

## Municipal Affairs

Gouvernement du Québec

### **O.C. 603-97, 7 May 1997**

Amalgamation of the Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord

WHEREAS the municipal councils of the Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord each 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 those 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 objections were submitted 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 an amendment proposed by the Minister of Municipal Affairs and approved by the council 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 Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord be constituted on the following conditions:

(1) The name of the new municipality is “Municipalité de Saint-Paul-du-Nord — Sault-au-Mouton”. The council shall nonetheless, within twelve months following the coming into force of this Order in Council, apply for a change of name in accordance with the Act respecting municipal territorial organization. To that end, the council shall consult the population of the new municipality to determine its new name. The new name may not be that of either of the former municipalities.

Following the change of name, the council shall apply to the Commission de toponymie du Québec to have the names “Saint-Paul-du-Nord” and “Sault-au-Mouton” attributed, respectively, to the sectors of the new municipality that are formed of the former municipalities that bore those names.

(2) The description of the territory of the new municipality is that prepared by the Minister of Natural Resources on 17 December 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 shall be part of the Municipalité régionale de comté de la Haute-Côte-Nord.

(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 of the members in office plus one. The current mayors shall alternate as mayor and acting mayor of the provisional council for two equal periods. The mayor of the former Village de Sault-au-Mouton shall act as mayor of the new municipality for the first period and the mayor of the former Municipalité de Saint-Paul-du-Nord shall act as mayor of the new municipality for the second period.

If a seat is vacant at the coming into force of this Order in Council or becomes vacant during the existence of the provisional council, one additional vote per vacant seat shall be allocated to the mayor of the former municipality represented by the council member whose seat has become vacant.

Throughout the term of the provisional council, the municipal representatives shall continue to receive the same remuneration that they received before the coming into force of this Order in Council.

(6) The first sitting of the provisional council shall be held on the second juridical Monday following the coming into force of this Order in Council; it shall take place at 7:00 p.m. at the town hall of the former Village of Sault-au-Mouton.

(7) Until such time as the council formed by the persons elected decides otherwise, the administrative offices of the new municipality shall be located in the town hall of the former Municipalité de Saint-Paul-du-Nord and the council hall shall be located in the town hall of the former Village de Sault-au-Mouton.

(8) The first general election shall be held on the first Sunday of the seventh month following the month in which this Order in Council comes into force. If that date falls on the first Sunday in January, the first general election shall be held on the first Sunday in February. The second general election shall be held on the first Sunday in November 2001. The council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

(9) For the first three general elections, only 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 Village de Sault-au-Mouton, shall be eligible for seats 1, 3 and 5, and only persons who would be eligible under that Act, if such election were an election of the council members of the former Municipalité de Saint-Paul-du-Nord, shall be eligible for seats 2, 4 and 6.

(10) Mrs. Hélène Bouliane, secretary-treasurer of the Municipalité de Saint-Paul-du-Nord, shall act as assistant secretary-treasurer of the new municipality until such time as the council composed of persons elected in the first general election appoints a person to hold that office.

(11) Any budget adopted by either 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. Expenditures and revenues shall be accounted for separately as if the former municipalities had continued to exist. An expenditure recognized by the council as resulting from the amalgamation shall nonetheless be charged to the budget of each of the former municipalities in proportion to their respective standardized real estate value, established in accordance with the Regulation respecting the equalization scheme (O.C. 1087-92 dated 22 July 1992, amended by O.C. 719-94 dated 18 May 1994 and O.C. 502-95 dated 12 April 1995), as appearing in their financial reports for the fiscal year preceding that during which the former municipalities adopted separate budgets.

(12) The working fund of the former Municipalité de Saint-Paul-du-Nord shall be abolished at the end of the last fiscal year for which it adopted a separate budget. The portion of the working fund that is not committed at

that date shall be added to the surplus accrued on behalf of that former municipality and shall be used in accordance with the provisions of section 13.

(13) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall be used for the benefit of the taxpayers in the sector formed by that former municipality. It shall be used for public works in that sector.

Any deficit accumulated on behalf of a former municipality at the end of the last fiscal period for which it adopted a separate budget shall remain charged to all the taxable immovables in the sector formed by that former municipality.

(14) The balance in principal and interest of all the loans contracted by a former municipality shall remain charged to the taxable immovables in the sector formed by the territory of the former municipality that contracted the loans, in accordance with the taxation clauses provided for in the by-laws. The new municipality may amend the taxation clauses provided for in those by-laws, in accordance with the law; however, such amendments may pertain only to the taxable immovables in the sector formed by the territory of the former municipality that adopted the by-law.

(15) Sums paid to the new municipality under the municipal amalgamation financial assistance program shall be allocated for works, half of which shall be carried out in each of the sectors formed respectively by the territories of the former municipalities.

(16) Any debt or profit which may arise as a result of legal proceedings in respect of an act performed by one of the former municipalities shall be charged to or used for the benefit of all the taxable immovables in the sector formed by the territory of that former municipality.

(17) The new municipality shall assume the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to all proceedings 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, insofar as they are compatible with this Order in Council, remain in force in the territory in respect of which they were made, until such time as they are amended, cancelled or repealed.

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

(19) The new municipality shall take measures to amend the agreement signed with the former Municipalité de Saint-Paul-du-Nord, the Municipalité de Saint-Anne-de-Portneuf and the Office municipal d'habitation de Sainte-Anne-de-Portneuf, so that the latter will exercise its powers on behalf of the new municipality, in accordance with subsection 4 of section 57 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8).

(20) This Order in Council shall come 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-PAUL-DU-NORD – SAULT-AU-MOUTON  
IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ  
DE LA HAUTE-CÔTE-NORD

The present territory of the Municipalité de Saint-Paul-du-Nord and of the Village de Sault-au-Mouton, in the Municipalité régionale de comté de La Haute-Côte-Nord, comprising, in reference to the cadastres of the Canton d'Iberville and the Seigneurie de Mille-Vaches, the lots or parts of lots and their present or future subdivisions, as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits described hereinafter, namely: starting from the meeting point of the left shore of the St. Lawrence River (high water mark) and the line dividing ranges A and B of the cadastre of the Seigneurie de Mille-Vaches; thence, successively, the following lines and demarcations: the said line dividing the ranges; northwesterly, a straight line parallel to the line dividing the Canton d'Iberville and the Seigneurie de Mille-Vaches, to the northwest line of the said seigniory; part of the northwest and southwest lines of the said seigniory, to the northwest line of the Canton d'Iberville; the northwest and southwest lines of the said township, that is, to the left shore of the St. Lawrence River; finally, the said left shore, downstream to the starting point; which limits define the territory of the Municipalité de Saint-Paul-du-Nord — Sault-au-Mouton.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 17 December 1996

Prepared by: PIERRE BÉGIN,  
*Land Surveyor*

P-196/1

1426