

Municipal Affairs

Gouvernement du Québec

O.C. 1095-98, 26 August 1998

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

Amalgamation of the Village d'Inverness and the
Canton d'Inverness

WHEREAS each of the municipal councils of the Village d'Inverness and the Canton d'Inverness 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 2 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 the Minister 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 Village d'Inverness and the Canton d'Inverness, on the following conditions:

1. The name of the new municipality is "Municipalité d'Inverness".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 6 July 1998; 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 de L'Érable.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum will half the members in office, plus one. The current mayors will alternate each month as mayor and deputy mayor of the provisional council. The mayor of the former Canton d'Inverness will serve first as mayor of the provisional council. Should a mayor of a former municipality be unable to act, the deputy mayor of that former municipality shall take his place.

For the duration of the provisional council, the elected municipal officer shall continue to receive the same remuneration as before the coming into force of this Order in Council.

6. The first meeting of the provisional council shall be held at the school Jean XXIII.

7. The first general election will 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 will be held on the first Sunday of November 2002.

8. At the first general election, the council shall be composed of 7 members, including a mayor and 6 councillors. The councillors' seats shall be numbered from 1 to 6.

For the first general election, the only persons eligible for seats 2 and 5 are the persons who would be so eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if that election were an election of the members of the council of the former Village d'Inverness and the only persons eligible for seats 1, 3, 4 and 6 are the persons who would be so eligible under that Act if that election were an election of the members of the council of the former Canton d'Inverness.

9. The secretary-treasurer of the former Canton d'Inverness shall be the first secretary-treasurer of the new municipality.

10. The secretary-treasurer of the former Village d'Inverness shall act as the assistant secretary-treasurer of the new municipality, until the council composed of persons elected at the first general election decides otherwise in accordance with law.

11. The surplus accumulated in the name of the former Village d'Inverness upon the coming into force of this Order in Council shall be used to repay the balance in principal and interest of the loan taken out under by-law 102 adopted by that former municipality.

Once the operation provided for in the preceding paragraph is carried out, the balance of any surplus accumulated in the name of the former Village, at the end of the last fiscal year for which the 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 used for the carrying out of works in that sector or for tax reductions applicable to all the taxable immovables located therein.

Any surplus accumulated in the name of the former Canton d'Inverness at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for road maintenance in the sector made up of the territory of that former municipality.

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

13. The annual repayment of the instalments in principal and interest on all the loans taken out under by-laws adopted by either municipality before the coming into force of this Order in Council 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 provided for in those by-laws.

14. 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 will 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 reports for the fiscal year preceding the fiscal year in which this Order in Council comes into force.

15. If section 14 applies, the portion of the subsidy granted by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of the amalgamation, 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 for the first year without separate budgets.

16. A working fund of \$40 000 shall be established in the first complete fiscal year in which the new municipality does not apply separate budgets. The money necessary for that fund shall come from the reserve established under section 15.

17. The terms and conditions for apportioning the cost of shared services provided for in the intermunicipal agreements in force before the amalgamation shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

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

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

20. The new municipality 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.

21. This Order in Council will come 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 MUNICIPALITÉ D'INVERNESS, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'ÉRABLE

The current territory of the Canton d'Inverness and of the Village d'Inverness, in the Municipalité régionale de comté de L'Érable, comprising, in reference to the cadastre of the Canton d'Inverness, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 1379 of the cadastre of the Canton d'Inverness; thence, successively, the following lines and demarcations: southeasterly, successively, part of the dividing line between the cadastres of the townships of Inverness and Nelson to the northwestern side of the right of way of Chemin Gosford, the centre line of a public road (Route Townline) separating the cadastre of the Canton d'Inverness from the cadastres of the townships of Nelson and Leeds to the meeting point with the dividing line between the cadastres of the Canton d'Inverness and the cadastre of the Canton de Leeds, then the said line dividing the cadastres to the apex of the eastern angle of the cadastre of the Canton d'Inverness, that line crossing Rivière Bécancour two times, the secondary roads and watercourses that it meets; southwesterly, successively, the dividing line between the cadastre of the Canton d'Inverness and the cadastre of the Canton de Leeds, that line crossing a secondary road and the watercourses that it meets, then the centre line of Route 216 to the dividing line between lots 1412 and 1411 of the cadastre of the Canton d'Inverness; northwesterly, the said line dividing the lots; southwesterly, part of the southeastern line of lot 514 and the southeastern line of lots 442 and 441, that line extended across the watercourses that it meets; northwesterly, part of the dividing line between ranges 7 and 6 to the axis of Chemin Bouteille; southwesterly, the axis of the said road and of Route 267 between lots 358, 298, 297 on one side and lots 357, 356, 296, 294 on the other side, that line extended across a public road and a watercourse that it meets; southerly, the axis of Route 267 to the southwestern side of the fronting road of lots 294 and 293; southeasterly, the southwestern side of the said road to the dividing line between lots 223 and 222; southwesterly, successively, the dividing line between lots 223, 147, 85 and 11 on one side, and lots 222, 146, 84 and 10 on the other side, those lines dividing lots linked together by segments of a range line, that line extended across Route 267, a secondary road and the watercourses that it meets; northwesterly, successively, the centre line of Chemin du 12^e rang and part of the dividing line between the cadastres of the townships of Inverness and Halifax to the northwestern shore of Lac

Saint-Joseph, that line crossing a public road and the watercourses that it meets; in a general northeastern direction, the northwestern shore of the said lake (rivière Bécancour) to the dividing line between ranges 5 and 4; northwesterly, part of the said line dividing the ranges to the dividing line between the cadastre of the Canton d'Inverness and the cadastre of the Municipalité de Somerset-Nord, that line extended across chemin Gosford and the watercourses that it meets; northeasterly, part of the dividing line between the cadastre of the Canton d'Inverness and the cadastres of the Municipalité de Somerset-Nord and of the Canton de Nelson to the centre line of Rivière Bécancour, that line crossing Route 267, the secondary roads and watercourses that it meets; in a general southeastern direction, the centre line of the said river upstream and skirting by the left the islands closest to the left bank and by the right the islands closest to the right bank to the southwestern extension of the northwestern line of lot 1379; finally, northeasterly, the said extension and the northwestern line of the said lot to the starting point; the said limits define the territory of the Municipalité d'Inverness.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 6 July 1998

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