

Municipal Affairs

Gouvernement du Québec

O.C. 1547-97, 3 December 1997

Amalgamation of the Village de Lac-au-Saumon and the Municipalité de Saint-Edmond

WHEREAS each of the municipal councils of the Village de Lac-au-Saumon and the Municipalité de Saint-Edmond 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 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;

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 Lac-au-Saumon and the Municipalité de Saint-Edmond, on the following conditions:

1. The name of the new municipality is “Municipalité de Lac-au-Saumon”.

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 7 October 1997 and 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 will be part of the Municipalité régionale de comté de La Matapédia.

5. A provisional council will remain in office until the first general election. It will be composed of all the

members of the councils existing at the time of the coming into force of this Order. The quorum shall be half the members holding office plus one. The mayors of the former municipalities shall act as mayor of the provisional council for equal periods. The mayor of the former Village de Lac-au-Saumon shall act first as mayor of the provisional council.

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

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

6. The first general election will 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 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 of November 2001.

7. For the first general election, the council shall be made up of seven members, that is, a mayor and six councillors. The seats of the councillors shall be numbered from 1 to 6. 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 was an election of the council members of the former Municipalité de Saint-Edmond, shall be eligible for seats 2 and 5. Only the persons who would be eligible under that Act if such election was an election held in the part of the territory of the former Village de Lac-au-Saumon located east of the Canadian National railway shall be eligible for seat 4. Only those persons who would be eligible under that Act if such election was an election held in the part of the territory of the former Village de Lac-au-Saumon located west of the Canadian National railway and including it, shall be eligible for seats 1, 3 and 6.

8. For the purposes of the second general election, the territory of the new municipality shall be divided into six electoral districts in accordance with the Act respecting elections and referendums in municipalities

(R.S.Q., c. E-2.2). Two of the districts shall comprise a part of the sector made up of the territory of the former *Municipalité de Saint-Edmond* so that the qualified voters of that sector make up the majority. For that election, the polling stations of all districts may be located in the same building.

9. Any budgets adopted by each of the former municipalities for the fiscal year during which the Order in Council comes into force will continue to be applied by the council of the new municipality, and the expenditures and revenues will have to be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budget of each of the former municipalities in proportion to their standardized real estate value 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, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in the financial statements of those former municipalities for the last fiscal year ending prior to the fiscal year during which this Order in Council comes into force.

10. A working fund is constituted for the new municipality from the surplus accumulated on behalf of the former municipalities, including the amounts reserved at the end of the last fiscal year for which the new municipality applied separate budgets. The amount of the working fund shall be determined as follows:

(a) the portion applicable to each former municipality must correspond to the proportion obtained by dividing the total of expenditures provided for in its budget estimates for the last year for which the former municipalities adopted separate budgets by the total of forecasted expenditures for both former municipalities for that last year;

(b) the amount of each accumulated surplus paid into the working fund shall be equal to the maximum amount that may be paid according to the proportion established under the preceding paragraph up to an amount of \$50,000.

11. Once the operation provided for in section 10 has been carried out, any balance of the surplus accumulated on behalf of a former municipality shall be used for the benefit of the taxpayers of the sector made up of the territory of the former municipality on behalf of which it was accumulated. It may be used for the carrying out of public works in that sector, for tax reductions applicable

to all the taxable immovables of that sector or to the repayment of debts chargeable to all that sector.

12. The share payable to the *Société québécoise d'assainissement des eaux* by the former *Village de Lac-au-Saumon* under the agreement entered into on 6 June 1994 between the Government and that former village, shall become chargeable to the users of the sewage treatment service and it shall be repaid by means of a service compensation rate that the council of the new municipality shall fix annually.

13. The annual repayment of instalments in capital and interest for all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council remains chargeable to the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses provided for in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, these amendments may affect only the taxable immovables located in the sector made up of the territory of that former municipality.

14. The free balance of any loan by-law shall be used for the payment of the annual instalments in capital and interest of these loans or, if the securities were issued for a shorter term than the one originally fixed, for the reduction of the balance of such loans. If the free balance is used for the payment of annual instalments on loans, the rate of tax levied to pay for such instalments shall be reduced so that the tax revenue equals the balance owing, minus the free balance used.

15. If the new municipality enters, before 1 March 1998, into an agreement respecting the community hall with the *Fabrique Saint-Edmond-de-Lac-au-Saumon*, the grant paid to the new municipality within the *Programme d'aide financière au regroupement municipal (PAFREM)* shall be used first to renovate that community hall.

Any free balance of the grant shall be used for the enlargement of the municipal hall before the council decides on other uses.

The grant requested by the *Municipalité de Lac-au-Saumon* within the *programme Travaux d'infrastructures Canada-Québec* shall be used for the enlargement of the municipal hall.

16. A municipal housing bureau is incorporated under the name "*Office municipal d'habitation de la Municipalité de Lac-au-Saumon*". That municipal bureau shall succeed to the municipal housing bureau of the former *Village de Lac-au-Saumon*, 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) shall apply to the municipal housing bureau of the new Municipalité de Lac-au-Saumon 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 bureau of the former Village de Lac-au-Saumon.

17. If section 9 applies, the portion of the grant paid to the new municipality within the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation, less the expenditures recognized by the council as brought by the amalgamation and financed with that portion of the grant, shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year where it does not apply separate budgets.

18. The terms and conditions for the apportionment of the costs of common services provided for in 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.

19. Any accumulated deficit on behalf of a former municipality at the end of the last fiscal year for which the former municipality adopted separate budgets will continue to be charged to all the taxable immovables located in the sector made up of the territory of that former municipality.

20. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

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

22. The centenary celebration shall be held in 2005.

23. 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 BOUNDARIES OF THE TERRITORY OF THE MUNICIPALITÉ DE LAC-AU-SAUMON IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA MATAPÉDIA

The present territory of the Municipalité de Saint-Edmond and of the Village de Lac-au-Saumon, in the Municipalité régionale de comté de La Matapédia, comprising in reference to the cadastres of the townships of Lepage and Humqui, an undivided part located in the Lac de l'Amadou, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole enclosed in the boundaries described hereafter, namely: starting from the apex of the northern corner of lot 67 of Rang 1 of the cadastre of Canton de Lepage; thence, successively, the following lines and demarcations: in reference to the cadastre of that township, easterly, the north line of lots 67, 66, 65B, 65A, 64, then southeasterly the northeast line of lots 63 in declining order to 49, 48B, 47, 46B, 45, in declining order to 39 of Rang 1; southwesterly, the southeast line of lot 39 of the said range and its extension to the centre line of Rivière Matapédia, that southeast line extended across route 132 that it meets; southerly, the centre line of the said river downstream to the extension towards the east of the dividing line between lots 19 and 18 of Rang B of the cadastre of the Canton de Humqui; in reference to the cadastre of that township, southeasterly, the said extension and the said dividing line between the lots, that dividing line extended across the railway (lot 57-1 of the cadastre of the said Canton de Humqui) that it meets; northwesterly, the southwestern line of lots 19 to 23 of Rang B; southwesterly the dividing line between lots 24 and 23 of Rang 1; southeasterly, part of the dividing line between ranges 1 and 2 to the dividing line between lots 13 and 12 of Rang 2; southwesterly, the said dividing line between the lots in ranges 2 to 6, those lines linked together by sections of the line dividing the said ranges; northwesterly successively, part of the line dividing ranges 6 and 7 to its meeting point with the west shore of Lac de l'Amadou, that line crossing the Ruisseau des Sauvages that it meets, the west shore of the said lake to its meeting point with the line dividing ranges 6 and 7, part of the said dividing line between the ranges to the dividing line between lots 38 and 39 of Rang 6; northeasterly, the said dividing line between the lots; southeasterly, part of the line dividing ranges 6 and 5 to the line dividing the north-west half from the southeast half section of lot 36 of the said Rang 5; northeasterly, the said line dividing the halves of lot 36; northwesterly, part of the line dividing ranges 4 and 5 to the line dividing lots 44 and 45 of Rang 4; northeasterly, the said dividing line between the lots; northwesterly, part of the dividing line between ranges 4 and 3; northeasterly, the dividing line between

lots 45A and 45C from lots 46A and 46B of the said Rang 3; that line extended across the railway right-of-way (lots 57-1 and 57 parts of the cadastre of the said Canton de Humqui) and the Ruisseau des Sauvages that it meets; easterly, the south bank or Rivière Matapédia which is also the northern limit of the cadastre of the Canton d'Humqui, to the southwest extension of the dividing line between lots 67 and 68A of Rang 1 of the cadastre of the Canton de Lepage; finally, the said extension across the said river and the said dividing line between lots 67 and 68A of the said range to the starting point, that dividing line extended across route 132 that it meets; those boundaries describe the territory of the Municipalité de Lac-au-Saumon which also includes the island corresponding to lot 31A of Rang 1 of the cadastre of the Canton de Humqui.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 7 October 1997

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Land surveyor

L-340/1

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Gouvernement du Québec

O.C. 1548-97, 3 December 1997

Amalgamation of Municipalité de Sainte-Sophie and Canton d'Halifax-Nord

WHEREAS the municipal councils of Municipalité de Sainte-Sophie and Canton d'Halifax-Nord 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 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 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 Af-

fairs that were 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 be constituted through the amalgamation of Municipalité de Sainte-Sophie and Canton d'Halifax-Nord, under the following conditions:

1. The name of the new municipality is "Municipalité de Sainte-Sophie-d'Halifax".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 15 October 1997; 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 will be part of the Municipalité régionale de comté de L'Érable.

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 the members in office, plus one. The two current mayors will alternate each month as mayor of the provisional council. The mayor of the former Municipalité de Sainte-Sophie will serve as mayor of the new municipality for the first month.

If a seat is vacant when this Order in Council comes into force or becomes vacant during the term of the provisional council, one additional vote per vacant seat shall be allotted to the mayor of the 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 third month following the coming into force of this Order in Council. 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.