

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-CUTHBERT, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE D'AUTRAY

The current territory of the parishes of Saint-Cuthbert and Saint-Viateur, in the Municipalité régionale de comté de D'Autray, comprising, in reference to the cadastre of the Paroisse de Saint-Cuthbert, 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 apex of the northern angle of lot 1284 of the cadastre of the Paroisse de Saint-Cuthbert; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, part of the northeast line of the said cadastre to the apex of the east angle of lot 1522 and its extension to the centre line of Rivière Chicot, that line crossing Chemin Rang Saint-André, the Chemin du IX<sup>e</sup> rang and Chemin des Fourches that it meets; in a general westerly direction, the centre line of the said river downstream to the northwest extension of the northeast line of lot 345; southeasterly, the said extension and the northeast line of the said lot crossing Chemin Ligne Bel Automne, the northeast line of lots 344, 343 and 273, passing by the southwest side of Chemin Montée-Ouest, that line crossing a railway and Chemin Saint-Jean that it meets, to the south east side of the right-of-way of the said road; southwesterly, part of the southeast side of the said right-of-way and part of the southeast line of the Saint-Jean concession to the apex of the north angle of lot 272; southeasterly, part of the northeast line of the said cadastre to the normal high-water mark of the St. Lawrence River (North Channel), that line crossing Chemin York, the route of Rang Sainte-Thérèse, a railway (lot 562), route 138 and highway 40 that it meets; in a general southwesterly direction, the said normal high-water mark crossing Baie Gaillardin, to its meeting point with the dividing line between the cadastres of the parishes of Saint-Cuthbert and Berthier; northwesterly, part of the said dividing line between the cadastres to the apex of the east angle of lot 542 of the cadastre of the Paroisse de Saint-Cuthbert, crossing Rivière Chicot, route 138 and highway 40 that it meets; southwesterly, the southeast line of lot 542 and its extension to the centre line of Rivière Chicot, crossing highway 40 that it meets; easterly, the centre line of the said river downstream to the northeast extension of the southeast line of lot 543; southwesterly, the said extension and the southeast line of lots 543 and 545; in a general northwesterly direction, the irregular line dividing the cadastre of the Paroisse de Saint-Cuthbert from the cadastres of the parishes of Berthier and Saint-Norbert, that line crossing highway 40, a railway (lot 562) and another railway that it meets; finally, northeasterly, the dividing line

between the cadastres of the parishes of Saint-Cuthbert and Saint-Gabriel-de-Brandon to the starting point; the said limits define the territory of the Municipalité de Saint-Cuthbert.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 12 November 1997

Prepared by: JEAN-PIERRE LACROIX,  
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Gouvernement du Québec

**O.C. 1659-97, 17 December 1997**

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

Amalgamation of the Village de Saint-Anselme and of the Paroisse de Saint-Anselme

WHEREAS the municipal councils of the Village de Saint-Anselme and of the Paroisse de Saint-Anselme adopted a by-law authorizing the filing of a joint application with the Government, requesting that it constitute a local municipality resulting from the amalgamation of those 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 the applicant municipalities be consulted;

WHEREAS the officers and employees of the applicant municipalities shall become, without any reduction in their remuneration, officers and employees of the new municipality, keep their seniority and fringe benefits and may not be laid off or dismissed solely because of the amalgamation;

WHEREAS the new municipality shall succeed to the rights, financial obligations and responsibilities of the applicant municipalities and become, without continuance of suit, a party to any proceeding in lieu of those municipalities;

WHEREAS the by-laws, resolutions, minutes, assessment and tax rolls and other acts of the applicant 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 application;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

IT IS ORDERED, therefore, upon recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Village de Saint-Anselme and the Paroisse de Saint-Anselme be constituted, under the following conditions:

(1) The name of the new municipality is "Municipalité de Saint-Anselme".

(2) The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 6 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 will be part of the Municipalité régionale de comté de Bellechasse.

(5) A provisional council shall remain in office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the number of members in office plus one. The current mayors shall alternate as mayor and acting mayor of the provisional council for equal periods of time. The mayor of the former Village de Saint-Anselme shall serve the first term as mayor of the new municipality and the mayor of the former Paroisse de Saint-Anselme shall serve the second term 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, an additional vote shall be granted to the mayor of the former municipality from which the council member originated.

For the term of the provisional council, the councillors 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 in May 1998, if the amalgamation comes into force before 1 February 1998. Failing that, 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 2001.

(7) The council of the new municipality 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 Village de Saint-Anselme, shall be eligible for seats 1, 2, and 3; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Paroisse de Saint-Anselme, shall be eligible for seats 4, 5 and 6.

(9) 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 those municipalities had continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets 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 for those municipalities for the last fiscal year ended before the coming into force of this Order in Council.

If the first paragraph applies, the portion of the subsidy granted by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) with respect to the first year following the coming into force of this Order in Council shall constitute a reserve to be paid to the general fund of the new municipality in the first year in which separate budgets are not applied.

(10) The terms and conditions for apportioning the cost of the joint services provided for in the inter-municipal agreements in force before the coming into force of this Order in Council shall apply until the end of

the last fiscal year for which the former municipalities adopted separate budgets.

(11) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which a separate budget was adopted shall be used as follows:

(a) the amounts reserved for specific purposes under resolution 961217-04 (repairs to rue Saint-Marc) and resolution 17-95 (drainage of the basins) of the former Village de Saint-Anselme shall be used as planned; if there is a balance after the work has been carried out, it shall be used in accordance with paragraphs *d* and *e*;

(b) an amount of \$75 300 from the accumulated surplus of the former Paroisse de Saint-Anselme shall be paid to the general fund of the new municipality to repay the balance owing on the loan taken out pursuant to By-law 277 of the former village; if the accumulated surplus of the former parish falls short of that amount, the new municipality shall impose a special real estate tax on all the taxable immovables in the sector formed of the territory of the former parish to make up the difference;

(c) an amount of \$26 000 from the accumulated surplus of the former Paroisse de Saint-Anselme shall be used to grant a credit to all the users of the waterworks and sewer services of the former Paroisse de Saint-Anselme, in accordance with section 24; if the accumulated surplus of the former parish falls short of that amount, the new municipality shall impose a special real estate tax on all the taxable immovables in the sector formed of the territory of the former parish to make up the difference;

(d) after application of paragraphs *a*, *b* and *c*, an amount equal to the lesser of the two balances shall be paid from the balance of each accumulated surplus, to the general fund of the new municipality;

(e) after application of paragraph *d*, any remaining balance shall be used for the benefit of the ratepayers of the former municipality on behalf of which it was accumulated; it may be allocated to public works in the sector formed of the territory of that former municipality, to tax reductions applicable to all the taxable immovables in that sector or to the repayment of debts charged to all the taxable immovables 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 formed of the territory of that former municipality.

(13) Any taxes imposed pursuant to loan by-laws in a former municipality that were charged to one of that municipality's sectors shall continue to be imposed and levied by the new municipality, in accordance with the taxation clauses contained in those by-laws.

(14) The balances of the principal and interest of the loans made pursuant to By-laws 285 and 277 of the former Village de Saint-Anselme and By-law 349 of the former Paroisse de Saint-Anselme shall be charged to all the taxable immovables of the new municipality.

A special tax shall therefore be imposed and levied on all the taxable immovables of the new municipality, based on the value entered on the assessment roll in force each year.

(15) The balance of the principal and interest of the loans taken out pursuant to the following by-laws, with respect to the portion charged to all the taxable immovables in the territory of the former municipality, shall be charged to all the taxable immovables in the territory of the new municipality in a proportion of 25 %.

A special tax shall therefore be imposed and levied on all the taxable immovables in the territory of the new municipality, based on the value entered on the assessment roll in force each year with respect to:

- the former Village de Saint-Anselme:
- By-laws Nos. 81, 158 and 281;
- the former Paroisse de Saint-Anselme:
- By-laws Nos. 354, 363, 367 and 376.

(16) The balance of the principal and interest of the loans taken out pursuant to the following by-laws, with respect to the portion charged to all the taxable immovables in the territory of the former municipality, shall be charged, in a proportion of 75 %, to all the taxable immovables in the territory of the new municipality supplied with waterworks and sewer services at the time this Order in Council comes into force.

A special tax shall therefore be imposed and levied on all the taxable immovables in the territory of the new municipality, based on the value entered on the assessment roll in force each year with respect to:

- the former Village de Saint-Anselme:
- By-laws Nos. 81, 158 and 281;
- the former Paroisse de Saint-Anselme:

— By-law No. 367.

The taxation clauses in those by-laws shall be amended accordingly. The new municipality may amend those by-laws in accordance with the Act if work is undertaken to extend the systems.

(17) The share payable to the Société québécoise d'assainissement des eaux by the former Village de Saint-Anselme under the agreement signed on 31 March 1992 shall be charged, in a proportion of 25 %, to all the taxable immovables in the territory of the new municipality, on the basis of the value entered on the assessment roll in force each year, and in a proportion of 75 %, to all the taxable immovables in the territory of the new municipality that are supplied with waterworks and sewer services at the time this Order in Council comes into force, on the same basis.

(18) The balance of the principal and interest of the loans taken out pursuant to By-laws Nos. 354, 363 and 376, with respect to the portion charged to all the taxable immovables in the territory of the former Paroisse de Saint-Anselme, shall be charged, in a proportion of 75 %, to all the taxable immovables in the territory of the former municipality. A special tax shall therefore be imposed and levied on all those immovables, based on the value entered on the assessment roll in force each year.

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

(19) The cost of the following work, after deducting any government subsidy concerning it or any contribution from the sector benefiting from it, shall be charged to all the taxable immovables in the territory of the new municipality in a proportion of 25 % and charged to the taxable immovables of the sector formed of the territory of each former municipality in a proportion of 75 %:

— in the former Village de Saint-Anselme:

— repairs (reconstruction, paving) of rue Saint-Marc for the portion of the work that exceeds \$300 000;

— in the former Paroisse de Saint-Anselme:

— repairs (reconstruction, paving) of ranges Saint-Marc, Saint-Olivier (North), de la Montagne and Saint-Philippe Nord;

— repairs (reconstruction, paving) of routes Saint-Jacques and Saint-Olivier Nord.

This section shall apply whether the expense is financed by means of the general fund or a loan.

(20) The working fund of the former Village de Saint-Anselme shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the funds not allocated on that date shall be added to the surplus accumulated on behalf of that former municipality and shall be processed in accordance with section 11.

(21) To take into account the contribution of the general fund of the former Paroisse de Saint-Anselme to the waterworks and sewer repairs carried out in the territory of that parish, the council of the new municipality shall make a by-law ordering that a loan be taken out, the loan not to exceed \$140 000 and to be repaid within 10 years, so that the amount be paid to the accumulated surplus on behalf of the former parish and be processed in accordance with section 11.

The repayment of that loan shall be charged to all the taxable immovables in the territory of the new municipality in a proportion of 25 % and charged to the taxable immovables of the territory of the new municipality that are supplied with waterworks and sewer services in a proportion of 75 %.

This Regulation requires only the approval of the Minister of Municipal Affairs.

(22) Any debt or gain that may result from legal proceedings for any act performed by a former municipality shall continue to be charged or credited to all the taxable immovables of the sector formed of the territory of that former municipality.

(23) Any expenses resulting from the guarantees granted by the former Village de Saint-Anselme to the Centre sportif régional Bellechasse-Dorchester (Resolution 131-93, adopted on 24 August 1993) and to Garderie l'Étincelle (Resolution 96-95, adopted on 12 May 1995) shall be apportioned to all the taxable immovables of the new municipality.

(24) For the first four fiscal years following the coming into force of this Order in Council, a credit shall be granted with respect to the rate of compensation for the waterworks and sewer services to all the users of the waterworks and sewer systems of the sector formed of the territory of the former Paroisse de Saint-Anselme, as follows:

First year: an amount of \$80;

Second year: an amount of \$60;

Third year: an amount of \$40;

Fourth year: an amount of \$20;

The amounts necessary to grant this credit shall be taken from the surplus accumulated on behalf of the former Paroisse de Saint-Anselme, in accordance with section 11.

(25) Over a period of four years, the rate of the real estate surtax for non-residential immovables shall be standardized. Therefore, the real estate surtax rate of the two former municipalities, for the last fiscal year ended before the coming into force of this Order in Council, shall be harmonized over a period of four years, at the rate of one fourth of the difference annually.

(26) Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use the updated values of the real estate assessment rolls filed for the 1996 fiscal year with respect to the former Village de Saint-Anselme and for the 1995 fiscal year with respect to the former Paroisse de Saint-Anselme.

The combination of the rolls of the former municipalities shall constitute the roll of the new municipality for its first fiscal year. The median proportion and the comparative factor of the roll are respectively 98 % and 1.02 (representing the median proportion and comparative factor for 1997 for each of the former municipalities). The first fiscal year for the new municipality shall be equivalent to the third period of application of the roll.

(27) 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 four years of the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the entire territory of the new municipality.

(28) A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Municipalité de Saint-Anselme".

That municipal bureau shall succeed to the Office municipal d'habitation de Saint-Anselme, which is dis-

solved. 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 though it had been incorporated by letters patent under section 57 of that Act.

The members of the former Office municipal d'habitation de Saint-Anselme shall be the members of the new bureau.

(29) In accordance with the Order in Council respecting the amendment to the agreement respecting the Cour municipale de la Municipalité régionale de comté de Bellechasse, to be adopted under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Municipalité régionale de comté de Bellechasse will have jurisdiction over the territory of the new municipality.

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

(31) 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*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-ANSELME, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BELLECHASSE

The current territory of the Paroisse de Saint-Anselme and of the Village de Saint-Anselme, in the Municipalité régionale de comté de Bellechasse, comprising, in reference to the cadastre of the Paroisse de Saint-Anselme, 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 southeast line of lot 482 of the cadastre of the Paroisse de Saint-Henri-de-Lauzon and the dividing line between lots 477 and 478 of the cadastre of the Paroisse de Saint-Anselme; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the said dividing line to the dividing line between lots 477 and 476; northerly, the line dividing lots 476 and 475 from lot 477; southeasterly, the line dividing lot 475 from lots 474 and 473 up to the dividing line between concessions Saint-Paul and Saint-Mathieu; northeasterly, part of the said line dividing the concessions and the centre line of the right-of-way of a public road to the

extension to the northwest of the southwest line of lot 471; southeasterly, the said extension and the said southwest line; northeasterly, part of the northwest line of Concession Saint-Marc to the dividing line between lots 392 and 391; southeasterly, the said dividing line extending across the road of the second range that it meets; southwesterly, part of the dividing line between concessions Saint-Marc and Saint-Luc to the broken line dividing Concession Sainte-Anne from concessions Saint-Luc, Saint-Jean and Saint-Octave; southeasterly, the said broken line to the dividing line between the cadastres of the parishes of Saint-Anselme and Sainte-Claire, that broken line extending across the road of the third range that it meets; southwesterly, part of the line dividing the cadastre of the Paroisse de Saint-Anselme from the cadastres of the parishes of Sainte-Claire and Sainte-Hénédine to the dividing line between the cadastre of Paroisse de Saint-Anselme and the cadastre of Paroisse de Saint-Isidore; northwesterly, westerly, and northerly, the irregular dividing line between the cadastres of the parishes of Saint-Anselme and Saint-Isidore to the dividing line between lots 718 of the cadastre of Saint-Anselme and 650 of the cadastre of the Paroisse de Saint-Isidore; westerly, the said dividing line and its extension to the west side of the right-of-way of Rang Saint-Jacques; northerly, the west side of the right-of-way of the said road bounding to the east lots 647 and 648 of the cadastre of the Paroisse de Saint-Isidore; northwesterly, the dividing line between lots 719 of the cadastre of the Paroisse de Saint-Anselme and 648 of the cadastre of the Paroisse de Saint-Isidore and its extension to the west side of the right-of-way of Rang Saint-Pierre; northerly, the west side of the right-of-way of the said road bounding to the east lots 516, 514, 513, 509, 505, 502, 680 (railway right-of-way), 498, 497, 496, 494, and 492 of the cadastre of the Paroisse de Saint-Isidore and lot 752 of the cadastre of the Paroisse de Saint-Anselme; in reference to that cadastre, northwesterly, the broken line dividing lots 751, 750, 748, 747, 744, 565, 564, 563, 562, 560, 559, 557, 555, 551 and 550 on the one side from lots 752, 754, 753, 755, 756, 746, 745 and 761 on the other side, that is, to the apex of the northwest angle of lot 761; northwesterly and northeasterly, part of the broken line dividing the cadastre of the Paroisse de Saint-Anselme and the cadastres of the parishes of Saint-Isidore and Saint-Henri-de-Lauzon and its extension to the centre line of Rivière Etchemin, the said extension constituting the southeast limit of lot 835 of the cadastre of the Paroisse de Saint-Henri-de-Lauzon; northwesterly, the centre line of the said river being the northeast line of lot 835 of the cadastre of the Paroisse de Saint-Henri-de-Lauzon and the southwest line of lots 1014 and 1015 of the cadastre of the Paroisse de Saint-Anselme to the extension to the southwest of the northwest line of lot 1 of the cadastre of the Paroisse de Saint-Anselme; finally, northeasterly,

the said extension being the northwest line of lot 1015 of the cadastre of the Paroisse de Saint-Anselme and part of the dividing line between the cadastre of the Paroisse de Saint-Anselme and the cadastre of the Paroisse de Saint-Henri-de-Lauzon to the starting point; the said limits describe the territory of the Municipalité de Saint-Anselme.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 6 October 1997

Prepared by (s) \_\_\_\_\_

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