

Municipal Affairs

Gouvernement du Québec

O.C. 1435-98, 27 November 1998

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

Amalgamation of Ville de Saint-Tite and Paroisse de Saint-Tite

WHEREAS each of the municipal councils of Ville de Saint-Tite and Paroisse de Saint-Tite 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, amended by section 133 of Chapter 93 of the Statutes of 1997, 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 Ville de Saint-Tite and Paroisse de Saint-Tite, on the following conditions:

1. The name of the new town is “Ville de Saint-Tite”.
2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 28 August 1998; that description is attached as a Schedule to this Order in Council.
3. The new town is governed by the Cities and Towns Act (R.S.Q., c. C-19).
4. The Act respecting Ville de Saint-Tite (1995, c. 77) applies to the new town.

5. The new town is part of the Municipalité régionale de comté de Mékinac.

6. 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 the members in office plus one. The mayors of the former Ville de Saint-Tite and the former Paroisse de Saint-Tite will alternate as mayor and deputy mayor every month. The mayor of the former Paroisse de Saint-Tite will act as mayor of the new town for the first calendar month.

For the term of the provisional council, the mayors of the former municipalities shall keep the qualities required to act within the provisional council of the Municipalité régionale de comté de Mékinac.

For the term of the provisional council, the members of the council shall receive the same remuneration as they were receiving before the coming into force of this Order in Council.

7. The first sitting of the provisional council shall be held at the town hall of the former municipalities, at number 540, rue Notre-Dame, located on the territory of the former Ville de Saint-Tite.

8. The first general election shall be held on the first Sunday of October 1999. The second general election shall be held in 2003.

9. For the first general election, and until the council decides otherwise, the council of the new town shall be composed of seven members, that is a mayor and six councillors.

For that 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 Ville de Saint-Tite 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-Tite.

Only qualified voters entitled to be entered on the list of electors in respect of the sector made up of the territory of the former Ville de Saint-Tite shall take part in

the election of the members of the council for seats 1, 2 and 3 and only qualified voters entitled to be entered on the list of electors in respect of the sector made up of the territory of the former Paroisse de Saint-Tite shall take part in the election of the members of the council for seats 4, 5 and 6.

10. Mr. Pierre Massicotte, secretary-treasurer of the former Ville de Saint-Tite, shall act as first secretary-treasurer of the new town. Ms. Alyne Trépanier, secretary-treasurer of the former Paroisse de Saint-Tite, shall act as deputy secretary-treasurer of the new town.

11. Any budgets adopted by each of the former municipalities for the fiscal year in which this Order in Council comes into force, shall continue to be applied by the council of the new town. The expenditures and revenues must be accounted for separately as if those former municipalities continued to exist.

Notwithstanding the foregoing, the subsidy paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year following the amalgamation shall constitute a reserve to be paid into the general fund of the new town for the first year for which it does not apply separate budgets.

12. 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.

13. At the end of the last fiscal year for which the new town applied separate budgets, an amount of \$200 000 shall be paid into the general fund of the new town from the surplus accumulated on behalf of each of the former municipalities, as follows:

— 51.12 % from the surplus accumulated on behalf of the former Ville de Saint-Tite, that is, an amount of \$102 240;

— 48.88 % from the surplus accumulated on behalf of the former Paroisse de Saint-Tite, that is, an amount of \$97 760.

Any balance or surplus accumulated on behalf of each of the former municipalities shall be used for the benefit of the ratepayers of the former municipality which accumulated it; it shall be used for capital expenditures in the sector made up of the territory of that former municipality.

14. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it 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. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the working fund of the former Ville de Saint-Tite shall be abolished. The amount of the fund that is not committed on that date, interests included, shall be added to the surplus accumulated on behalf of that former municipality and dealt with as such.

16. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the repayment in principal and interest of loans made under By-laws 655-96 and A-89 by the former Ville de Saint-Tite respecting water treatment, the waterworks system and the cost for maintaining the waterworks system and sewer network shall be charged to all the users served by the waterworks system and sewer network of the new town.

The new town shall impose a special tax or fees accordingly.

17. At the end of the last fiscal year for which the municipalities adopted separate budgets, the repayments in principal and interest for loans made under By-laws 550-91 and 537-90 by the former Ville de Saint-Tite respecting the roof of the arena and the municipal garage shall be charged to all taxable immovables of the new town on the base of their value as it appears on the assessment roll in force each year.

The taxation clauses provided for in the By-laws shall be amended accordingly.

18. A municipal housing bureau is incorporated under the name "Office municipal d'habitation de la Ville de Saint-Tite".

That municipal bureau shall succeed to the former Office municipal d'habitation de Ville de Saint-Tite, 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) shall 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 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 sec-

tions 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 town, 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 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 town.

20. The new town 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.

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 consistent with this Order in Council.

21. 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 of that former municipality.

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

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

**OFFICIAL DESCRIPTION OF THE LIMITS
OF THE TERRITORY OF THE NEW VILLE
DE SAINT-TITE, IN THE MUNICIPALITÉ
RÉGIONALE DE COMTÉ DE MÉKINAC**

The current territory of Paroisse de Saint-Tite and Ville de Saint-Tite, in the Municipalité régionale de comté de Mékinac, comprising, in reference to the original and revised cadastres of the parishes of Saint-Tite and Saint-Stanislas, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way (not shown in the original cadastre of Paroisse de Saint-Tite), lakes, islands, 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 Paroisse de Saint-Tite and Saint-Jacques-des-Piles with the southwestern line of the cadastre of Paroisse de Sainte-Thècle; thence, successively, the following lines and demarcations: successively, southeasterly, north-easterly and southeasterly, the broken dividing line between the cadastres of the parishes of Saint-Tite and Sainte-Thècle, that line crossing secondary roads, Rivière des Envies, À la Peinture and Bourdais lakes, Route 153 and watercourses that it meets; northeasterly, part of the dividing line between the cadastres of the parishes of Saint-Stanislas and Sainte-Thècle to the dividing line between lots 351-128 and 351-127 of the cadastre of Paroisse de Saint-Stanislas, that line crossing the railway (lot 255 of the cadastre of Paroisse de Sainte-Thècle); in reference to the cadastre of Paroisse de Saint-Stanislas, southeasterly, the said dividing line between lots, that line crossing a secondary road that it meets; southwesterly, the southeastern line of lots 351-128 to 351-131; southeasterly, the dividing line between lots 351-181, 351-180, 351-179 and 351-178 of lot 351-63; southwesterly, the dividing line between lots 351-178 and 351-177, that line crossing a secondary road that it meets; southeasterly, part of the dividing line between the cadastres of the parishes of Saint-Tite and Saint-Stanislas to the apex of the eastern angle of lot 13 of the cadastre of Paroisse de Saint-Tite, that line crossing a secondary road and watercourses that it meets; in reference to that cadastre, successively, southwesterly, the southeastern line of lot 13 extended across Route Saint-Pierre, then the southeastern line of lot 59; successively, northwesterly and westerly, the northeastern and northern lines of lot 135; northwesterly, the northeastern line of lot 139; southwesterly, successively, the northwestern line of lot 139, the northwest side of the right-of-way of Route 159, then the northwest side of the right-of-way of Route Bordeleau extended to the right bank of Rivière des Envies; in a general northwesterly direction, the right bank of the said river along its meanders to its meeting point with the dividing line between lots 485 and 486; southwesterly, the said dividing line between lots extended across a secondary road that it meets; northwesterly, successively, the southwestern line of lots 485, 484, 483, 481, 479, 478, 477, then the northeastern line of lots 560 and 561, that latter segment crossing a railway (lot 2072 of the revised cadastre of Paroisse de Saint-Tite) and extended across Route 153 that it meets; southwesterly, part of the southeastern line of lot 430 and the southeastern line of lots 429 to 424 in declining order; northwesterly, successively, the southwestern line of lot 424 crossing an unnamed lake, then the southwestern line of lot 409 crossing a secondary road that it meets; northeasterly, the northwestern line of lots 409 to 398 in declining order, that line extended across Rivière Mékinac du Nord and crossing Route 159 that it meets; northwesterly, part of the southwestern line of lot 397 to the apex of the western angle of the

said lot; finally, northeasterly, successively, the southeastern line of lot 691 and the dividing line between the cadastres of the parishes of Saint-Tite and Saint-Jacques-des-Piles to the starting point, that line crossing watercourses that it meets; the said limits describe the territory of the new Ville de Saint-Tite.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 28 August 1998

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