

Municipal Affairs

Gouvernement du Québec

O.C. 977-97, 6 August 1997

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

Amalgamation of Ville de Sainte-Adèle and the Village de Mont-Rolland

WHEREAS each of the municipal councils of Ville Sainte-Adèle and the Village de Mont-Rolland 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 resulting from the amalgamation of Ville Sainte-Adèle and the Village de Mont-Rolland be constituted, under the following conditions:

1. The name of the new town is “Ville de Sainte-Adèle”.

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 4 June 1997; that description is attached as a Schedule to this Order in Council.

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

4. The new town will be part of the Municipalité régionale de comté des Pays-d'en-Haut.

5. A provisional council shall remain in office until the first general election. It shall 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 shall be half of the members in office plus one. The current mayors will alternate as mayor of the provisional council for equal periods. A drawing of lots held at the first sitting of the provisional council will determine which mayor will serve first.

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

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

6. The first general election shall be held on the first Sunday of the fourth 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 postponed to the first Sunday in February. The second general election shall be held on the first Sunday in November 2001.

The council of the new town shall be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall 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 Ville de Sainte-Adèle, shall be eligible for seats 1 and 2 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Village de Mont-Rolland, shall be eligible for seats 3 and 4. Seats 5 and 6 are open to all eligible persons in accordance with the Act.

8. If the former municipalities adopted a budget for the fiscal year during which this Order in Council comes into force, that budget shall continue to be applied by the council of the new town and the expenditures and

revenues shall be accounted for separately as if the former municipalities 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 Orders in Council 719-94 dated 18 May 1994 and 502-95 dated 12 April 1995), as appearing in the financial reports of those former municipalities for the last fiscal year ending prior to the fiscal year during which they adopted separate budgets.

9. The Régie intermunicipale d'assainissement des eaux de Sainte-Adèle – Mont-Rolland shall cease to exist at the time of the coming into force of this Order in Council and its rights, obligations and responsibilities are transferred to the new town.

10. The balance in principal and interest of the loans contracted by the Régie intermunicipale d'assainissement des eaux de Sainte-Adèle – Mont-Rolland shall be charged to the taxpayers of the former municipalities in the same proportions as those that were provided for each of them by the provisions related to capital costs in the intermunicipal agreement dated 1 April 1986.

Therefore, the new town may impose to each of the sectors made up of the territory of a former municipality a special tax to repay the principal and interest of the loans that each of those sectors has to bear.

11. For the first two fiscal years following the coming into force of this Order in Council, the operating costs of the wastewater purification system paid by the new town shall be charged to the users of that system in the proportions provided for in the intermunicipal agreement dated 1 April 1986.

12. The working fund of the new town is made up of the working fund of each of the former municipalities as they exist at the end of the last fiscal year for which the former municipalities adopted separate budgets.

The moneys borrowed from the working fund of each of the former municipalities shall be repaid from the general fund of the new town.

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 is paid into the general fund of the new municipality.

14. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it

adopted a separate budget shall remain charged to all the taxable immovables of that former municipality.

15. The balance in principal and interest of the loans contracted under the following by-laws shall become chargeable to all the taxable immovables of the new town:

— For the former Ville de Sainte-Adèle, the by-laws No. 259-1975, 271-1975, 317-1976, 434-1979, 434A-1982, 435-1980, 452-1979, 452A-1986, 452B-1986, 487-1981, 566-1984, 566A-1985, 588-1985, 595-1985, 600-1986, 617-1986, 630-1987, 667-1988, 678-1988, 688-1988, 701-1989, 703-1989, 704-1989, 708-1989, 734-1990, 738-1990, 759-1991, 770-1991, 779-1992, 779A-1992, 792-1993 and 798-1993;

— For the former Village de Mont-Rolland, the by-laws No. 458, 445, 471, 244, 405, 422, 431, 453, 454-1, 454-2, 455, 471, 400-1, 400-2 and 430.

Therefore, a special tax shall 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.

The taxation clauses in those by-laws shall be amended accordingly.

16. The balance in principal and interest of the debt accumulated by the former Ville de Sainte-Adèle concerning water purification works and repaid to the Société québécoise d'assainissement des eaux shall become chargeable to the users in the sector made up of the territory of that former town and shall be repaid by means of a tariff of compensation fixed annually by the council of the new town.

17. The taxes imposed to a sector under loan by-laws of either former municipality that are not mentioned in sector 15 shall continue to be imposed and levied by the new town in accordance with the taxation clauses in those by-laws.

18. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality shall remain charged to or used for the benefit of all the taxable immovables in the sector made up of the territory of that former municipality.

19. A municipal housing bureau is incorporated under the name of "Office municipal de la Ville de Sainte-Adèle".

That municipal bureau shall succeed to the municipal housing bureaus of the former Ville de Sainte-Adèle and

the former Village de Mont-Rolland 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 Sainte-Adèle 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 bureaus of the former Ville de Sainte-Adèle and the former Village de Mont-Rolland.

20. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the town, provided that such a by-law comes into force within 4 years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the municipality.

21. An annual tax credit shall be granted to the owners of the taxable immovables of the sector made up of the territory of the former Ville de Sainte-Adèle for the first four complete fiscal years following the coming into force of this Order in Council.

The credit is \$0.20 per \$100 of assessment the first year and decreases by \$0.05 per \$100 of assessment per year for each of the subsequent years.

22. The subsidy granted within the scope of the amalgamation (PAFREM) must be used entirely to make capital expenditures.

23. In accordance with the Order in Council concerning the amendment to the agreement respecting the Ville de Sainte-Adèle Municipal Court, which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Ville de Sainte-Adèle Municipal Court will have jurisdiction over the territory of the new town.

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

25. 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 VILLE DE SAINTE-ADÈLE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DES PAYS-D'EN-HAUT

The current territory of the Ville de Sainte-Adèle and of the Village de Mont-Rolland in the Municipalité régionale de comté des Pays-d'en-Haut, comprising, in reference to the cadastres of the parishes of Sainte-Adèle-d'Abercrombie, Saint-Hippolyte, Sainte-Marguerite and Saint-Sauveur, 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, water-courses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 34 of Rang 4, Canton de Wexford, of the cadastre of the Paroisse de Sainte-Marguerite; thence, successively, the following lines and demarcations: the northeastern line of lot 34 in ranges 4 and 3, of the said township, of the said cadastre; the southeastern line of the said Rang 3, that line extended across the lakes that it meets; the southeastern line and part of the southwestern line of Rang 3, Canton de Wexford, of the cadastre of the Paroisse de Saint-Hippolyte to the southeastern line of Rang 9, Canton d'Abercrombie, of the cadastre of the Paroisse de Sainte-Adèle-d'Abercrombie, that first southeastern line extended across the lakes that it meets; the said southeastern line of Rang 9, that line extended across the lake that it meets; the southwestern line of lots 1C and 1B of the said Rang 9, the last line extended to the centre line of Rivière du Nord; the centre line of the said river downstream to the extension of the centre line of Rivière Simon; the said extension and the centre line of the said river to the extension of the southwestern line of lot 1, Seigneurie des Mille-Isles, of the cadastre of the Paroisse de Sainte-Adèle-d'Abercrombie; the said extension and part of the said southwestern line to the southeastern line of lot 408-3 of the cadastre of the Paroisse de Saint-Sauveur; in reference to that cadastre, the southeastern line of lots 408-3 and 410-5 and the southwestern line of the said lot 410-5; part of the southeastern line of lot 535-2 and the southeastern line of lot 541; the southeastern and southwestern lines of lot 534 and the southwestern line of lot 541; southwesterly, part of the southeastern line of Rang 1, Canton de Morin, of the cadastre of the Paroisse de Sainte-Adèle-d'Abercrombie to the southwestern line of lot 24 of the said range; in reference to that cadastre, in the said Canton de Morin, the southwestern line of

lot 24 of ranges 1, 2, 3 and 4, those lines being linked together by segments of range lines, to the western angle of lot 24 of Rang 4; northeasterly, part of the northwestern line of the said range to the southwestern line of lot 2A of the aforementioned range; the southwestern and southeastern lines of the said lot 2A; southeasterly, the northeastern line of lot 2B of Rang 4 to the northwestern line of Rang 3; northeasterly, part of the said northwestern line of Rang 3 to the southwestern line of Rang 10; northwesterly, part of the said southwestern line of the said Rang 10 to the northwestern line of lot 11 of the aforementioned Rang 10; the northwestern line of lot 11 of ranges 10 and 11; northwesterly, part of the southwestern line of lot 1 of Rang 8, Canton de Wexford, of the cadastre of the Paroisse de Sainte-Adèle-d'Abercrombie to the northwestern line of the said Rang 8; in reference to that cadastre, northeasterly, the said northwestern line and the northwestern line of Bloc 2 to the northeastern line of the said Block 2; the northeastern line of the aforementioned Block 2 and the northeastern line of lot 10 of ranges 7, 6 and 5 of the Canton de Wexford, those northeastern lines being linked together by segments of range lines, to the line dividing ranges 4 and 5 of the Canton de Wexford; finally, northeasterly, part of the northwestern line of lot 10 of the said Rang 4 and the line dividing ranges 4 and 5, Canton de Wexford, of the cadastre of the Paroisse de Sainte-Marguerite to the starting point; the said limits define the territory of the new Ville de Sainte-Adèle.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 4 June 1997

Prepared by: PIERRE BÉGIN,
Land Surveyor

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