

— for the first fiscal year following the one during which this Order in Council comes into force, the rate of the credit shall be \$0.30 per \$100 of assessment;

— for the second fiscal year, the rate shall be \$0.25 per \$100 of assessment;

— for the third fiscal year, the rate shall be \$0.20 per \$100 of assessment;

— for the fourth fiscal year, the rate shall be \$0.15 per \$100 of assessment;

— for the fifth fiscal year, the rate shall be \$0.10 per \$100 of assessment;

— for the sixth fiscal year, the rate shall be \$0.05 per \$100 of assessment.

19. 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.

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 municipality 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 municipality, provided that such a by-law comes into force within four years of 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 (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new municipality.

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

22. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale de Victoriaville to be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de Victoriaville shall have jurisdiction over the territory of the new municipality.

23. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1655-97, 17 December 1997

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

Amalgamation of the Village de Saint-François-du-Lac and the Paroisse de Saint-François-du-Lac

WHEREAS each of the municipal councils of the Village de Saint-François-du-Lac and the Paroisse de Saint-François-du-Lac 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-François-du-Lac and the Paroisse de Saint-François-du-Lac, on the following conditions:

1. The name of the municipality is "Municipalité de Saint-François-du-Lac".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 30 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 Nicolet-Yamaska.

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 and deputy mayor at each sitting 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, one additional vote shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

For the term of the provisional council, the elected municipal officers shall receive the same remuneration as they were receiving 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 following month, or if that date falls on the first Sunday in June, July or August, the first general election shall be postponed to the first Sunday in September. The second general election shall be held on the first Sunday in November 2001.

7. The council of the new municipality shall be composed of 7 members, that is, a mayor and 6 councillors. The councillors' seats shall be numbered from 1 to 6.

8. For the first general election, the only persons eligible for seats 1, 2 and 3 are the 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 members of the council of the former Village de Saint-François-du-Lac and the only persons eligible for seats 4, 5 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Paroisse de Saint-François-du-Lac.

9. Any budgets adopted by each of the former municipalities for the 1997 and 1998 fiscal years, shall continue to be applied by the council of the new municipality, and the expenditures and revenues must 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 population estab-

lished in accordance with Décret 1541-96 dated 11 December 1996 respecting the population in municipalities.

If, at the coming into force of this Order in Council, the former municipalities did not adopt their budgets for the 1998 fiscal year, the new municipality shall adopt a separate budget in respect of the territory of each of the former municipalities for that fiscal year.

10. The terms and conditions for apportioning the cost of joint services provided for in the intermunicipal agreements in force prior to 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.

11. The subsidy paid to the new municipality within the scope of the Programme d'aide financière au regroupement municipal (PAFREM) is apportioned as follows:

First, an amount of \$10 000 is paid into the surplus accumulated on behalf of each former municipality.

Then, the balance of the subsidy is paid into the surplus accumulated on behalf of each of the former municipalities according to the following proportions:

the former Paroisse de Saint-François-du-Lac: 66.6 %
the former Village de Saint-François-du-Lac: 33.3 %

The amounts paid under the preceding paragraphs are added to the surplus accumulated on behalf of each former municipality as the subsidy is paid.

12. The working fund of the former Paroisse de Saint-François-du-Lac shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the working fund that is not committed at that date will be added to the surplus accumulated on behalf of that former municipality and will be processed in accordance with the provisions of section 13.

A new working fund in the amount of \$75 000 is constituted for the new municipality from an equal contribution taken from the surplus accumulated on behalf of each former municipality.

For the purposes of the preceding paragraph, the surplus accumulated on behalf of a former municipality shall include the amount of the subsidy granted in accordance with the third and fourth paragraphs of section 11 for the year during which the new municipality applies separate budgets.

13. If, after section 12 is applied, a balance remains in the surplus accumulated on behalf of a former municipality, it is used as follows:

(a) an amount of \$25 000 is paid into the general fund of the new municipality;

(b) if a balance remains after paragraph a is applied, it is used for the benefit of the ratepayers of the sector made up of the territory of the former municipality on behalf of which it was accumulated; it may be used to reduce taxes applicable to all the taxable immovables of that sector, to repay debts charged to all that sector or to pay works to improve or build municipal infrastructures or public works in that sector. However, in the case of the former Paroisse de Saint-François-du-Lac, it shall be used first to reimburse the balance in capital and interest of By-law No. 03-87, that is an amount of \$35 300.

14. 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 continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

15. Subject to section 13, the annual repayment of the instalments in capital and interest of all loans made under the by-laws adopted by a former municipality before the coming into force of this Order in Council remains charged 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 provided for in those by-laws in accordance with the law, the amendments may only apply to the taxable immovables located in the sector made up of the territory of that former municipality.

16. If a loan by-law respecting feasible works within the scope of the "Programme d'infrastructures Canada-Québec" is adopted by one of the former municipalities before the coming into force of this Order in Council, the annual financing expenses, in capital and interest of that by-law shall be charged to all the taxable immovables of the sector made up of the territory of the former municipality that has made it.

The taxation clauses of the By-law will be amended accordingly.

17. Any debt or gain that may result from legal proceedings for an act performed by one former municipality shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

18. A municipal housing bureau is incorporated under the name "Office municipal d'habitation de Saint-François-du-Lac".

That municipal bureau shall succeed to the former Office municipal d'habitation de Saint-François-du-Lac, 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) apply to the municipal housing bureau of the new municipality as if it had been incorporated by letters patent under section 57 of that Act.

19. The Régie intermunicipale du Centre communautaire de Saint-François-du-Lac and the Régie intermunicipale d'assainissement de Saint-François-du-Lac cease to exist from the coming into force of this Order in Council.

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 municipality 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 new municipality, 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 new municipality.

21. All the movable and immovable property belonging to each of the former municipalities and to the intermunicipal boards referred to in section 19 shall become the property of the new municipality.

22. 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 MUNICIPALITÉ DE SAINT-FRANÇOIS-DU-LAC, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE NICOLET-YAMASKA

The current territory of the Paroisse and the Village de Saint-François-du-Lac, in the Municipalité régionale de comté de Nicolet-Yamaska, comprising, in reference to the cadastre of the Paroisse de Saint-François-du-Lac, 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, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the centre line of Rivière Saint-François with the extension to the northeast of the dividing line between the cadastres of the parishes of Saint-François-du-Lac and Saint-Pie-de-Guire; thence, successively, the following lines and demarcations: southwesterly, the said extension and part of the said dividing line to the apex of the southern angle of Lot 444 of the cadastre of the Paroisse de Saint-François-du-Lac, crossing Rivière aux Vaches and Route 143 that it meets; in a general westerly direction, part of the dividing line between the cadastres of the parishes of Saint-François-du-Lac and Saint-Pie-de-Guire to the eastern line of Concession Est de Sainte-Anne of the cadastre of the Paroisse de Saint-François-du-Lac; southerly, part of the eastern line of Concession Est de Sainte-Anne to the northeastern line of Concession Saint-Antoine; northwesterly, part of the northeastern line of Concession Saint-Antoine to the dividing line between the concessions of Est du Bois d'Yamaska and Saint-Antoine crossing Route 132 and a railway that it meets; successively southerly, northwesterly and southwesterly, the said dividing line to the dividing line between the cadastres of the parishes of Saint-François-du-Lac and Saint-Michel; northwesterly, the said dividing line between the cadastres extended across Grande Baie Saint-François and Rivière Yamaska that it meets, then part of the dividing line between the cadastres of the parishes of Saint-François-du-Lac and Sainte-Anne to the centre line of Chenal d'Embarras; northeasterly and northwesterly, the said centre line and that of Chenal Croche to the centre line of Chenal du Doré passing to the northwest of Île d'Embarras; southwesterly, the centre line of that latter channel to the extension to the southeast of the dividing line between the cadastres of the parishes of Saint-François-du-Lac and Sainte-Anne; northwesterly, the said extension and the said dividing line and its extension in the St. Lawrence River (Grand Chenal) to the meeting point with the line passing halfway between the south and southeast shores of Île Plate and the north shore of Île Lapierre and the northwest shore of Îles des Joncs, that dividing line between the cadastres coinciding with the dividing line between Lot 1119 of the cadastre of the Paroisse de Saint-François-du-Lac and

Lot 222 of the cadastre of the Paroisse de Sainte-Anne and Lot 1178 of the cadastre of the Paroisse de Saint-François-du-Lac and Lot 231 of the cadastre of the Paroisse de Sainte-Anne and crossing the islands that it meets; easterly and northeasterly, the said line passing halfway and in Lac Saint-Pierre, northerly, an irregular line skirting by the east the islands part of the cadastre of the Paroisse de La Visitation (Île Dupas) to the centre line of the said lake, that irregular line being the limit of the Paroisse de Saint-Ignace-de-Loyola; southeasterly, a straight line passing by the northeast end of Lot 1129 of the cadastre of the Paroisse de Saint-François-du-Lac to the line passing halfway between the southeast shores of Île de la Pointe des Îlets, Îlets Percés, Île aux Raisins and the northeast shore of Île de Rouche on one side and the northwest shore of the La Grande Commune, La Petite Commune and au Cochon islands on the other side; southwesterly, the said line passing halfway to the extension of the centre line of Chenal de l'Île Landry; the said extension, the centre line of the said channel and the centre line of the former channel that passed to the southeast of Île La Petite Commune, that is southeasterly of lots 1106 to 1117 of the cadastre of the Paroisse de Saint-François-du-Lac, that latter centre line extended to the centre line of Rivière Saint-François; southeasterly, the said centre line, the centre line of Chenal Hertel and the line passing halfway between the northeast shore of the islands part of the cadastre of the Paroisse de Saint-François-du-Lac, with the exception of island number 885, and the right bank of Rivière Saint-François to a point in front of the southeast end of island number 870 of the cadastre of the said parish; southeasterly, the centre line of Rivière Saint-François upstream to the extension to the southwest of the northwestern line of Lot 902 of the cadastre of the Paroisse de Saint-Thomas-de-Pierreville; northeasterly, part of the said extension to its meeting point with the line passing halfway between the northeast shore of the islands part of the cadastre of the Paroisse de Saint-François-du-Lac and the right bank of Rivière Saint-François; finally, southeasterly, the line passing halfway between the northeast shore of the islands part of the cadastre of the Paroisse de Saint-François-du-Lac and the right bank of Rivière Saint-François and the centre line of Rivière Saint-François upstream to the starting point; the said limits describe the territory of the Municipalité de Saint-François-du-Lac.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 30 October 1997

Prepared by: _____
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