

## Municipal Affairs

Gouvernement du Québec

### **O.C. 1571-98, 18 December 1998**

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

Amalgamation of the Ville de Métabetchouan and the  
Municipalité de Lac-à-la-Croix

WHEREAS each of the municipal councils of the Ville de Métabetchouan and the Municipalité de Lac-à-la-Croix 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 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, amended by section 133 of Chapter 93 of the Statutes of 1997, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs, which were approved by the councils of the applicant municipalities;

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 resulting from the amalgamation of the Ville de Métabetchouan and the Municipalité de Lac-à-la-Croix be constituted, under the following conditions:

1. The name of the new town is “Ville de Métabetchouan-Lac-à-la-Croix”.

The council of the new town shall request that the Commission de toponymie du Québec assign the names “Lac-à-la-Croix” and “Métabetchouan” to the sectors of the new town made up of the territory of each of the former municipalities bearing those names.

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 11 November 1998; that description is attached as a Schedule to this Order in Council.

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

4. The new town will be part of the Municipalité régionale de comté de Lac-Saint-Jean-Est.

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 of the members in office plus one. The current mayors will alternate as mayor of the provisional council each month from the date of coming into force of this Order in Council. The mayor of the former Municipalité de Lac-à-la-Croix shall serve first as mayor of the provisional council.

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 per vacant seat shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

By-law 113-96 of the former Ville de Métabetchouan respecting the remuneration of elected municipal officers shall apply to the new town until it is amended by the council of the new town.

The mayor of the former Municipalité de Lac-à-la-Croix and that of the former Ville de Métabetchouan shall continue to sit on the council of the Municipalité régionale de comté de Lac-Saint-Jean-Est until the first general election and shall have the same number of votes as before the coming into force of this Order in Council. Notwithstanding the alternation provided for in the first paragraph, the mayor of the former Municipalité de Lac-à-la-Croix remains qualified to act as warden of the Municipalité régionale de comté de Lac-Saint-Jean-Est, until the first general election.

6. The first sitting of the provisional council shall be held in the town hall of the former Municipalité de Lac-à-la-Croix.

The regular sittings of the provisional council of the new town shall be held on the first and third Mondays of each month, except for the month of January when the sittings shall be held on the second and third Mondays. Their location shall alternate between the town hall of the former Municipalité de Lac-à-la-Croix and that of the former Ville de Métabetchouan.

7. The first general election shall be held on Sunday, 7 November 1999.

8. For the first general election, the territory of the new town shall be divided into six electoral districts in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2). Two of them shall be entirely located in the sector made up of the territory of the former Municipalité de Lac-à-la-Croix and the rest shall be entirely located in the sector made up of the territory of the former Ville de Métabetchouan.

The by-laws dividing the town into electoral districts shall be adopted within four months of the coming into force of this Order in Council and it shall come into force within four months of its adoption.

9. Mr. Laurent Rheault, clerk of the former Ville de Métabetchouan, shall act as the first clerk of the new town.

10. 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 statements of those former municipalities for the fiscal year preceding the year during which this Order in Council comes into force.

11. If section 10 applies, the portion of the subsidy granted by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) for 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 reserved amount taken from the surpluses of the former municipalities for the benefit of the new town.

12. The terms and conditions for the allocation of expenditures for shared services provided for in intermunicipal agreements in force before the coming into force of the Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

13. The working fund of the new town shall be made up of the working funds of the former municipalities as they existed at the end of the last fiscal year for which the former municipalities adopted separate budgets.

The moneys borrowed by the former Ville de Métabetchouan from its working fund under Resolution 112.6.96 (purchase of a 4X4 industrial tractor, with loader and backhoe) shall be repaid by a tax imposed on all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in force each year and following the repayment schedule provided for in that resolution. Any other money borrowed by a former municipality from its working fund shall be repaid by a tax imposed on taxable immovables in the sector made up of its territory on the basis of their value as it appears on the assessment roll in force each year and following the repayment schedule provided for in resolutions of the former councils.

14. Any reserves and surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of ratepayers in the sector made up of the territory of that former municipality. It may be used to carry out public works or capital projects in that sector, to reduce taxes applicable to all the taxable immovables in it or to repay debts charged to it.

15. 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 made up of the territory of that former municipality.

16. The annual payment of instalments in principal and interest on the loan contracted under By-law 202-97 (purchase of the building used as municipal garage) adopted by the former Ville de Métabetchouan shall become chargeable to all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in force each year. The taxation clauses in that by-law shall be amended accordingly.

The annual payment of instalments in principal and interest on all the loans contracted under by-laws adopted by a former municipality before the coming into force of this Order in Council and not covered by the preceding paragraph shall remain charged to the sector made up of the territory of the former municipality that contracted them.

If the new town decides to amend the taxation clauses in those by-laws in accordance with the law, such amendments may affect only the taxable immovables located in the sector made up of the territory of that former municipality.

Should part of the water system of the former Municipalité de Lac-à-la-Croix be linked with the system of the former Ville de Métabetchouan, the annual repayment of the balance in principal and interest of the loan By-law 223-98 (construction of an underground well for drinking water) adopted by the former Ville de Métabetchouan shall become chargeable to all the users of the water system of the former Ville de Métabetchouan and those of the part of the system of the former Municipalité de Lac-à-la-Croix so linked, and the repayment shall be made by a compensation to be fixed annually by the council of the new town.

In such case, the taxation clause in that by-law shall be amended accordingly.

The balance in principal and interest of the amounts due to the Société québécoise d'assainissement des eaux under the agreement signed by the Gouvernement du Québec and the former Municipalité de Métabetchouan on 16 February 1982 shall remain charged to the users of the sewer system of that territory and it shall be repaid by a compensation to be fixed annually by the council of the new town.

The balance in principal and interest of the amounts due to the Société québécoise d'assainissement des eaux under the agreement signed by the Gouvernement du Québec and the former Ville de Métabetchouan on 16 February 1982 shall remain charged to the users of the sewer system of that territory and it shall be repaid by a compensation to be fixed annually by the council of the new town.

17. Any available balance of a loan by-law shall be used to pay the annual instalments in principal and interest on that loan or, if the debt securities were issued for a term shorter than the original term, to reduce the balance of that loan.

If the available balances are used to pay the annual instalments on the loans, the rate of the tax imposed to

pay the instalments shall be reduced so that the revenues from the tax are equivalent to the balance, less the available balance used.

18. If the former Municipalité de Lac-à-la-Croix buys a sand spreader before the coming into force of this Order in Council before the coming into force of this Order in Council, the new town shall pay, up to \$25 000, an amount equivalent to the cost of that purchase into the surplus accumulated on behalf of the former Municipalité de Lac-à-la-Croix. For that purpose, the new town shall impose a tax on all taxable immovables on its territory on the basis of their value as it appears on the assessment roll.

If the payment of the spreader is not made before the coming into force of this Order in Council, the new town shall make the payment and impose a tax on all taxable immovables on its territory on the basis of their value as it appears on the assessment roll.

The expenditure incurred by the former Municipalité de Lac-à-la-Croix for the purchase of the spreader shall be accounted for in the financial statements of the new town.

19. Any expenses for professional services incurred by a former municipality before the coming into force of this Order in Council and that the council of the new town recognizes as resulting from the amalgamation shall be paid by a tax on all the taxable immovables on its territory on the basis of their value as it appears on the assessment roll. Those expenses incurred by a former municipality shall be accounted for in the financial statements of the new town.

20. 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 in the sector made up of the territory of that former municipality.

21. 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 its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the town, provided that such a by-law comes into force within two 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 (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new town.

22. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Métabetchouan-Lac-à-la-Croix".

That municipal bureau shall succeed to the municipal housing bureaus of the former Ville de Métabetchouan and the former Municipalité de Lac-à-la-Croix, which are 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 Métabetchouan-Lac-à-la-Croix 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 municipal housing bureaus of the former Ville de Métabetchouan and the former Municipalité de Lac-à-la-Croix. However, from the first general election held in the new town, the numbers of members shall be reduced to seven, that is, three representatives appointed by the municipal council including at least one representative of the former Municipalité de Lac-à-la-Croix, two representatives appointed by the tenants and two representatives from socio-economic groups appointed by the Minister responsible for the Société d'habitation du Québec.

23. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale de la Ville d'Alma, which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville d'Alma will have jurisdiction over the territory of the new town.

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

25. Until the end of the 2001 fiscal year, the offices of the urban planning and recreational services will be located in the town hall of the former Municipalité de Lac-à-la-Croix and the offices of the administration, public security and public works services shall be located in the town hall of the former Ville de Métabetchouan.

26. Until the end of the 2001 fiscal year, any subsidy granted for local roads by the Gouvernement du Québec or one of its departments, with respect to the sector

made up of the territory of either former municipality shall be used to maintain and improve the roads of that sector exclusively.

27. Any subsidy paid to the new town for works carried out by the former Municipalité de Lac-à-la-Croix or by the former Ville de Métabetchouan shall be used for the exclusive benefit of ratepayers in the sector made up of the former municipality for which that subsidy was paid.

28. This Order in Council comes into force on 1 January 1999 or on the date of its publication in the *Gazette officielle du Québec*, whichever is later.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE VILLE DE MÉTABETCHOUAN-LAC-À-LA-CROIX, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LAC-SAINT-JEAN-EST

The current territory of the Municipalité de Lac-à-la-Croix and of the Ville de Métabetchouan, in the Municipalité régionale de comté de Lac-Saint-Jean-Est, comprising part of the Lac Saint-Jean and of the Rivière La Belle Rivière (no cadastral designation) and, in reference to the cadastres of the townships of Caron and of Métabetchouan, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islets, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northeastern angle of Lot 40 of Rang Nord Chemin Kénogami of the cadastre of the Canton de Caron; thence, successively, the following lines and demarcations: in reference to that cadastre, southerly, successively, the dividing line between lots 40 and 39 in the ranges Nord Chemin Kénogami and Sud Chemin Kénogami; the dividing line between lots 13 and 12 of Rang 1; the line dividing lots 13B and 13A from Lot 12B of Rang 2; the eastern line of lot 13A of Rang 3, those lines extended across Route 169, the Chemin du 2<sup>e</sup> Rang Est and the Chemin du 3<sup>e</sup> Rang Est that they meet; the dividing line between lots 13 and 12 in ranges 4, 5, 6, 7, 8 and 9, that line crossing the Ruisseau de la Belle Rivière and the Route du Parc that it meets; westerly, part of the broken line dividing the cadastres of the townships of Caron and Métabetchouan from the cadastre of the Canton de Saint-Hilaire up to the apex of the southwestern angle of Lot D of Rang 6 of the cadastre of the Canton de Métabetchouan, that line crossing the Lac Caron that it meets; in reference to that cadastre, northerly, successively, the western line of Lot D in ranges 6 and 5 and

part of the western line of Lot D2 of Rang 4 up to its meeting point with the south side of the right-of-way of a public road (shown in the original); in a general westerly direction, the south side of the right-of-way of the said road to its meeting point with the southerly extension of the western line of Lot C2 of Rang 3, that line bordering to the north lots C1 and C2 of Rang 4; northerly, the said extension and the said lot line; westerly, part of the dividing line between ranges 2 and 3 up to the apex of the southwest angle of Lot 12 of Rang 2; northerly, the western line of Lot 12 of Rang 2 and Lot 13 of Rang 1, that line crossing a public road that it meets; westerly, the part of the dividing line between ranges A and 1 up to the apex of the southwest angle of Lot 15C of Rang A; northerly, successively, the western line of the said lot, the western line of Lot 15B of Rang A, that line crossing the railway right-of-way (Lot 26) that it meets and extended in Lac Saint-Jean up to its meeting point with a line parallel to and 152.4 metres (500 feet) from the southeast shore of the said lake; in a general northeasterly direction, the said parallel line up to its meeting point with the extension to the north of the centre line of the Rivière La Belle Rivière, to the mouth of the river; in a general southeasterly direction, the said extension and the centre line of the said river upstream to its meeting point with the extension to the north of the eastern line of Lot 55 of Rang A of the cadastre of the Canton de Caron; in reference to that cadastre, southerly, the said extension and the said line of the lot, that line crossing the Chemin du Rang Sainte-Anne that it meets; finally, easterly, part of the dividing line between Rang Nord Chemin Kénogami and Rang A to the starting point; the said limits define the territory of the Ville de Métabetchouan-Lac-à-la-Croix.

Ministère des Ressources naturelles  
Service de l'arpentage  
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Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

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