new town is governed by the Cities and Towns Act (R.S.Q., c. C-19).

4. The new town will be part of the municipalité régionale de comté de Portneuf.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum will be one-half of the members holding office, plus one. The current mayors will alternate as mayor and acting mayor of the provisional council each month. The mayor of the former Village de Pont-Rouge will act as mayor of the new town for the first calendar month.

6. The first general election will be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If the fourth month is the month of January, February, March, April or May, the first general election will be postponed until the first Sunday in June. If the fourth month is the month of July or August, the first general election will be postponed until the second Sunday in September. The second general election will be held on the first Sunday in November 1999.

7. The council of the new town will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

8. Mrs. Jocelyne Laliberté of the former Village de Pont-Rouge will act as treasurer and assistant clerk of the new town until the council formed by persons elected in the first general election decides otherwise. Mr. Marc-André Trudel of the former Village de Pont-Rouge will act as general manager of the new town until the council formed by persons elected in the first general election decides otherwise.

9. The budgets adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force will continue to be applied by the council of the new town, and the expenditures and revenues will have to be accounted for separately as if those municipalities continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in the financial reports of those municipalities for the last fiscal year ended before the coming into force of this Order in Council.

10. The terms and conditions for apportioning the cost of the joint services provided for in the inter-municipal agreements in force before the coming into force of this Order in Council will continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipality adopted a separate budget will be used for the benefit of the ratepayers of the sector formed of the territory of the former municipality that accumulated it. It may be allocated for the realization of public works in that sector or for the reimbursement of loan by-laws that have matured.

12. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget will remain charged to all the taxable immovables located in the sector formed of the territory of that former municipality.

13. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables of that former municipality.

14. The new town shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

15. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new town.

16. At the end of the last fiscal year for which the new town adopted a separate budget, the balance in principal and interest on the loans contracted by the former municipalities will be charged to all the taxable immovables of the new town except for those concerning the water supply and sewer system.

17. An annual tax credit will be granted on all the taxable immovables of the sector formed of the territory of the former municipality of Sainte-Jeanne-de-Pont-Rouge for the first seven complete fiscal years following the coming into force of this Order in Council.

The credit will be \$0.14 per \$100 of assessment on the first year and will decrease by \$0.02 per \$100 of assessment each year for each subsequent year. Notwithstanding the foregoing, if government subsidies for roads were decreased for any of the years covered by the tax credits, that credit will be decreased in the same proportion as the subsidies. If in any of those years the subsidies are not paid, the credit will not be granted.

18. In accordance with the Order in Council concerning the amendment of the agreement respecting the Cour municipal de la Ville de Donnacona, made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville de Donnacona will have jurisdiction over the territory of the new town.

19. As compensation for the lands acquired by the former Village de Pont-Rouge within the scope of its acquisition and land use planning program, adopted under by-laws numbers 207 and 210, an amount of \$0.15 per square foot will be taken from the proceeds of the

sale of the lands, from among those, that will be sold during the first five complete fiscal years of the new town; that amount will be accumulated and allocated to the sector formed of the territory of the former Village de Pont-Rouge for the realization of public works in that sector or for the reimbursement of loan by-laws.

20. Within 12 months of the coming into force of this Order in Council, the council of the new town may adopt by-laws to amalgamate the provisions of each of the corresponding planning by-laws of the former Municipalité de Sainte-Jeanne-de-Pont-Rouge and of the former Village de Pont-Rouge by using the public consultation procedure provided for in sections 130.1 to 130.7 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), without having to use the procedure for the approval of qualified voters provided for in sections 130.8 to 137 of that Act.

21. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE VILLE DE PONT-ROUGE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE PORTNEUF

The current territory of the Municipalité de Sainte-Jeanne-de-Pont-Rouge and of the Village de Pont-Rouge, in the Municipalité régionale de comté de Portneuf, comprising, in reference to the cadastres of the parishes of Sainte-Jeanne-de-Neuville and Cap-Santé, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights of way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 429 of the cadastre of the Paroisse de Sainte-Jeanne-de-Neuville; thence, successively, the following lines and demarcations: in a general southeasterly direction, the broken line dividing the cadastres of the parishes of Sainte-Catherine and Sainte-Jeanne-de-Neuville passing by the centre line of rivière Jacques-Cartier, to the apex of the eastern angle of lot 177 of the latter cadastre; westerly, then southeasterly, part of the line dividing the cadastres of the parishes of Saint-Augustin and Sainte-Jeanne-de-Neuville to the apex of the eastern angle of lot 1 of the latter cadastre; in a general westerly direction, part of the broken line dividing the cadastres of the parishes of Pointe-aux-Trembles and Sainte-Jeanne-de-Neuville to the southeast side of the right of way of the public road limiting lots 16 to 19 of the latter cadastre to the southeast; southwesterly, the southeast side of the right of

way of the said road and part of the broken line dividing the cadastres of the parishes of Pointe-aux-Trembles and Sainte-Jeanne-de-Neuvville to the apex of the southern angle of lot 48 of the latter cadastre, the last segment of that dividing line extended to the right bank of rivière Jacques-Cartier; the right bank of the said river downstream to the southwest line of lot 22 of the cadastre of the Paroisse de Cap-Santé; in reference to the cadastre of the said parish, the said southwest line of the lot, that line extended across lot 405 and the public road that it meets; part of the southeast line and southwest line of lot 289, that latter line extended across lot 404 (railway right of way) and the public road that it meets; southwesterly, part of the line dividing the cadastres of the parishes of Cap-Santé and Sainte-Jeanne-de-Neuvville to the apex of the southern angle of lot 330 of the latter cadastre; northwesterly, the southwest line of said lot 330, that line extended across the railway right of way that it meets; northeasterly and northwesterly, part of the broken line dividing the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuvville, passing by the centre line of rivière Portneuf, to the apex of the western angle of lot 331 of the latter cadastre; northeasterly and southeasterly, part of the broken line dividing the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuvville to the apex of the eastern angle of lot 354 of the latter cadastre, the last segment of that dividing line extended to the centre line of rivière Portneuf; the centre line of the said river upstream to the extension of the centre line of rivière Blanche located between the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuvville; the said extension and the centre line of the said river upstream to the southwest line of lot 410 of the cadastre of the Paroisse de Sainte-Jeanne-de-Neuvville; finally, northwesterly and northeasterly, part of the southwest line of said lot 410 and the broken line dividing the cadastre of the Paroisse de Sainte-Jeanne-de-Neuvville from the cadastres of the parishes of Saint-Basile, Saint-Raymond and Sainte-Catherine to the starting point; the said limits define the territory of the Ville de Pont-Rouge.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 20 November 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

P-194

9502

Gouvernement du Québec

O.C. 1612-95, 13 December 1995

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of the Municipalité de Saint-Faustin
and the Village de Lac-Carré

WHEREAS each of the municipal councils of the Municipalité de Saint-Faustin and the Village de Lac-Carré adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality resulting from the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS no objections were sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Municipalité de Saint-Faustin and the Village de Lac-Carré be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Faustin-Lac-Carré".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 10 November 1995; that description is attached as a Schedule to this Order in Council.
3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
4. The new municipality will be part of the Municipalité régionale de comté des Laurentides.
5. A provisional council will remain in office until the first general election. It will be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum

will be 8 members. The two mayors will alternate as mayor of the provisional council for equal periods. The mayor of the former Village de Lac-Carré will act as mayor of the provisional council first, followed by the mayor of the former Municipalité de Saint-Faustin.

For the duration of the term of the provisional council, the council members will continue to receive the same remuneration they were receiving before the coming into force of this Order in Council.

6. The first general election will be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date corresponds to the first Sunday in January, the first general election shall be postponed until the first Sunday in February. The second general election will be held on the first Sunday in November 1999. The council of the new municipality will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

7. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Municipalité de Saint-Faustin, will be eligible for seats 1, 2 and 3, and only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Village de Lac-Carré, will be eligible for seats 4, 5 and 6. For the second general election, the new municipality will be divided into electoral districts, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

8. Mrs. Danielle Gauthier, secretary-treasurer of the former Village de Lac-Carré, will act as assistant secretary-treasurer of the new municipality until the council formed by persons elected in the first general election decides otherwise in accordance with the Act.

9. The budgets adopted by the former municipalities for the fiscal year during which this Order in Council comes into force, where applicable, will continue to be applied by the council of the new municipality, and the expenditures and revenues will have to be accounted for separately as if those municipalities continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values established in accordance with the Regulation respecting the equalization scheme (Order in Coun-

cil 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in the financial reports of those former municipalities for the last fiscal year ended before the coming into force of this Order in Council.

10. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets will be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality in whose name it was accumulated. It may be allocated for the carrying out of public works in that sector, for the reduction of real estate taxes applicable to all the taxable immovables of that sector or for the reimbursement of debts charged to that sector.

11. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets will remain charged to all the taxable immovables of the sector made up of the territory of that municipality.

12. The balance in principal and interest on the loans contracted by the former Municipalité de Saint-Faustin under by-laws 128, 145, 148, 168, 170, 173-91, 179-92, 187-92, 197-94, 198-94, 201-94 and 203-94 will be charged to all the taxable immovables of the new municipality.

A special tax will be imposed and levied on all the taxable immovables of the new municipality on the basis of their value as it appears on the assessment roll in force each year.

The taxation clauses provided for in this by-law are amended accordingly.

13. The balance in principal and interest on the loan contracted by the former Municipalité de Saint-Faustin under by-law 191-93, in a proportion of 76.9 %, will be charged to all the taxable immovables of the new municipality.

To that end, a special tax will be imposed and levied on all the taxable immovables of the new municipality on the basis of their value as it appears on the assessment roll in force each year.

A proportion of 23.1 % of the balance in principal and interest on the loan contracted by the former Municipalité de Saint-Faustin will remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

To that end, a special tax will be imposed and levied on all the taxable immovables of the sector made up of the territory of the former Municipalité de Saint-Faustin on the basis of their value as it appears on the assessment roll in force each year.

The taxation clauses provided for in those by-laws are amended accordingly.

14. The special taxes imposed on the ratepayers of a sector of a former municipality under the taxation clauses of loan by-laws are maintained.

15. A tax credit will be granted on all the taxable immovables of the sector made up of the territory of the former Municipalité de Saint-Faustin in the following manner:

— the first year of the amalgamation, at a rate of \$0.30 per \$100 of assessment;

— the second year, at a rate of \$0.27 per \$100 of assessment;

— the third year, at a rate of \$0.24 per \$100 of assessment;

— the fourth year, at a rate of \$0.21 per \$100 of assessment;

— the fifth year, at a rate of \$0.18 per \$100 of assessment;

— the sixth year, at a rate of \$0.15 per \$100 of assessment;

— the seventh year, at a rate of \$0.12 per \$100 of assessment;

— the eighth year, at a rate of \$0.09 per \$100 of assessment;

— the ninth year, at a rate of \$0.06 per \$100 of assessment; and

— the tenth year, at a rate of \$0.03 per \$100 of assessment.

16. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables located in the territory of that municipality.

17. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Saint-Faustin-Lac-Carré".

That municipal bureau shall replace the municipal housing bureau of the former Municipalité de Saint-Faustin, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new municipality of Saint-Faustin-Lac-Carré as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau are the members of the municipal housing bureau of the former Municipalité de Saint-Faustin.

18. The new municipality shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in lieu of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

19. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

20. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-FAUSTIN-LAC-CARRÉ, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DES LAURENTIDES

The current territory of the Municipalité de Saint-Faustin and the Village de Lac-Carré, in the Municipalité régionale de comté des Laurentides, comprising, in reference to the cadastre of the Canton de Wolfe, the lots or parts of lots and their present and future subdivisions, as well as the roads, highways, streets, railway rights of way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the line dividing ranges 7 and 8 of the cadastre of the Canton de Wolfe and the east line of the said township; thence, successively, the following lines and demarcations: southerly, part of the east line of the Canton de Wolfe to the line dividing ranges 3 and 4 of the cadastre of the said township; in reference to that cadastre, part of the said

line dividing the ranges to the line dividing lots 5 and 6 of range 3; the said line dividing the lots; easterly, part of the line dividing ranges 2 and 3 to the east line of the township; southerly, part of the said east line to the line dividing the townships of Wolfe and Howard; the line dividing the Canton de Wolfe from the townships of Howard and Montcalm; part of the line dividing the townships of Wolfe and De Salaberry to the line dividing ranges 6 and 7 of the cadastre of the Canton de Wolfe; in reference to that cadastre, part of the said line dividing the ranges to the line dividing lots 30A and 31B of range 7; the said line dividing the lots to the southeast line of lot 60 (right-of-way of a former railway); north-easterly, part of the said southeast line to the extension of the line dividing lot 30C from lots 30B and 46 of range 7; the said extension and part of the said line dividing the lots to the apex of the northwestern angle of the said lot 46, that line extended across the public road that it meets; the broken line limiting the aforesaid lot 46 to the north; in lot 29A of range 7, a straight line forming an interior angle of 285° 59' 20" with the last segment of the said broken line to the south side of the right-of-way of the public road (chemin Lac-Supérieur) crossing the said lot; the south side of the right-of-way of the said public road in an easterly direction to the line dividing lots 29A and 28A of range 7; northerly, part of the said line dividing the lots to the line dividing ranges 7 and 8; finally, easterly, part of the said line dividing the ranges to the starting point; the said limits define the territory of the Municipalité de Saint-Faustin-Lac-Carré.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 10 November 1995

Prepared by GILLES CLOUTIER,
Land Surveyor

F-123

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Gouvernement du Québec

O.C. 1613-95, 13 December 1995

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of the Paroisse de Sainte-Monique and the Village de Sainte-Monique

WHEREAS each of the municipal councils of the Village de Sainte-Monique and the Paroisse de Sainte-Monique adopted a by-law authorizing the filing of a joint application with the Government requesting that it

constitute a local municipality resulting from the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS no objections were sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Village de Sainte-Monique and the Paroisse de Sainte-Monique be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Sainte-Monique".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 16 November 1995; that description is attached as a Schedule to this Order in Council.
3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
4. The new municipality will be part of the Municipalité régionale de comté de Nicolet-Yamaska.
5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum will be 8 members. The 2 mayors will alternate as mayor of the provisional council for equal periods. The mayor of the former Paroisse de Sainte-Monique will serve as mayor of the provisional council first, followed by the mayor of the former Village de Sainte-Monique.

For the duration of the term of the provisional council, the council members will continue to receive the same remuneration they were receiving before the coming into force of this Order in Council.

6. The first general election will be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date falls on to the first Sunday in January, the first general

election will be postponed until the first Sunday in February. The second general election will be held on the first Sunday in November 1999. The council of the new municipality will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

7. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Paroisse de Sainte-Monique, will be eligible for seats 2, 4, 5 and 6, and only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Village de Sainte-Monique, will be eligible for seats 1 and 3.

8. Mrs. Marthe L. Ouellet, secretary-treasurer of the former Paroisse de Sainte-Monique, will act as assistant secretary-treasurer of the new municipality until the council formed by persons elected in the first general election decides otherwise in accordance with the Act.

9. The budgets adopted by the former municipalities, where applicable, for the fiscal year during which this Order in Council comes into force will continue to be applied by the council of the new municipality, and the expenditures and revenues will have to be accounted for separately as if those municipalities had continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in the financial reports of those municipalities for the last fiscal year ended before the coming into force of this Order in Council.

The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force before the amalgamation will continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

10. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets will be used for the benefit of the ratepayers of the sector formed of the territory of the former municipality in whose name it will have been accumulated. It may be allocated for the realization of public works in that sector, for the

reduction of taxes applicable to all the taxable immovables in that sector and for the reimbursement of debts charged to that sector.

11. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets will remain charged to all the taxable immovables located in the sector formed of the territory of that former municipality.

12. The balance in principal and interest on all the loans contracted by the former Village de Sainte-Monique under its by-laws 58, 59, 62, 66 and 60 will remain, in a proportion of 91.2 %, chargeable to all the taxable immovables of the users of the water supply and sewer system of the former Village de Sainte-Monique and, in a proportion of 8.8 %, chargeable to the users of the former Paroisse de Sainte-Monique served by the water supply system of the former Village de Sainte-Monique.

The taxation clauses provided for in those by-laws are amended accordingly.

13. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables in that former municipality.

14. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Sainte-Monique".

That municipal bureau shall replace the municipal housing bureau of the former Village de Sainte-Monique, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) shall apply to the municipal housing bureau of the new Municipalité de Sainte-Monique as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau will be the members of the "Office municipal d'habitation du Village de Sainte-Monique".

15. The new municipality will have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collections rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended,

cancelled or revoked, and insofar as they are compatible with this Order in Council.

16. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

17. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINTE-MONIQUE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE NICOLET-YAMASKA

The current territory of the Paroisse de Sainte-Monique and of the Village de Sainte-Monique, in the Municipalité régionale de comté de Nicolet-Yamaska, comprising, in reference to the cadastre of the Paroisse de Sainte-Monique, the lots or parts of lots and their present and future subdivisions, as well as the roads, highways, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 170; thence, successively, the following lines and demarcations: southeasterly, the southwest line of concession Grand-Saint-Esprit, on the southwest side, to the northwest line of lot 301, that line extended across the public road that it meets; part of the said northwest line northeasterly to the northeast line of the said lot; the said northeast line, part of the northwest line of lot 302 northeasterly to the apex of the northern angle of the said lot; the broken line limiting on the northeast lots 302, 303, 304 and a part of lot 305 to the apex of the western angle of lot 101; the northwest, northeast and southeast lines of the said lot 101, the northeast line being the southwest side of a public road; part of the northeast line and southeast line

of lot 306, the latter extended across a public road and up to the centre line of rivière Nicolet; the centre line of the said river to the extension of the southeast line of lot 357; the said extension and the said southeast line; northwesterly and southwesterly, part of the line dividing the cadastres of the parishes of Sainte-Monique and Sainte-Perpétue to the apex of the southern angle of lot 481; in reference to the cadastre of the Paroisse de Sainte-Monique, the southwest line of lots 481 to 485; the line dividing lots 485 to 487 from lots 546, 545 and 544; the southwest line of lots 487 to 490, 492 and 493; the line dividing lots 493 to 496 from lots 536 and 535; the southwest line of lots 496 to 504, that line extended across the public road that it meets; the line dividing lots 504 to 507, 404 to 406 and 510 on one side from lots 523, 522, 521 and 519 in declining order to 511 on the other side, passing by the centre line of ruisseau Daneau and the last segment extended to the centre line of rivière Nicolet Sud-Ouest; the centre line of the said river downstream to the extension of the northwest line of lot 421; the said extension, the northwest line of the said lot 421 and its extension to the centre line of rivière Nicolet; the centre line of the said river downstream to the extension of the northwest line of lot 216; finally, northeasterly, the said extension and part of the line dividing the cadastres of the parishes of Sainte-Monique and Saint-Jean-Baptiste-de-Nicolet to the starting point; the said limits define the territory of the Municipalité de Sainte-Monique.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 16 November 1995

Prepared by: GILLES CLOUTIER,
Land Surveyor

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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