

Municipal Affairs

Gouvernement du Québec

O.C. 1501-96, 4 December 1996

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

Amalgamation of the Village de Neuville and the Paroisse de Pointe-aux-Trembles

WHEREAS each of the municipal councils of the Village de Neuville and the Paroisse de Pointe-aux-Trembles 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 both 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 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 be constituted through the amalgamation of the Village de Neuville and the Paroisse de Pointe-aux-Trembles, under the following conditions:

- (1) The name of the new town is “Ville de Neuville”.
- (2) The description of the territory of the new town 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 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 both councils existing at the time of the coming into force of this Order in Council. The quorum will be half the members in office, plus one. The current mayors will alternate as mayor and acting mayor of the provisional council each month. The mayor of the former Paroisse de Pointe-aux-Trembles will serve as mayor of the new town for the first calendar month.

(6) The first general election will be held on the sixteenth Sunday following the coming into force of this Order in Council. The second election will be held in the year 2000.

(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) 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 former municipalities continued to exist.

In addition, an expenditure or revenue recognized by the council as resulting from the amalgamation will be charged or accounted for in 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.

(9) 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 remain for the benefit of the ratepayers of the sector made up of the territory of the former municipality that accumulated it.

If, following the application of section 10, there remains a surplus accumulated on behalf of a former municipality, that surplus will be used either for the carrying out of capital works situated in the sector made up of the territory of the former municipality that accumulated

it, or for the repayment of loans contracted by that former municipality that have matured.

Any deficit 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 remain charged to all the taxable immovables located in the sector made up of the territory of the former municipality that accumulated it.

(10) The working capital of the former Paroisse de Pointe-aux-Trembles, in the amount of \$266 851, will become the working capital of the new town. It will be increased by an amount of \$133 425 resulting from a contribution of the former Village de Neuville. That contribution will be taken from the accumulated surplus reserved for that purpose by that former village.

(11) At the end of the last fiscal year for which the new town applied separate budgets, any tax levied under a loan by-law adopted by either of the former municipalities will continue to be levied on the immovables originally levied.

In like manner, the loans borrowed from the working capital of a former municipality will be repaid in accordance with the resolution that authorized the loan.

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

(13) For the 5 years following the coming into force of this Order in Council, where the new town orders capital works in a sector or work on the water supply and sewer system, it shall allocate, from its general fund, for reducing the loan made for those works, an amount representing 15 % of the total cost of the expenditure.

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

Until the repairs to the water supply systems of the new town have been completed, the preceding paragraph shall apply to the acts performed or omissions made by a former municipality or board for the construction work or operation of the water supply systems in accordance with the terms and conditions for distribution provided for in an agreement concerning those systems.

(15) The Régie intermunicipale des installations de Neuville and the Régie intermunicipale des loisirs de

Neuville are dissolved. The budgets voted by those boards shall be managed by the new town until the end of the last fiscal year for which the former municipalities adopted separate budgets.

(16) The new town will have the rights, obligations and responsibilities of the former municipalities, boards and committee. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities or boards.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of the former municipalities or boards 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) Within 12 months of the coming into force of this Order in Council, the council of the new town may revise the planning by-laws of each of the former municipalities by using the public consultation procedure provided for in sections 130.1 to 130.7 of the Act respecting land use planning and development as those sections read on 4 July 1996, without having to use the procedure for the approval by qualified voters.

The planning by-laws of the former municipalities will remain in force in the territory for which they were made, until they are amended, cancelled or revoked by 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 Donnacona, which will be 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) This Order in Council comes into force on 2 January 1997.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF
THE TERRITORY OF THE VILLE DE NEUVILLE,
IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ
DE PORTNEUF

The current territory of the Paroisse de Pointe-aux-Trembles and of the Village de Neuville, in the Municipalité régionale de comté de Portneuf, comprising, in reference to the cadastre of the Paroisse de Pointe-

aux-Trembles, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, autoroutes, railway rights of way, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 415; thence, successively, the following lines and demarcations: southeasterly, the line dividing the cadastres of the parishes of Pointe-aux-Trembles and Saint-Augustin, that line extended across the public roads and railway rights of way that it meets; the left bank of the river upstream to the line dividing lots 266 and 267; the said line dividing the lots, that line extended across the public road and railway right of way that it meets; the north line of said lot 266 and part of the north line of lot 267 to the line dividing lots 277 and 276; the said line dividing the lots, that line extended across the public road and the watercourse that it meets; the left bank of rivière Jacques-Cartier upstream to the northwest line of lot 537; northeasterly, part of the broken line dividing the cadastres of the parishes of Pointe-aux-Trembles and Sainte-Jeanne-de-Neuville to the apex of the western angle of lot 471 of the former cadastre, that line extended across the public roads, the watercourses and the railway right of way that it meets; the northwest line of lots 471, 468, 467, 464, 463, 455, 454, 453, 452 and 451, that line passing by the southeast side of chemin du Petit-Capsa; finally, southeasterly and northeasterly, part of the line dividing the cadastres of the parishes of Pointe-aux-Trembles and Sainte-Jeanne-de-Neuville to the starting point; the said limits define the territory of the Ville de Neuville.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 2 August 1996

Prepared by: GILLES CLOUTIER,
Land Surveyor

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