

island 313 of the cadastre of Paroisse de Saint-Antoine and to the northwest of island 728 of the cadastre of Paroisse de Saint-Denis to the starting point; the said limits describe the territory of the Municipalité de Saint-Denis-sur-Richelieu.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 10 November 1997

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1610-97, 10 December 1997

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

Amalgamation of Village de Ferme-Neuve and
Paroisse de Ferme-Neuve

WHEREAS each of the municipal councils of Village de Ferme-Neuve and Paroisse de Ferme-Neuve 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;

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 Ferme-Neuve and Paroisse de Ferme-Neuve be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Ferme-Neuve".

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 31 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 part of the Municipalité régionale de comté d'Antoine-Labelle.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of both councils existing when this Order in Council comes into force. The quorum shall be half of the members in office plus one. The current mayors shall alternate every two months as mayor of the provisional council. The mayor of the former Village de Ferme-Neuve shall serve for the first 2-month period.

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 as 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 of 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 municipality shall be composed of seven 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 Village de Ferme-Neuve shall be eligible for seats 1, 2 and 3 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Paroisse de Ferme-Neuve, shall be eligible for seats 4, 5 and 6.

8. Any budget adopted by each of the former municipalities 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 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, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statements for the last fiscal year ending before the one in which they adopted separate budgets.

9. If section 8 applies, the portion of the subsidy paid under the Programme d'aide au regroupement municipal (PAFREM) related to the first year following the year this Order in Council comes into force, less the expenditures recognized by the council as resulting from the amalgamation and financed with that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality in the first year where no separate budgets are applied.

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

11. The working fund of the former Village de Ferme-Neuve shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The part of the fund that is not allocated then shall be added to the surplus accumulated on behalf of that former municipality and shall be used in accordance with section 12.

12. 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 for the benefit of the ratepayers in the sector made up of the territory of that former municipality. It may be allocated to the carrying out of public works, to tax reductions applicable to all the taxable immovables of that sector or for the repaying of debts chargeable to that sector.

13. 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 in the sector made up of the territory of that former municipality.

14. The balance in principal and interest of the loans taken out under By-laws 165, 167, 184 and 270 of the former Village de Ferme-Neuve and By-law 252 of the former Paroisse de Ferme-Neuve shall become chargeable to the users of the water and sewer networks of the new municipality and shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

The taxation clause in each of those by-laws shall be amended accordingly. The new municipality may amend those by-laws according to law if it carries out work to extend those networks.

15. The balance in principal and interest of the loan taken out under By-law 218 of the former Paroisse de Ferme-Neuve shall become, in a proportion of 75 %, chargeable to the taxable immovables in the sector made up of the territory of the former Village de Ferme-Neuve and it shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

The taxation clause of By-law 218 shall be amended accordingly.

16. The balance in principal and interest of the amounts due to the Société québécoise d'assainissement des eaux under the agreement signed by the Gouvernement du Québec and the former Village de Ferme-Neuve shall become chargeable to the users of the water and sewer network of the new municipality and shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

17. Any tax imposed under By-laws 213 and 215 of the former Village de Ferme-Neuve shall be replaced by a tax imposed on all the taxable immovables of the new municipality.

The taxation clauses in By-laws 213 and 215 shall be amended accordingly.

18. The annual repayment of the instalments in principal and interest of all the loans taken out under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 14, 15 and 16 shall remain charged to the sector made up of the territory of the former municipality that made the loans, in accordance with the taxation clauses in those by-laws. If the new municipality decides to amend the taxation clauses in those by-laws

according to law, those amendments may affect only the taxable immovables in the sector made up of the territory of that former municipality.

19. The surplus amounts from the loan taken out under By-law 270 by the former Village de Ferme-Neuve with respect to the works carried out by the Société québécoise d'assainissement des eaux shall be used to pay the annual instalments in principal and interest of that loan or, if the securities were issued for a term shorter than the term fix originally, to reduce the balance of the loan.

If the surplus amounts are used to pay the annual instalments of the loan, the rate of the tax imposed to pay them shall be reduced so that the revenue from the tax is equal to the balance of the loan, less the surplus amounts used.

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

21. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Ferme-Neuve".

That municipal bureau shall succeed to the Office municipal d'habitation de Ferme-Neuve, 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.

The members of the bureau shall be the members of the Office municipal d'habitation de Ferme-Neuve.

22. 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 municipi-

palities, by the qualified voters of the whole territory of the new municipality.

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

24. 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 FERME-NEUVE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

The current territory of Paroisse de Ferme-Neuve and Village de Ferme-Neuve, in the Municipalité régionale de comté d'Antoine-Labelle, comprising, in reference to the cadastres of the townships of Fontbrune, Gravel, Major, Moreau, Pope and Würtele the lots or parts of lots and their present and future subdivisions as well as the roads, routes, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northwest angle of the cadastre of the Canton de Fontbrune; thence, successively, the following lines and demarcations: southeasterly, the northeast line of the said cadastre, then part of the northeast line of the Canton de Gravel to the dividing line between ranges 5 and 4 of the said township; in that township, southwesterly, part of the said dividing line between the ranges to the dividing line between lots 21 and 22 of Rang 4 of the cadastre of the said township; southeasterly, the said dividing line between the lots in ranges 4, 3 and 2 and the dividing line between lots 21B and 22A of Rang 1; easterly, a straight line perpendicular to the right bank of Rivière du Lièvre to the centre line of the said river; in a general southeasterly direction, the said centre line of the river downstream to its meeting point with the straight line perpendicular to the left bank of the river and whose point of origin is the northwest end of the dividing line between lots 21 and 22B of Rang 1 of the cadastre of the Canton de Moreau; southeasterly, the said straight line to its point of origin, then in the cadastre of the Canton de Moreau, the line dividing lot 21 of Rang 1 from lots 22B and 22A or Rang 1 and 22 of Rang 2; southwesterly, part of the dividing line between ranges 1 and 2 to the dividing line between lots 11 and 12 of Rang 2; southeasterly, the said dividing line between the lots, then a straight line across Lac Moreau to the northwest end of the dividing line between lots 11 and 12 of Rang 4 and the said dividing line between the lots in ranges 4 and 5;

southwesterly, part of the dividing line between ranges 5 and 6 to the dividing line between the cadastres of the townships of Würtele and Moreau; southeasterly, part of the said dividing line between the cadastres to the line dividing the cadastres of the townships of Würtele and Campbell; westerly, part of the latter dividing line between the cadastres to the dividing line between ranges 4 and 3 of the cadastre of the Canton de Würtele; in that township, northerly, part of the said dividing line between the ranges to the dividing line between lots 5 and 4 of Rang 3; westerly, the said dividing line between the lots in ranges 3 and 2; northerly, part of the dividing line between ranges 2 and 1 to the dividing line between lots 13 and 12 of Rang 1; westerly, the said dividing line between the lots and its extension to the centre line of Rivière du Lièvre; in a general southerly direction, the centre line of the said river downstream to the extension of the dividing line between lots 28 and 27 of Rang 2 of the cadastre of the Canton de Pope; in that township, westerly, the said extension and the said dividing line between the lots in ranges 2, 3, 4 and 5, that line extended across route 309 that it meets; in the original survey, the north line of lot 27 of Rang 6 and its extension to the extended west line of Rang 7; northerly, the proposed west line of the said Rang 7 to the dividing line between the cadastres of the townships of Major and Pope; westerly, part of the said dividing line between the cadastres to the line dividing the cadastres of the townships of Major and Fontbrune from the cadastres of the townships of Sicotte and Baskatong, and from the townships of Briand and Gay; finally, northerly, the said dividing line between the cadastres and townships to the starting point; the said limits describe the territory of the Municipalité de Ferme-Neuve.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 31 October 1997

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