

Municipal Affairs

Gouvernement du Québec

O.C. 1301-96, 16 October 1996

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

Amalgamation of the Municipalité de Crabtree and the Municipalité de Sacré-Coeur-de-Crabtree

WHEREAS each of the municipal councils of the Municipalité de Crabtree and the Municipalité de Sacré-Coeur-de-Crabtree 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 two 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 with the amendments proposed by the Minister of Municipal Affairs and approved by the councils of the applicant municipalities;

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 Municipalité de Crabtree and the Municipalité de Sacré-Coeur-de-Crabtree be constituted, under the following conditions:

(1) The name of the new municipality is "Municipalité de Crabtree".

(2) The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 2 August 1996; 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 is part of the municipalité régionale de comté de Joliette.

(5) A provisional council shall remain in office until the first general election. It shall 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 shall be half the existing members, plus one. The current mayors shall alternate each month as mayor and acting mayor of the provisional council. The mayor of the former Municipalité de Crabtree shall serve as mayor of the new municipality for the first month of the calendar.

(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 the fourth month is the month of December or 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 2001.

(7) For the first general election, the council of the new municipality shall be composed of 9 members, that is, a mayor and 8 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 8. For the second general election, the council of the new municipality shall be composed of 7 members, that is, a mayor and 6 councillors. The councillors' seats shall be numbered from 1 to 6.

(8) 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 Crabtree, will be eligible for seats 1 to 6 inclusively 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 Municipalité de Sacré-Coeur-de-Crabtree, will be eligible for seats 7 and 8.

(9) Mrs. Chantale Mercier of the former Municipalité de Sacré-Coeur-de-Crabtree shall act as the assistant secretary-treasurer of the new municipality until the council elected in the first general election decides otherwise.

(10) Any budgets 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 municipality, and the expenditures and revenues shall be accounted for separately as if those municipalities had continued to exist.

(11) The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force before 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.

(12) 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 shall be used for the benefit of the ratepayers in the sector formed of the territory of that former municipality.

(13) 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 shall be charged to all the taxable immovables of the new municipality.

(14) At the end of the last fiscal year for which the municipalities adopted separate budgets, the portion of the general fund of the former Municipalité de Crabtree that is reserved for the arena of that former municipality shall be used for that purpose.

In like manner, the portion of the general fund of the former Municipalité de Sacré-Coeur-de-Crabtree that is reserved for road repairs shall be used for that purpose.

(15) 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 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.

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

(17) At the end of the last fiscal year for which the new municipality applied separate budgets, any tax levied under a loan by-law on all the taxable immovables of either of the former municipalities shall be replaced by a tax levied on all the taxable immovables in the territory of the new municipality.

Any tax that was levied under a loan by-law to a sector of either of the former municipalities shall remain in the charge of the sector originally levied.

Loans concerning the water supply and sewer system networks that were not in the charge of a sector of a former municipality shall be charged to the users of those networks located in the territory of the new municipality.

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

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

(19) In accordance with the Order in Council concerning the amendment of the agreement respecting the Cour municipale de la Ville de l'Assomption, made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville de l'Assomption shall have jurisdiction over the territory of the new municipality.

(20) The council of the new municipality 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, such revised by-laws shall be deemed to be by-laws affecting all of the territory of the new municipality;

— for the purposes of approving qualified voters, as the case may be, such revised by-laws shall be deemed to be by-laws affecting all of the territory of the new municipality and must, in accordance with the Act respecting elections and referendums in municipalities, be approved by all the qualified voters in the territory of the new municipality;

— notwithstanding sections 131 and 132 of the Act respecting land use planning and development, such revised by-laws of the new town may amend, replace or revoke a provision pertaining to a matter covered by any of subparagraphs 1, 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.

(21) A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Crabtree".

That municipal bureau shall replace the municipal housing bureau of the former Municipalité de Crabtree, 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 Municipalité de Crabtree 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 former municipal housing bureau in office at the time of the coming into force of this Order in Council.

(22) 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 NEW MUNICIPALITÉ DE CRABTREE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE JOLIETTE

The current territory of the Municipalité de Crabtree and the Municipalité de Sacré-Coeur-de-Crabtree, in the municipalité régionale de comté de Joliette, comprising, in reference to the cadastres of the parishes of Saint-Paul, Sainte-Marie-Salomé and Saint-Jacques-de-l'Achigan, 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 northwest side of the right of way of the public road limiting to the northwest lot 222 of the cadastre of the Paroisse de Saint-Paul and of the extension of the northeast line of the said lot; thence, successively, the following lines and demarcations: the said extension southeasterly and the irregular line limiting to the northeast lots 222 to 228, 230 to 232, 234 to 236, 238, 241, 242, 244 to 255, 257 to 263, 265 to 271 and 276, that northeast line extended across lot 493 (right of way of a former railroad), chemin Saint-Jacques and lot 494 (railway right of way); part of the northeast line of lot 277 to

the southeast line of the northwest part of the said lot 277, that southeast line coinciding with the northwest side of the right of way of chemin Froment; the said southeast line and its extension to the centre line of rivière Ouareau; the centre line of the said river downstream to the extension of the northeast line of lot 162 of the cadastre of the paroisse de Saint-Paul; the said extension and the northeast line of the said lot; in reference to the said cadastre, southwesterly, the irregular line limiting to the southeast lots 162, 163, 164, 165, 169, 170, 176, 171, 172 and 174; the southwest and northwest lines of lot 174; in reference to the cadastre of the paroisse de Sainte-Marie-Salomé, the southwest and northwest lines of lot 401; part of the southwest line of lot 402 and the northwest line of lots 402 and 403; in reference to the cadastre of the paroisse de Saint-Paul, part of the southwest line of lot 177 northwesterly to the southeast line of lot 476 of the cadastre of the paroisse de Sainte-Marie-Salomé, that line extended across the railway right of way (lot 494); in reference to the latter cadastre and in a general westerly direction, a broken line limiting to the south lots 476 to 472, 470, 469 and 466 in descending order and the south side of the right of way of chemin Sainte-Marie to the line dividing the cadastres of the parishes of Sainte-Marie-Salomé and Saint-Jacques-de-l'Achigan; in reference to that last cadastre, northwesterly, the irregular line limiting to the southwest lots 781 to 775, 773, 772, 771, 770, 768, 767, 765, 764, 763, 760, 759, 758 and 745 in descending order to the line dividing the cadastres of the parishes of Saint-Liguori and Saint-Jacques-de-l'Achigan; northeasterly, part of the said line dividing the cadastres and its extension to the centre line of rivière Ouareau; the centre line of the said river downstream to the southwesterly extension of the northwest line of lot 216 of the cadastre of the paroisse de Saint-Paul; in reference to that cadastre, the said extension and the broken line limiting to the northwest lot 216, the last segment extended to the centre line of rivière Rouge; the centre line of the said river upstream to the extension of the southeast line of lot 219; the said extension and the said lot line; finally, northwesterly and northeasterly, part of the line dividing the cadastres of the parishes of Saint-Liguori and Saint-Paul and the northwest side of the right of way of the public road limiting to the northwest lot 222 of that second cadastre to the starting point; the said limits define the territory of the new Municipalité de Crabtree.

Ministère des Ressources naturelles
Service de l'arpentage
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Prepared by: GILLES CLOUTIER,
Land Surveyor

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