

## Municipal Affairs

Gouvernement du Québec

### **O.C. 179-98, 17 February 1998**

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

Amalgamation of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-de-Beauce

WHEREAS each of the municipal councils of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-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 3 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 Affairs, which 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 resulting from the amalgamation of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-de-Beauce be constituted, under the following conditions:

1. The name of the new town is “Ville de Beauceville”.
2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 13 November 1997; that description is attached as a Schedule to this Order in Council.

3. The new town is governed by the Cities and Towns Acts (R.S.Q., c. C-19).

4. The new town will be part of the Municipalité régionale de comté de Robert-Cliche.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the 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 mayors of the former Ville de Beauceville and the former Municipalité de Saint-François-Ouest will alternate as mayor and deputy mayor of the provisional council for 2 equal periods. The mayor of the former Ville de Beauceville shall serve first.

Throughout the term of the provisional council, the mayors of the former municipalities shall remain qualified to act within the municipalité régionale de comté de Robert-Cliche.

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. The second general election shall be held on the first Sunday in November 2002.

7. For the first general election, the council of the new town shall be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

8. 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 Municipalité de Saint-François-Ouest, shall be eligible for seat 1 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Municipalité de Saint-François-de-Beauce, shall be eligible for seat 4.

To be eligible for seats 2 and 3, a person shall have the right to be registered on the electoral list with respect to the territory of the new town located on the eastern bank of Rivière Chaudière.

To be eligible for seats 5 and 6, a person shall have the right to be registered on the electoral list with respect to the territory of the new town located on the western bank of Rivière Chaudière.

9. If the former municipalities adopted budgets for the fiscal year during which this Order in Council comes into force, that budget shall continue to be applied by the council of the new town and the expenditures and revenues shall be accounted for separately as if the former municipalities continued to exist.

The portion of the subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall constitute a reserve to be paid into the general fund of the new town for the first fiscal year without separate budgets.

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

11. All or part of the surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new town has applied separate budgets shall be paid into the general fund of the new town, up to an amount of \$200 000.

The amount from the surplus accumulated by each of the former municipalities shall be determined as follows:

(a) the amount of the surplus accumulated by each of the former municipalities to be paid into the general fund corresponds to the proportion obtained by dividing its 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), on the date of the last fiscal year for which the new town applied separate budgets, by the total standardized real estate value of the new town, on the same date;

(b) the amount of each accumulated surplus paid into the general fund of the new town is equal to the maximum amount that may possibly be paid under the preceding subparagraph.

Any balance of the surplus accumulated on behalf of each of the former municipalities shall be used for the benefit of the ratepayers in the sector made up of the

territory of the former municipality that accumulated it and it shall be used for capital expenditures in that sector.

12. 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 of the sector made up of the territory of that former municipality.

13. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the funds reserved by the former Ville de Beauceville for its industrial park and those reserved by the former Municipalité de Saint-François-Ouest for a legal action taken against it shall be used for the said purposes. Should the legal action against the former Municipalité de Saint-François-Ouest be dismissed by a final judgement, the reserved amount shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality.

14. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the working fund of the former Ville de Beauceville shall become the working fund of the new town.

15. For the first complete fiscal year following the coming into force of this Order in Council, a general real estate tax credit of \$0.10 per \$100 of assessment shall be granted to the owners of all the taxable immovables of the sector made up of the territory of the former Municipalité de Saint-François-de-Beauce. For the second fiscal year, the credit shall be \$0.05 per \$100 of assessment.

16. At the end of the last fiscal year for which the municipalities adopted separate budgets, the maintenance costs for the water and sewerage system shall become charged to the users of the water and sewerage system of the new town. It shall be paid by means of a compensation rate to be fixed by the council of the new town each year.

17. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest of the loans made under by-laws 92-334 and 93-963 of the former Ville de Beauceville, concerning the water treatment plant, shall become chargeable to the users of the water system of the new town.

The taxation clauses in those by-laws shall be amended accordingly.

18. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the bal-

ance in principal and interest on the amounts owed to the Société québécoise d'assainissement des eaux under the agreement between the Gouvernement du Québec and the former Ville de Beauceville and the agreement between the Gouvernement du Québec and the former Municipalité de Saint-François-Ouest shall become charged to the users of the sewerage system of the new town.

19. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest on the loans made under by-laws 92-345 and 94-379 of the former Municipalité de Saint-François-de-Beauce and under by-laws 89-77, 87-269, 88-288, 90-312 and 96-400 of the former Ville de Beauceville shall become charged to all the taxable immovables on the territory of the new town 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.

20. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the credit commitments authorized under resolution 95-183 of the former Municipalité de Saint-François-de-Beauce, resolution 95-09-5691 of the former Ville de Beauceville and resolution 196-95 of the former Municipalité de Saint-François-Ouest shall become charged to the new town.

21. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Beauceville".

That municipal bureau shall succeed to the municipal housing bureau of the former Ville de Beauceville, 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 Ville de Beauceville as if it had been incorporated by letters patent under section 57 of that Act.

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 new town, provided that such a by-law comes into force within 2 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, by the qualified voters of the whole territory of the municipality.

23. The new town shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in place of those former municipalities.

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.

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

25. 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 of that former municipality.

26. 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 NEW VILLE DE BEAUCEVILLE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROBERT-CLICHE

The current territory of the Ville de Beauceville and of the municipalities of Saint-François and Saint-François-de-Beauce in the Municipalité régionale de comté Robert-Cliche, comprising, in reference to the cadastre of the Paroisse de Saint-François, 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 dividing line between the cadastres of the Paroisse de Saint-François and the Canton de Cranbourne with the southeastern line of Rang Fraser Sud-Est of the cadastre of the Paroisse de Saint-François; thence, successively, the following lines and demarcations: in reference to the latter cadastre, south-westerly, the said southeastern line of Rang Fraser Sud-Est and part of the dividing line between ranges Saint-Gaspard and Gentilly to the dividing line between

lots 562 and 563; southeasterly, the said dividing line between the lots; successively easterly and southeasterly, part of the northern line of lot 393 and the northern line of lot 394, the northeastern line of lots 394 and 395 and the extension of the latter to the centre line of Route Saint-Ignace; southwesterly, the centre line of the said route and its extension to the centre line of Chemin du Rang Saint-Charles; in a general southeasterly direction, the centre line of the said road to the northeast extension of the dividing line between lots 228 and 233; southwesterly, the said extension and the dividing line between lots 228, 234, 222, 230 and 232 on the one side, lots 233 and 235 on the other side, extended across Route 173 that it meets to the centre line of Rivière Chaudière; southeasterly, the centre line of the said river upstream to the meeting point with the northeast extension of the dividing line between lots 1635 and 1636, those 2 extensions skirting the islands of the said river upstream; southwesterly, the said extension and the said dividing line between the lots; in a general southerly direction, the northeast side of the right-of-way of the Chemin du Rang Saint-Jacques to the northwest extension of the dividing line between lots 1780 and 1781; southwesterly, the said extension and the dividing line between lot 1780 and lots 1781, 1782, 1783 and 1784; southerly, the east side of the right-of-way of Chemin du Rang Saint-Alexandre to the northeastern line of lot 2274; southeasterly, the northeastern line of the said lot; southwesterly, part of the dividing line between the cadastres of the parishes of Saint-François and Saint-Georges to the apex of the south angle of lot 2294 of that first cadastre; northwesterly, the southwestern line of the said lot; northeasterly, part of the dividing line between ranges Saint-Jean and Saint-Guillaume Sud-Est following, in part, the northwest side of the right-of-way of Chemin de Saint-Jean-Saint-François and extended across Chemin Saint-Jean and Lac Douville that it meets, to the apex of the south angle of lot 2273; northwesterly, the southwestern line of lots 2273 to 2267 in declining order, then a part of the southwestern line of lot 2266 to the southeast side of the right-of-way of Chemin Saint-Guillaume; northeasterly the southeast side of the said right-of-way bounding on the northwest lot 2266 to the southeast extension of the southwest side of the right-of-way of the said road; northwesterly, the said extension and the southwest side of the said right-of-way bounding on the northeast lot 2376 and part of lot 2146; in a general northwesterly direction, the broken line dividing the augmentation of Rang Saint-Alexandre from ranges Saint-Guillaume-Nord-Ouest and Saint-Étienne, crossing Rivière du Moulin that it meets, then its extension to the north side of the right-of-way of Chemin Augmentation Saint-Alexandre; westerly, the southern line of lots 1751, 1750 and part of the southern line of lot 1744 to the north side of the right-of-way of Chemin Augmentation Saint-Alexandre, then the north side of the right-of-way of the said road, bounding on the south

a part of lot 1744, lots 1743, 1742, 1741, 1740, 1739, 1737, 1736 and part of lot 1735 to the apex of the east angle of lot 1926; northerly, part of the western line of lot 1735 and the western line of lots 1734 to 1725 in declining order; southwesterly, part of the southwestern line of lot 1724 to the apex of the southwest angle of the said lot; northerly, the western line of the said lot; northeasterly, part of the northwestern line of the said lot to the apex of the southwest angle of lot 1723; northerly, the western line of lot 1723; southwesterly, the dividing line between lots 1906 and 1907 and lots 1908 and 1909, crossing Chemin Rang Saint-Alexandre that it meets; northwesterly, part of the southwestern line of Rang Saint-Alexandre, extended across Route 108 that it meets to the apex of the eastern angle of lot 1946; southwest-erly, the southeastern line of lots 1946, 1947 and 1948 and its extension to the southwest side of Chemin Saint-Louis bounding on the northeast lot 1949; northwesterly, the southwest side of the right-of-way of the said road and its extension to the centre line of Chemin Sainte-Catherine; northeasterly, the centre line of the said road to the southeast extension of the southwestern line of lot 1851; northwesterly, the said extension and the southwestern line of the said lot and its extension, crossing lot 1838 and rivière Saint-Victor that it meets to the left bank of the said river; in a general northeasterly direction, the left bank of the said river bounding on the southeast lot 1804 to the southeast extension of the southwestern line of lot 1803; northwesterly, the said extension crossing lot 1804 and the southwestern line of lots 1803 to 1799 in declining order, the latter line extended across Chemin Sainte-Caroline, then the southwestern line of lots 1798, 1797, 1796A, 1796, 1795 and 1794; northeasterly, part of the broken line between the cadastre of the Paroisse de Saint-François and the cadastre of the Paroisse de Saint-Joseph to the apex of the northern angle of lot 51 of the first above-mentioned cadastre, that line crossing a public road (Route du Bras) and Chemin Grondin, Rivière Chaudière and an island of the said river (lot 2313), a railway and Route 173 that it meets; finally, southeasterly, part of the dividing line between the cadastres of the Paroisse de Saint-François and the Canton de Cranbourne to the starting point, that line crossing Rivière des Plantes, Rivière Noire and Ruisseau Giroux that it meets; the said limits define the territory of the new Ville de Beauceville.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 13 November 1997

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

B-219/1

2065