

## Municipal Affairs

Gouvernement du Québec

### **O.C. 1602-97, 10 December 1997**

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

Amalgamation of the municipalities of Weedon and Fontainebleau

WHEREAS each of the municipal councils of the municipalities of Weedon and Fontainebleau 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 municipalities of Weedon and Fontainebleau, on the following conditions:

1. The name of the new municipality is “Municipalité de Weedon”.

The council of the new municipality shall petition the Commission de toponymie du Québec in order for the place name “Fontainebleau” to be attributed to the sector of the new municipality made up of the territory of the former Municipalité de Fontainebleau.

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 20 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 du Haut-Saint-François.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the council of the former Municipalité de Weedon and of a councillor representing the former Municipalité de Fontainebleau. The councillor occupying seat 6 of the former Municipalité de Fontainebleau shall be the councillor representing that former municipality. The quorum shall be half the members holding office plus one. The mayor of the former Municipalité de Weedon shall act as mayor of the provisional council.

If a seat of a representative of the former Municipalité de Weedon is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, the following applies:

— the first councillor’s seat to become vacant is not filled and the provisional council is made up of seven members;

— for any other position that becomes vacant, an election shall be held, where applicable, in accordance with sections 335 to 337 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), and only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former Municipalité de Weedon shall be eligible for that seat.

If the seat of a representative of the former Municipalité de Fontainebleau is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, the following applies:

— an election shall be held in accordance with sections 335 to 337 of the Act respecting elections and referendums in municipalities and only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former Municipalité de Fontainebleau shall be eligible for the seat.

6. The first general election will be held on the first Sunday in November 2000. The second general election will be held on the first Sunday in November 2004. The council of the new municipality 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.

7. For the first general election, only the persons who would be eligible under the Act respecting elections and referendums in municipalities, if such election were an election of the council members of the former *Municipalité de Weedon*, shall be eligible for seats 1, 3, 4, 5 and 6 and only the persons who would be eligible under that Act, if such election were an election of the council members of the former *Municipalité de Fontainebleau*, shall be eligible for seat 2.

8. Any budgets adopted by each of the former municipalities, if any, 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, and the expenditures and revenues shall 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 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, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statements for the fiscal year prior to the fiscal year during which this Order in Council comes into force.

9. If section 8 applies, the portion of the subsidy granted to the new municipality within the scope of the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and financed with that portion of the subsidy, constitutes a reserve that is paid into the general fund of the new municipality for the first year where it does not apply separate budgets.

10. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. 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 in the following manner:

— an amount of \$60 000 shall be withdrawn from the surplus accumulated on behalf of the former *Municipalité de Weedon* and an amount of \$20 000 shall be withdrawn from the surplus accumulated on behalf of the former *Municipalité de Fontainebleau* and those amounts shall be paid into the general fund of the new municipality.

If the amount of the surplus accumulated on behalf of a former municipality is insufficient for such payment, the new municipality shall complete the amount by levying a special tax on the immovables located in the sector made up of the territory of that former municipality;

The amount of the surplus accumulated on behalf of the former *Village de Weedon Centre* and the former *Canton de Weedon* amalgamated under Order in Council 1465-96 dated 27 November 1996 shall remain amounts received for the purposes provided for in that Order in Council.

The balance of the accumulated surplus, if any, shall be used to the benefit of the ratepayers of the former municipality on behalf of which it was accumulated.

In the sector made up of the territory of the former *Municipalité de Weedon*, it may be allocated to the carrying out of public works, to tax reductions applicable to all the taxable immovables of that sector or to the repaying of debts chargeable to all that sector. In the sector made up of the territory of the former *Municipalité de Fontainebleau*, it may be allocated to tax reductions applicable to all the taxable immovables of that sector.

12. 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 will remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

13. Any tax levied under By-laws 279 and 287 of the former *Municipalité de Weedon* is replaced by a special tax on all the taxable immovables of the new municipality. A special tax shall therefore be imposed and levied on all taxable immovables of the new municipality 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.

14. The annual repayment of the instalments in capital and interest for the loans made under By-law 283 of

the former Municipalité de Weedon and the share payable to the Société québécoise d'assainissement des eaux by that former municipality under the agreement signed on 27 January 1982, shall remain chargeable to the users of the waterworks and sewer system of the sector made up of the territory of the former municipality of the Village de Weedon Centre and they shall be reimbursed by means of a compensation rate that the council of the new municipality shall fix annually.

The taxation clause provided for in By-law 283 is amended accordingly. The new municipality may amend that By-law in accordance with the law if it carries out work to extend the system.

15. The annual repayment of the 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 but not governed by sections 13 and 14 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 refer only to the taxable immovables located in the sector made up of the territory of that former municipality.

16. The free balance of loan By-laws 311 and 313 of the former Municipalité de Weedon shall be used to pay the annual instalments in capital and interest of the loans or, if the securities were issued for a shorter term than the one originally fixed, to reduce the balance of such loans.

If the free balance is used to pay annual instalments on loans, the rate of tax levied to pay such instalments shall be reduced so that the tax revenue equals the balance owing, minus the free balance used.

17. 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.

18. 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 municipality for the purpose of replacing all the zoning by-laws and all the subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, on

the condition that such a by-law comes into force within four years following the coming into force of this Order in Council.

Such a by-law shall be approved in accordance with the Act respecting elections and referendums in municipalities by the qualified voters of all the territory of the new municipality.

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

20. The new municipality shall obtain the approval of the majority of the users of the waterworks system located in the sector made up of the territory of the former Municipalité de Fontainebleau to alienate lot 19AP of Rang 3 of the cadastre of the Canton de Weedon, on which is located an artesian well feeding the waterworks system.

21. 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 MUNICIPALITÉ DE WEEDON IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

The present territory of the Municipalities of Fontainebleau and Weedon, in the Municipalité régionale de comté du Haut-Saint-François comprising, in reference to the cadastres of the townships of Dudswell, Weedon and the villages of Lac-Weedon and Weedon-Centre, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, lakes, watercourses or parts thereof, the whole enclosed within the limits described hereafter, namely: starting from the apex of the northern corner of lot 230 of the cadastre of the Village du Lac-Weedon; thence, successively, the following lines and demarcations: the northeast line of lots 230, 197, 198, 169 and 25 to the shore of Lac Louise, that line extended across route 112 and the railway right-of-way (lot 236) that it meets; southwesterly, that shore to the dividing line between the cadastres of the Canton de Weedon and the Village du Lac-Weedon; northeasterly the said dividing line between the said cadastres extended across Lac Louise and passing to the northwest of the islands of Lac Louise bearing lot numbers 34, 33, 32, 31, 35 and 36 of the cadastre of the Canton de Weedon, then to the southeast of the island bearing lot number 36 of the cadastre of the Village du Lac-Weedon to the apex of

the southern corner of lot 37 of the cadastre of the Village du Lac-Weedon; the northwest line of lots 24 to 28 of Rang 5 of the cadastre of the Canton de Weedon, that line extended across the public road that it meets; in reference to the cadastre of the said township, southeasterly, the northeast line of lot 28 of ranges 5, 4, 3, 2 and 1, that line extended across the public roads that it meets; southwesterly the dividing line between the cadastres of the townships of Weedon and Lingwick to the dividing line between the cadastres of the townships of Weedon and Dudswell, that line extended across the public roads, the Étang Hind and the Rivière au Saumon that it meets; northwesterly, part of the northeast line of lot 28B of Rang 1 of the cadastre of the Canton de Dudswell to the dividing line between ranges 1 and 2 of the cadastre of the said township; in reference to that cadastre, southwesterly, part of the dividing line between the said ranges to the southwest line of lots 28A and 28B of Rang 2; northwesterly, the southwest line of the said lots; northeasterly, the northwest line of lots 28B, 28C and 28F of Rang 2; northwesterly, part of the southwest line of the cadastre of the Canton de Weedon to the dividing line between ranges 9 and 10 of the cadastre of the said township, that line extended across Rivière Saint-François, the railway (lot 29) and route 112 that it meets; northeasterly, the dividing line between the said ranges to the apex of the western corner of lot 235 of the cadastre of the Village du Lac-Weedon, that line extended across the public road that it meets; finally, northeasterly, part of the dividing line between the cadastres of the Village du Lac-Weedon and the Canton de Weedon to the starting point, that line extended across Rivière au Canard that it meets; the said limits describe the territory of the new Municipalité de Weedon.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 20 October 1997

Prepared by: PIERRE BÉGIN,  
*Land surveyor*

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Gouvernement du Québec

## O.C. 1603-97, 10 December 1997

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

Amalgamation of the Village de Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce

WHEREAS each of the municipal councils of the Village de Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce 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 Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce, on the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Éphrem-de-Beauce".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 9 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 is a part of the municipalité régionale de comté de Beauce-Sartigan.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the