

## Municipal Affairs

Gouvernement du Québec

### **O.C. 617-96, 29 May 1996**

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

Amalgamation of the Ville de Saint-Félicien and the Municipalité de Saint-Méthode

WHEREAS each of the municipal councils of the Ville de Saint-Félicien and the Municipalité de Saint-Méthode 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 no objection was 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, 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 Ville de Saint-Félicien and the Municipalité de Saint-Méthode be constituted, under the following conditions:

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

(2) The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 25 March 1996; 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 is part of the Municipalité régionale de comté du Domaine-du-Roy.

(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 as mayor and acting mayor of the provisional council. The mayor of the former Ville de Saint-Félicien shall act as mayor of the new town for the first month of the calendar.

(6) The first general election shall be held on the first Sunday in November 1996. The second general election shall be held in the year 2000.

(7) For the first general election, the council of the new town shall be composed of 9 members, that is, a mayor and eight councillors. For the second general election, the council of the new town shall be composed of 7 members, that is, a mayor and 6 councillors.

(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 that election were an election of the council members of the former Municipalité de Saint-Méthode, will be eligible for seats 1 and 2.

(9) For the second 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 that election were an election of the council members of the former Municipalité de Saint-Méthode, will be eligible for seat 1.

(10) Mr. Michel Légaré of the former Municipalité de Saint-Méthode shall act as service head of the new town until such time as the council formed by the persons elected in the first general election decides otherwise.

(11) 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 town, and the expenditures and revenues shall be calculated 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 the financial reports of those municipalities for the last fiscal year ended before the coming into force of this Order in Council.

(12) 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.

(13) 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 the former municipality. It may be allocated for public works in the sector formed of the territory of that former municipality or for the reimbursement of the principal and interest on loans that were contracted by the former municipality and have matured.

(14) 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 remain charged to all the taxable immovables of that former municipality.

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

(16) 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.

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

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

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

That municipal bureau shall replace the municipal housing bureaus of the former municipalities, which are 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 Ville de Saint-Félicien as if it had been incorporated by letters patent under section 57 of that Act.

(20) 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 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 the approval of 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, 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.

(21) An annual tax credit shall be granted to the owners of taxable immovables of the sector formed of the territory of the former Municipalité de Saint-Méthode for the first five complete fiscal years following the coming into force of this Order in Council. The credit will be \$0.75 per \$100 of assessment for the first year and shall decrease by \$0.15 per \$100 of assessment per year for each subsequent year.

(22) The working capital of the former Ville de Saint-Félicien shall become the working capital of the new town.

(23) Any tax levied under a loan by-law of the former Ville de Saint-Félicien or of the former Municipalité de Saint-Méthode on all the taxable immovables of their territory shall be replaced by a tax levied on all the taxable immovables of the territory of the new municipality.

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

However, the taxes levied on the taxable immovables of a sector of the territory of a former municipality under the loan by-laws of either of those former municipalities shall remain the same.

(24) Notwithstanding section 23, for the first full fiscal year following the coming into force of this Order in Council, the annual reimbursement of maturities in principal and interest on loans made under by-laws 270 and 296 of the former Municipalité de Saint-Méthode, as well as the amounts owing to the Société québécoise d'assainissement des eaux, shall be charged to all the taxable immovables of the territory of the new town 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.

(25) The subsidy of \$500 000 granted within the scope of the amalgamation (PAFREM) shall be used in its entirety for the annual reimbursement of maturities in principal and interest on the loans made under by-laws 270 and 296 of the former Municipalité de Saint-Méthode. The amount used shall be \$100 000 per year over a five-year period from the first full fiscal year following the coming into force of this Order in Council.

(26) At the end of the last fiscal year for which the former municipalities adopted separate budgets, the by-law on the costs of the water supply and sewer service of the former Ville de Saint-Félicien shall apply to the new town until such time as the council decides otherwise.

(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*

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OFFICIAL DESCRIPTION OF THE LIMITS OF  
THE TERRITORY OF THE NEW VILLE DE  
SAINT-FÉLICIEN, IN THE MUNICIPALITÉ  
RÉGIONALE DE COMTÉ DU DOMAINE-DU-ROY

The present territory of the Municipalité de Saint-Méthode and of the Ville de Saint-Félicien, in the Municipalité régionale de comté du Domaine-du-Roy, comprising in reference to the cadastres of the townships of Ashuapmouchouan, Demeulles, Parent and Racine, 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 enclosed within the limits described below, namely: starting from the meeting point of the line dividing the townships of Albanel and Parent and the line dividing ranges 12 and 13 of the Canton de Parent; thence, successively, the following lines and demarcations: the said line dividing the ranges and its extension to the centre line of rivière Mistassini; the centre line of the said river downstream and skirting to the left the islands closest to the right bank and to the right the islands closest to the left bank to a straight line perpendicular to the right bank of rivière Mistassini whose point of origin is the northeastern end of the line dividing lots 61 and 62 of range 4 of the cadastre of the Canton de Parent; the said straight line to its point of origin; in a general southeasterly, southwesterly and northwesterly direction, the limit of the Canton de Parent to the line dividing ranges 1 and 2 of the said township; southwesterly, the extension of the said line dividing the ranges in rivière Ashuapmushuan to a line passing midway between the left bank of the said river and the northeast bank of island number 6 of the cadastre of the Canton d'Ashuapmouchouan; in a general easterly direction, the line passing midway between the left bank of rivière Ashuapmushuan and the north bank of islands numbers 6 and 5 of the cadastre of the Canton d'Ashuapmouchouan and the centre line of the said river to the extension of the centre line of rivière à l'Ours; the said extension and the centre line of the said river to the line dividing the townships of Ashuapmouchouan and Demeulles; part of the said line dividing the townships, southwesterly, to the southwest line of the Canton de Demeulles; in reference to the cadastre of the said Canton de Demeulles, part of the said southwest line to the line dividing lots 27 and 28 of range 7; the said line dividing the lots in ranges 7 and 6; part of the line dividing ranges 6 and 5, southeasterly, to the line dividing lots 26 and 27 of range 5; the said line dividing the

lots; part of the line dividing ranges 5 and 4, northwesterly, to the northwest line of the Canton de Demeulles; part of the northwest line of the said township, northeasterly, and its extension into rivière Ashuapmushuan to the apex of the western angle of the Canton de Parent; finally, part of the northwest line of the Canton de Parent to the starting point; the said limits define the territory of the new Ville de Saint-Félicien.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 25 March 1996

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*Land Surveyor*

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Gouvernement du Québec

### **O.C. 618-96, 29 May 1996**

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

Rectification of the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac and validation of acts performed by the latter parish

WHEREAS the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac are imprecise;

WHEREAS the territory covered by this application concerns Île d'Embarras, formed of lot 222 of the cadastre of the Paroisse de Sainte-Anne and of lot 1119 of the cadastre of the Paroisse de Saint-François-du-Lac;

WHEREAS the Paroisse de Saint-François-du-Lac acted without right on lot 222 of the cadastre of the Paroisse de Sainte-Anne;

WHEREAS it is more probable that lot 1119 of the cadastre of the Paroisse de Saint-François-du-Lac is part of the Paroisse de Sainte-Anne-de-Sorel;

WHEREAS the Minister of Municipal Affairs has sent to both municipalities, in accordance with section 179 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), a notice containing the proposed rectification and validation of acts that he intends to submit to the Government;

WHEREAS the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac have notified the Minister of Municipal Affairs of their agreement on the proposal;

WHEREAS in accordance with section 181 of the Act respecting municipal territorial organization, the Minister of Municipal Affairs required both municipalities to have the proposed rectification published;

WHEREAS the proposed rectification was published in the territory of both municipalities and the Minister has received no objection;

WHEREAS under sections 178 and 192 of the Act respecting municipal territorial organization, the Government may rectify the territorial boundaries of those municipalities and validate any act performed without right by the Paroisse de Saint-François-du-Lac in respect of a territory not subject to its jurisdiction and provide for the termination of the administration of the affairs of the said territory;

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

THAT the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel and the Paroisse de Saint-François-du-Lac be rectified and that the acts performed by the Paroisse de Saint-François-du-Lac be validated, as follows:

(1) The description of the territorial boundaries of the Paroisse de Sainte-Anne-de-Sorel includes the territory described by the Minister of Natural Resources on 22 September 1995; that description appears in Schedule A to this Order in Council.

(2) The rectification has effect from 14 May 1877.

(3) The description of the territorial boundaries of the Paroisse de Saint-François-du-Lac does not include the territory described in Schedule A.

(4) The acts performed by the Paroisse de Saint-François-du-Lac in respect of the territory described in Schedule A are validated.

(5) The Paroisse de Saint-François-du-Lac shall, on the date of coming into force of the rectification, terminate its administration of the affairs of the territory described in Schedule A.

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

MICHEL CARPENTIER,  
*Clek of the Conseil exécutif*