

André-d'Acton; successively, southeasterly, southerly and southwesterly, the centre line of the said river upstream to the northern extension of the eastern line of lot 266 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; southerly, the said extension and part of the line dividing the cadastre of Paroisse de Saint-Éphrem-d'Upton from the cadastres of the parishes of Saint-André-d'Acton and of Saint-Valérien-de-Milton, that line crossing a public road and Rivière Noire that it meets, to the apex of the southeastern angle of lot 260 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; successively, westerly, southerly and westerly, the broken line dividing the cadastre of Paroisse de Saint-Éphrem-d'Upton from the cadastre of Paroisse de Saint-Valérien-de-Milton, that line crossing the secondary public roads it meets; northerly, part of the line dividing the cadastres of Paroisse de Saint-Éphrem-d'Upton and of Village de Saint-Éphrem-d'Upton from the cadastres of the parishes of Saint-Liboire and of Sainte-Hélène, that line crossing Rivière Noire, the railway (lot 5), Route 116 and the secondary public roads that it meets, to the apex of the northern angle of lot 141 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; in reference to that cadastre, southerly, the eastern line of lots 141, 140 and 139; finally, easterly, the northern line of lot 155 extended across the Chemin Rang de la Carrière, then the northern line of lot 325 to the starting point; the said limits define the territory of the Municipalité d'Upton.

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

Prepared by: PIERRE BÉGIN,
Land surveyor

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Gouvernement du Québec

O.C. 181-98, 17 February 1998

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

Amalgamation of the Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger

WHEREAS each of the municipal councils of the Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger 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 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 Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger, on the following conditions:

1. The name of the municipality is "Municipalité de Saint-Ludger".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 3 December 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 du Granit.
5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the 3 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 three mayors will alternate as mayor of the provisional council for equal periods. At the first sitting of the provisional council, a drawing of lots shall determine which mayor will act first as mayor.

If a seat is vacant at the time of the 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, or to the acting mayor if applicable, of the 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. The second general election shall be held on the first Sunday in November 2002. 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 from the first general election.

7. For the first general election, the only persons eligible for seats 1 and 2 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 Municipalité de Risborough, the only persons eligible for seats 3 and 4 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 Partie sud-est du Canton de Gayhurst and the only persons eligible for seats 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 Village de Saint-Ludger.

8. Any budgets 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 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 shall be charged to the budget of each of the former municipalities in proportion to their 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), as appearing in their financial statement for the last fiscal year preceding that in which this Order in Council comes into force.

The portion of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of the amalgamation shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year in which the new municipality does not apply separate budgets.

9. 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.

10. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the new municipality shall pay into its general fund the amount of \$120 000 from the surplus accumulated on behalf of the former municipalities, as follows:

(a) the amount from the surplus accumulated on behalf of the former Municipalité de Risborough is \$70 000;

(b) the amount from the surplus accumulated on behalf of the former Partie sud-est du Canton de Gayhurst is \$20 000; and

(c) the amount from the surplus accumulated on behalf of the former Village de Saint-Ludger is \$30 000.

If the amount of the surplus accumulated on behalf of a former municipality is not enough to pay its contribution, the new municipality shall complete the amount by imposing a special tax to the sector made up of the territory of that former municipality, according to the value of the taxable immovables of that sector as appearing in the assessment roll in force each year.

11. If, after the operation provided for in section 10, amounts are still available in the surplus accumulated on behalf of a former municipality, those amounts shall remain for the benefit of the ratepayers of the former municipality which accumulated it. They shall be used to carry out public works in the sector made up of the territory of that former municipality, to reduce taxes applicable to all the taxable immovables of that sector or to repay debts charged to all that sector.

12. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it applied separate budgets will continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

13. The balance in capital and interest of loans contracted by the former Municipalité de Risborough under By-law No. 226-92 shall be chargeable to all the taxable immovables of that former municipality.

14. Any debt or gain that may result from legal proceedings or a transaction 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.

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

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

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

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-LUDGER IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU GRANIT

The current territory of the Canton de Gayhurst-Partie-Sud-Est, of the Municipalité de Risborough and of the Village de Saint-Ludger, in the Municipalité régionale de comté du Granit, comprising, in reference to the cadastres of the townships of Gayhurst, Marlow and Risborough, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits of the two perimeters described hereafter, namely:

First perimeter

Starting from the meeting point of the dividing line between the cadastres of the townships of Gayhurst and Dorset with the dividing line between lots 73 and 186 of the first cadastre; thence, successively, the following lines and demarcations: easterly, part of the dividing line between the cadastres of the townships of Gayhurst and Dorset and its extension to the centre line of Rivière Chaudière; successively northeasterly, easterly and southeasterly, the centre line of the said river downstream and skirting by the left the islands closest to the right bank

and by the right the islands closest to the left bank to the extension to the northwest of the dividing line between ranges 11 and 10 of the cadastre of Canton de Marlow; in reference to that cadastre, southeasterly, the said extension and part of the said dividing line between ranges to the line dividing lot 10A from lots 81 and 82 of Rang 11, that dividing line between ranges crossing old Route 24 and Route 204 that it meets; southwesterly, the said dividing line between lots; southeasterly, part of the dividing line between ranges 12 and 11 and its extension to the centre line of Rivière Samson; in general southwesterly and westerly directions, the centre line of the said river upstream to its meeting point with the dividing line between the cadastres of the townships of Risborough and Marlow; southeasterly and northeasterly, the broken line dividing the cadastre of Canton de Risborough from the cadastre of Canton de Marlow, that line crossing Rivière Samson that it meets; southeasterly, the dividing line between ranges 9 and 10 of the cadastre of Canton de Risborough, that line crossing a secondary public road that it meets; in a general southwesterly direction, part of the Canada/United States border to the dividing line between the cadastres of the townships of Risborough and Spalding; northwesterly, the said dividing line between the said cadastres to its intersection with the north side of the right-of-way of a public road, that dividing line crossing Route 204, secondary public roads and Rivière Samson that it meets; in general westerly and northwesterly directions, passing by the north and northeast sides of the right-of-way of the said road to its meeting point with the southeastern line of lot 1B of Rang 1 of the cadastre of Canton de Spalding; northeasterly, successively, the southeastern line of lots 1B and 1A of Rang 1 of the aforementioned cadastre and the extension of the latter northeasterly to the centre line of Rivière Chaudière; in general northwesterly and westerly directions, the centre line of the said river upstream to its meeting point with the extension to the southeast of the dividing line between lots 27 and 26 of the cadastre of Canton de Gayhurst; in reference to that cadastre, northwesterly, the said extension and the southwestern line of lots 27 and 103, that line crossing a secondary public road that it meets; northeasterly, the northwestern line of lots 103 down to 73 to the starting point, that line crossing a secondary public road that it meets.

Second perimeter

Starting from the meeting point of the dividing line between the cadastres of the townships of Risborough and Marlow with the dividing line between ranges 1 and 2 of the first cadastre; thence, successively, the following lines and demarcations: northeasterly, part of the said dividing line between cadastres to the dividing line between Rang 1 of the cadastre of Canton de Risborough and Rang Chemin-Kennebec of the cadastre of Canton de Marlow; southeasterly, part of the dividing line be-

tween ranges to the Canada/United States border, that line crossing Lac Monument that it meets; in a general southeasterly direction, part of the said border to the dividing line between ranges 1 and 2 of the cadastre of Canton de Risborough; northwesterly, the said dividing line between ranges to the starting point.

The said limits define the territory of the Municipalité de Saint-Ludger.

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

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