

Municipal Affairs

Gouvernement du Québec

O.C. 1527-98, 16 December 1998

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

Amalgamation of Ville de Coaticook, Canton de Barnston and Canton de Barford

WHEREAS each of the municipal councils of Ville de Coaticook, Canton de Barnston and Canton de Barford 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 three 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 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;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of Ville de Coaticook, Canton de Barnston and Canton de Barford, on the following conditions:

1. The name of the new town shall be “Ville de Coaticook”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 20 October 1998 and attached as a Schedule to this Order in Council.

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

4. The following special legal provisions governing the former Ville de Coaticook shall apply to the new Ville de Coaticook:

— sections 5, 6, 7, 8, 9, 10, 11 and 12 of Chapter 95 of the Statutes of 1989.

5. The new town shall be part of the Municipalité régionale de comté de Coaticook.

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 holding office plus one. The mayor of the former Ville de Coaticook shall act as mayor for the entire duration of the provisional council. The mayors of the former Canton de Barnston and of the former Canton de Barford shall alternate as deputy mayor of the new town every month for the entire term of the provisional council. The mayor of the former Canton de Barford shall be the first to act as deputy mayor.

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

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 of the former municipality of origin of the council member whose seat has become vacant.

Throughout the term of the provisional council, the members of the council shall continue to receive the same remuneration as they received 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 Ville de Coaticook.

8. 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. If the fourth month is January, February or March, the first general election shall be postponed to the third Sunday in April. The second general election shall be held on the first Sunday in November 2003.

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

From the second general election, the council of the new town shall be composed of a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6.

10. 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 Ville de Coaticook shall be eligible for seats 1, 2, 3 and 4, and only those persons who would be eligible under that Act if such election were an election of the council members of the former Canton de Barnston shall be eligible for seats 5 and 6. Seat 7 is open to all eligible persons in accordance with the Act if such election were an election of the council members of the former Canton de Barford.

11. Mr. Roma Fluet, clerk of the former Ville de Coaticook, shall act as first clerk of the new town.

12. If the former municipalities adopted a budget 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.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each 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 reports of those former municipalities for the last fiscal year ending prior to the coming into force of this Order in Council.

13. If section 12 applies, the portion of the subsidy granted 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 town in the first year where no separate budgets are applied.

14. 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 continue to apply until the end of the

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

15. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipalities adopted separate budgets shall be used for the benefit of the ratepayers of the former municipality that accumulated it; it may be used to carry out public works in the sector made up of the territory of that former municipality.

16. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

17. The amounts of money that remain to be received by the former Ville de Coaticook from the Gouvernement du Québec within the Programme de travaux d'infrastructures Canada-Québec and the balance of the selling price of the immovable located at 190 Rue Cutting on the territory of that former town shall be used by the new town for the benefit of ratepayers of the sector made up of the territory of the former Ville de Coaticook.

18. At the end of the last fiscal year for which the municipalities adopted separate budgets, the working funds of the former Ville de Coaticook and of the former Canton de Barnston shall become the working fund of the new town. The moneys borrowed from those funds shall be repaid from the general fund of the new town.

19. For the first ten complete fiscal years following the coming into force of this Order in Council, the new town shall impose, in addition to the general real estate tax, a special real estate tax of \$0.12 per \$100 of assessment on the taxable immovables of the sectors made up of the territories of the former townships of Barford and Barnston.

The amounts of money that come from the tax collected shall constitute a financial reserve used for capital expenditures for the developments existing in the aforementioned sectors.

Any new development carried out in those sectors after the coming into force of this Order in Council may not benefit from the amounts of money constituting the financial reserve.

Moreover, the new town shall try to maintain, for the first five complete fiscal years following the coming into force of this Order in Council, the rate of the general real estate tax for all the territory at \$0.88 per \$100 of assessment.

20. 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 all the territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, provided that such a by-law comes into force within four years following 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 all the territory of the new town.

21. A municipal housing bureau is incorporated under the name of "Office municipal de la Ville de Coaticook".

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

The members of the bureau shall be the members of the former municipal housing bureau in office at the time of the coming into force of this Order in Council.

22. In accordance with the Order in Council concerning the amendment to the agreement respecting the Ville de Coaticook Municipal Court, which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Ville de Coaticook Municipal Court will have jurisdiction over the territory of the new town.

23. Any sum in excess on 31 December 1997 from a loan made by the former Ville de Coaticook, once the object of the by-law accomplished, shall be used for the benefit of the ratepayers of the sector made up of the territory of that former town.

24. 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 the former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of the former municipali-

ties 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.

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 the new municipality.

26. 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 NEW VILLE DE COATICOOK, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE COATICOOK

The current territory of the townships of Barford and Barnston and of Ville de Coaticook, in the Municipalité régionale de comté de Coaticook, comprising, in reference to the cadastres of Coaticook, the townships of Barford and Barnston and of Village de Coaticook, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the dividing line between the townships of Barford and Hereford with the southern line of Canton de Clifton; thence, successively, the following lines and demarcations: southerly, successively, part of the said dividing line between the townships, then the west side of the right-of-way of Route 251 located on the said dividing line between the townships to the dividing line between ranges 10 and 9 of the cadastre of Canton de Barford, that line crossing the road of 10^e-Rang that it meets; in reference to that cadastre, westerly, the said dividing line between the ranges to the western line of lot 6 of Rang 9, that line crossing Rivière Moes that it meets; southerly, successively, the western line of lot 6 of Rang 9 and the western line of lots 6C and 6A of Rang 8, that line extended across two secondary roads that it meets; westerly, part of the dividing line between ranges 8 and 7 to the dividing line between the cadastres of the townships of Barnston and Barford, that line extended across Routes 141 and 147 and Rivière Coaticook that it meets; southerly, the said dividing line between the cadastres to the northern line of the cadastre of Village de Dixville, that line crossing a railway (lot 29 of the cadastre of Canton de Barnston) and a secondary road that it meets; southerly, successively, the dividing line between the cadastres of Canton de Barnston and Village de Dixville,

that line crossing the secondary roads that it meets, then part of the dividing line between the cadastres of the townships of Barnston and Barford following the centre line of Chemin de Stanhope to the Canadian/American border, that line crossing the railway twice (lot 30 of the cadastre of Canton de Barnston), Chemin de Stanhope and Rivière Coaticook that it meets; westerly, part of the said Canadian/American border to the dividing line between lot 11B and lot 10C of Rang 11 of the cadastre of Canton de Barnston, that line crossing the watercourses that it meets; in reference to the latter cadastre, northerly, successively, the dividing line between lots 11B and 11A of lots 10C, 10B and 10A of Rang 11, the dividing line between lots 11E, 11B and 11A and lots 10I, 10H, 10E, 10B, 10C and 10D of Rang 10, the dividing line between lots 11F, 11E, 11C, 11B and 11A and lots 10E, 10C, 10B and 10A of Rang 9, that line extended across two secondary roads that it meets, the dividing line between lots 11B and 11A of lots 10D and 10A of Rang 8, that line extended across a public road that it meets, the dividing line between lots 11D, 11C, 11B and 11A of lots 10D, 10B and 10A of Rang 7, that line extended across two public roads that it meets, the dividing line between lots 11B and 11A and lots 10B and 10A of Rang 6, that line extended across Rivière Niger that it meets, the dividing line between lots 11E, 11C, 11B and 11A and lots 10E, 10F, 10B and 10A of Rang 5, the dividing line between lot 11A and lots 10B and 10A of Rang 4, that line extended across Route 141 that it meets, the dividing line between lots 11D and 11A and lots 10A and 10B of Rang 3, extended across Chemin Ménard that it meets, the dividing line between lots 11C and 11A and lots 10D, 10C, 10B and 10A of Rang 2, that dividing line extended across Ruisseau William and Chemin Moreau that it meets, the dividing line between lots 11B and 11A and lots 10C and 10B of Rang 1; easterly, the dividing line between the Canton de Barnston and the townships of Hatley and Compton, that line crossing the secondary roads that it meets; easterly, the dividing line between the cadastres of Village de Coaticook and Coaticook of the cadastre of Canton de Compton, that line crossing a secondary road, a railway (part of lot 1946 of the cadastre of Village de Coaticook) and Route 147 that it meets; finally, easterly, the dividing line between Canton de Barford and the townships of Compton and Clifton to the starting point, that line crossing Rivière Coaticook, a secondary road, Route 206 and Rivière Moes that it meets; the said limits define the territory of the new Ville de Coaticook.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 20 October 1998

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Land surveyor

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Gouvernement du Québec

O.C. 1528-98, 16 December 1998

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

Amalgamation of Village de Chapeau, Canton de L'Isle-aux-Allumettes and Partie est du Canton de L'Isle-aux-Allumettes

WHEREAS each of the municipal councils of Village de Chapeau, Canton de L'Isle-aux-Allumettes and Partie est du Canton de L'Isle-aux-Allumettes 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 three 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 and Greater Montréal:

THAT the application be granted and that a local municipality be constituted through the amalgamation of Village de Chapeau, Canton de L'Isle-aux-Allumettes and Partie est du Canton de L'Isle-aux-Allumettes, on the following conditions:

1. The name of the new municipality is "Municipalité de L'Isle-aux-Allumettes".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 5 October 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 part of the Municipalité régionale de comté de Pontiac.