

Gouvernement du Québec

**O.C. 1606-97, 10 December 1997**

Amalgamation of the Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton

WHEREAS each of the municipal councils of the Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton 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 objections were sent to the Minister of Municipal Affairs, but 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 Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton, on the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Isidore-de-Clifton".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 3 November 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 both councils existing at the time of the coming into force of this Order. The quorum shall be half the members in office plus one. The present mayors will alternate as mayor and deputy mayor of the provi-

sional council for 2 equal periods. The mayor of the former Partie est du Canton de Clifton will serve first as the mayor of the provisional council and the mayor of the former Municipalité de Saint-Isidore-d'Auckland will serve second.

If the mayor of a former municipality is unable to sit on the provisional council, he shall be replaced by the person who was the deputy mayor of that former municipality.

By-law No. 01-97 of the former Partie est du Canton de Clifton respecting the remuneration of elected officers shall apply to the new municipality, until it is amended by the council of the new municipality.

6. The first general election will be held on the first Sunday of the fourth month following the month in which this Order comes into force. If that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday of February. The second general election will be held on the first Sunday in November 2002.

7. 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.

8. For the first two general elections, only 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 council members of the former Municipalité de Saint-Isidore-d'Auckland, shall be eligible for seats 1, 3, and 5 and only the persons who would be eligible under that Act, if such election were an election of the council members of the former Partie est du Canton de Clifton, shall be eligible for seats 2, 4 and 6.

9. Mrs. Adèle Madore, secretary-treasurer of the former Partie est du Canton de Clifton, will act as the deputy secretary-treasurer of the new municipality until the council composed of elected members decides otherwise.

10. Any budgets adopted by the former municipalities for the fiscal year during which this 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 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 the financial statements of those former municipalities for the last fiscal year ending prior to the coming into force of this Order.

11. 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 shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

12. Any surplus accumulated by a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets, shall be used as follows:

— the surplus accumulated on behalf of the former *Partie est du Canton de Clifton* shall be used as a priority to purchase a tank truck for the fire protection service and to construct a garage for that purpose which will be adjacent to the community hall of the former *Partie est du Canton de Clifton*. Any balance shall be used exclusively for highway maintenance and repair in the sector made up of the territory of that former municipality;

— the surplus accumulated on behalf of the former *Municipalité de Saint-Isidore-d'Auckland* shall be used exclusively for carrying out public works in the sector made up of the territory of that former municipality.

13. 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.

14. 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.

15. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la *Municipalité de Saint-Isidore-de-Clifton*".

That municipal bureau shall succeed to the Office municipal de la *Municipalité de Saint-Isidore-d'Auckland*, 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 *Municipalité de Saint-Isidore-de-Clifton* 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 Office d'habitation de la *Municipalité de Saint-Isidore-d'Auckland*.

16. The municipality shall inherit the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities.

17. The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

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

19. From the coming into force of this Order, the use of the Centre communautaire of the former *Partie est du Canton de Clifton* shall be changed and the services of the municipal library shall be relocated in that place.

20. From the coming into force of this Order, the municipal court of the *Ville d'East Angus* shall become, without any other formality, the municipal court of the new municipality, in accordance with section 18.2 of the Act respecting municipal courts (R.S.Q., c. C-72.01).

21. An annual tax credit shall be granted on all the taxable immovables in the sector made up of the territory of the former *Partie est du Canton de Clifton* for the first 4 complete fiscal years following the coming into force of this Order in Council.

That credit shall be \$0.17 per \$100 of assessment the first year, \$0.14 per \$100 of assessment the second year, \$0.10 per \$100 of assessment the third year and \$0.07 per \$100 of assessment the fourth and last year.

22. In accordance with the attestation of conformity issued for the establishment of a solid waste elimination site under the Environment Quality Act (R.S.Q., c. Q-2) in respect of a site situated on lot 8 of Rang 8 of the official cadastre of the *Canton d'Auckland*, the new municipality may continue to operate that site.

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 LIMITS OF  
THE TERRITORY OF THE MUNICIPALITÉ DE  
SAINT-ISIDORE-DE-CLIFTON IN THE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ DU  
HAUT-SAINT-FRANÇOIS

The present territory of Municipalité de la partie est du Canton de Clifton and of Municipalité de Saint-Isidore-d'Auckland, in the Municipalité régionale de comté du Haut-Saint-François comprising, in reference to the cadastres of the townships of Auckland and Clifton, 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 south line of the cadastre of the Canton de Ditton with the line dividing the cadastres of the townships of Auckland and Emberton; thence, successively, the following lines and demarcations: southerly, the said line dividing the cadastres; in a general southwesterly direction, the irregular border line Canada/United States to its meeting point with the line dividing lots 17 from ranges 7 and 6 of the cadastre of the Canton d'Auckland; westerly, the line dividing the said ranges to the line dividing the cadastres of the townships of Auckland and Clifton, that line crossing a railway, a public road (Saint-Malo-Saint-Isidore) and Rivière Clifton that it meets; southerly, part of the latter line dividing the cadastres to its meeting point with the line dividing the cadastres of the townships of Clifton and Auckland from the cadastre of the Canton de Hereford, that line crossing Chemin Bank, route 253 and the Chemin du Lac that it meets; westerly, part of the line dividing the cadastres of the townships of Clifton and Hereford to the line dividing ranges 4 and 5 of the cadastre of the Canton de Clifton; in reference to that cadastre, northerly, part of the latter line dividing the ranges to the apex of the northeastern corner of lot 17 of Rang 5, that line extended across Rivière Ascot and route 206 that it meets, passing by the west side of the right of way of Chemin Robinson; westerly, the line dividing lots 18 and 17 in ranges 5 and 6, that line crossing Ruisseau Pope and a public road (chemin des 5<sup>e</sup> et 6<sup>e</sup> Rangs) that it meets; northerly, part of the line dividing ranges 6 and 7 to the north line of the said cadastre, that line crossing a public road (chemin de Martinville) and Ruisseau de la Truite; finally, easterly, successively, part of the said north line of the said cadastre and the line dividing the cadastre of the Canton d'Auckland from the cadastres of the townships of New-

port and Ditton to the starting point; the said limits define the territory of the Municipalité de Saint-Isidore-de-Clifton.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 3 November 1997

Prepared by: JEAN-PIERRE LACROIX,  
*Land surveyor*

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Gouvernement du Québec

**O.C. 1607-97, 10 December 1997**

Amalgamation of Village de Saint-Denis and Paroisse de Saint-Denis

WHEREAS each of the municipal councils of Village de Saint-Denis and Paroisse de Saint-Denis 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 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 resulting from the amalgamation of Village de Saint-Denis and Paroisse de Saint-Denis be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Denis-sur-Richelieu".
2. The description of the territory of the new municipality is the description drawn up by the Minister of