

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 MUNICIPALITÉ DE SAINT-ARMAND, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BROME-MISSISQUOI

The current territory of the Municipalité de Saint-Armand and of the Village de Philipsburg, in the municipalité régionale de comté de Brome-Missisquoi, comprising part of Lac Champlain (Baie Missisquoi) without cadastral designation and, in reference to the cadastres of the Paroisse de Saint-Armand-Ouest and of the Village de Philipsburg, the lots and parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northeastern angle of lot 383 of the cadastre of the Paroisse de Saint-Armand-Ouest; thence, successively, the following lines and demarcations: southerly, the dividing line between the cadastres of the parishes of Saint-Armand Ouest and Saint-Armand-Est, that line crossing Chemin des Sapins, Chemin de Saint-Armand and Chemin des Ormes that it meets; westerly, part of the Canada/United States border up to the east shore of Lac Champlain (high water mark), that line crossing Chemin des Érables, Route 235, Benoit, Bradley and Luke roads, Rivière de la Roche, a disused railway right-of-way (lot 385 of the cadastre of the Paroisse de Saint-Armand-Ouest), Autoroute 35 as well as other public roads and watercourses that it meets; northerly, the east shore of the said lake up to its meeting point with the south line of the cadastre of the Village de Philipsburg; in Lac Champlain, westerly, the extension of the south line of the said cadastre over a distance of 182.88 metres; northwesterly, a straight line up to a point situated at a distance of 108.817 metres measured with a bearing of 273°56'27" from the apex of the northwest angle of lot 135 of the said cadastre, the said point being equally situated 15.24 metres west of the wharf; northerly, a straight line up to its meeting point with the westerly extension of the north line of the cadastre of the Village de Philipsburg, 182.88 metres from the east shore of Lac Champlain; easterly, the said extension; successively northerly and westerly, the east shore and the north shore of the said lake up to its meeting point with the dividing line between the cadastres of the parishes of Saint-Armand Ouest and Saint-Georges-de-Clarenceville, that line joining the east and west banks of the Rivière aux Brochets at its mouth;

northeasterly, the said dividing line between the cadastres; finally, easterly, the dividing line between the cadastres of the Paroisse de Saint-Armand-Ouest and the Canton de Stanbridge up to the starting point, that line crossing Rivière aux Brochets, Route 133, Chemin du Moulin, Chemin Marier, Chemin du Rang Saint-Henri, a disused railway right-of-way (lot 385 of the cadastre of the Paroisse de Saint-Armand-Ouest), chemin Pelletier Nord, route 235, chemin du rang des Maurice, chemin Ridge as well as other public roads and watercourses that it meets; the said limits define the territory of the new Municipalité de Saint-Armand.

In this description, the bearing refers to the SCOPQ coordinates NAD 83 (Zone 8) and the distances are given in metres (SI).

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 30 October 1998

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Gouvernement du Québec

**O.C. 21-99, 20 January 1999**

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

Amalgamation of the Village de Sainte-Agathe and the Paroisse de Sainte-Agathe

WHEREAS each of the municipal councils of the Village de Sainte-Agathe and the Paroisse de Sainte-Agathe 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 Greater Montréal, 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 resulting from the amalgamation of the Village de Sainte-Agathe and the Paroisse de Sainte-Agathe be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Sainte-Agathe-de-Lotbinière".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 1 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 will be part of the Municipalité régionale de comté de Lotbinière.

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 mayor of the former Village de Sainte-Agathe and the mayor of the former Paroisse de Sainte-Agathe will alternate as mayor and deputy mayor of the provisional council for two equal periods. The mayor of the former Village de Sainte-Agathe will serve as mayor of the new municipality for the first period.

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.

Throughout the term of the provisional council, the elected municipal officers shall continue to receive the same remuneration as they were receiving before the coming into force of this Order in Council.

The mayor of the former Village de Sainte-Agathe and the mayor of the former Paroisse de Sainte-Agathe will continue to sit on the council of the Municipalité

régionale de comté de Lotbinière until the first general election and they shall have the same number of votes as before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the Centre municipal located in the territory of the former Village de Sainte-Agathe, at 254, rue Saint-Pierre.

7. 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 that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday in February. The second general election shall be held on the first Sunday in November 2002.

The council of the new municipality shall be composed of seven members, that is, a mayor and six 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 Sainte-Agathe, shall be eligible for seats 1, 3 and 5 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Paroisse de Sainte-Agathe, shall be eligible for seats 2, 4 and 6.

9. Ms. Ghislaine Gravel, secretary-treasurer of the former Paroisse de Sainte-Agathe, shall act as the first secretary-treasurer of the new municipality.

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 municipality 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 fiscal year during which this Order in Council comes into force.

11. If section 10 applies, the portion of the subsidy paid 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.

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. The working fund of the former Paroisse de Sainte-Agathe shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of that fund not committed on that date shall be added to the surplus accumulated on behalf of that former municipality and shall be dealt with in accordance with the provisions of section 14.

14. Any 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 the ratepayers in the sector made up of the territory of that former municipality. It may be used to carry out public works in that sector, to reduce the taxes applicable to all the taxable immovables of that sector or to repay debts chargeable to that sector.

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

16. The taxation clauses provided for in By-law 106-96 of the former Village de Sainte-Agathe shall be amended to enlarge the taxed sectors in order to add thereto the taxable immovables in the sector made up of the territory of the former Paroisse de Sainte-Agathe which benefit from the water supply or sewerage works ordered by the By-law.

If the new municipality decides to amend the taxation clauses in that By-law in accordance with law, such amendments may affect only the taxable immovables which benefit from the water supply or sewerage works ordered by the By-law.

17. The acquisition of the immovable located on the non-subdivided part of lot 278 of the official cadastre of

the Paroisse de Saint-Georges by the former Village de Sainte-Agathe for \$40 000 on 24 September 1998 to enlarge the industrial park shall be dealt with as follows:

— an amount of \$4000, representing half the cash payment made by the former Village de Sainte-Agathe, shall be paid into the surplus accumulated on behalf of the former Paroisse de Sainte-Agathe;

— the balance of the sale price, that is, \$32 000, shall become charged to the new municipality which shall continue to repay the seller in accordance with the terms of the contract authorized by resolution 466-08-98 dated 26 August 1998 adopted by the former Village.

18. The annual instalments in principal and interest for all the loans taken under by-laws adopted by a former municipality before the coming into force of this Order in Council and not covered by section 16 shall remain charged to the sector made up of the territory of the former municipality that contracted the loans, in accordance with the taxation clauses in those by-laws.

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

19. Any available balance of loan by-laws shall be used to pay the annual instalments in principal and interest on such loans or, if the debt securities were issued for a term shorter than the original term, to reduce the balance of those loans. If the available balance is 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 be equivalent to the balance, less the used available balance.

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 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 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 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 municipality.

22. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de Sainte-Agathe-de Lotbinière".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Sainte-Agathe 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 Municipalité de Sainte-Agathe-de-Lotbinière 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 bureau of the former Village de Sainte-Agathe.

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

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

25. 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 MUNICIPALITÉ DE SAINTE-AGATHE-DE-LOTBINIÈRE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LOTBINIÈRE**

The current territory of the Village de Sainte-Agathe and of the Paroisse de Sainte-Agathe, in the Municipalité régionale de comté de Lotbinière, comprising, in reference to the cadastres of the parishes of Sainte-Agathe, Saint-Patrice-de Beauvillage and Saint-Sylvestre and of the Canton de Nelson, 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 northeastern angle of lot 1 of the cadastre of the Paroisse de Sainte-Agathe; thence, successively, the following lines and demarcations: in reference to the cadastre of the said parish, southeasterly, the northeastern line of lots 1 to 18 and 26 to 32; northeasterly, the northwestern line of lots 291 to 296 and 298 to 313; southeasterly, successively, the northeastern line of lot 313, a straight line across Route 218 to the apex of the northern angle of lot 314 then the northeastern line of the said lot; northeasterly, part of the northwestern line of lot 360 to the apex of the northern angle of the said lot; southeasterly, the northeastern line of lot 360 in declining order to lot 350; southerly, part of the eastern line of lot 350 to the northern line of lot 249 of the cadastre of the Paroisse de Saint-Sylvestre; in reference to that cadastre, easterly, the northern line of lots 249, 248 and 247; southerly, the eastern line of lots 247, 252, 253, 259 and 260, that line extended across the watercourse and the public road that it meets; westerly the southern line of lot 260; in reference to the cadastre of the Paroisse de Saint-Patrice de Beauvillage, southerly, successively, part of the eastern line of lot 385, the eastern line of lots 386 and 391, that line extended across the public roads and watercourses that it meets and the eastern line of lots 424 and 425, that line extended across Rivière Filkar's that it meets; in reference to the cadastre of the Paroisse de Sainte-Agathe, southeasterly, part of the northeastern line of lot 226 and the northeastern line of lots 224 and 208; southwesterly, the southeastern line of lot 208; northwesterly, part of the southwestern line of the said lot to the northwest side of the right-of-way of the public road (Rang Saint-Michel) limiting to the southeast lots 209 to 222; southwesterly, the northwest side of the right-of-way of the said public road (Rang Saint-Michel) and its extension to the southwest side of the right-of-way of the public road (Route 271) limiting to the northeast lot 207; southeasterly, the southwestern side of the right-of-way of the said public road (Route 271) to the southeastern line of the said lot 207; successively, southwesterly, the southeastern line of lots 207 and 206 then, in reference to the cadastre of the Canton de Nelson the southeastern line of lots 1A, 1B, 2, 3A, 3C, 4, 5A, 5B, 6A, 6B, 7B, 7C and 8B of Rang 16 to the centre line of the right-of-way of the public road limiting to the southwest lots 8B and 8A of the said range, that line crossing Rivière Palmer and a public road that it meets; northwesterly, successively, the centre line of the said public road and its extension to the northwest side of the right-of-way of Chemin Gosford, part of the southwestern line of lot 9 of Rang 14 crossing Rivière Bécancour that it meets, the southwestern line of lot 9D of Rang 13 crossing Rivière Bécancour that it meets, the southwestern line of lot 10

of Rang 12, the southwestern line of lot 10B of Rang 11 crossing Chemin du 11<sup>e</sup> Rang then the northeast side of the right-of-way of Route du 11<sup>e</sup> Rang to the northwestern line of lot 10D of Rang 11; northeasterly, the northwestern line of lots 10D, 10C, 10A, 9C, 9A, 8, 7, 6B, 6A, 5C, 5B, 5A, 4B, 4A, 3, 2D, 2C, 2B, 2A, 1C, 1B and 1A of Rang 11, that line extended across the public road that it meets; in reference to the cadastre of the Paroisse de Sainte-Agathe, northwesterly, successively, the southwestern line of lots 102, 101, 100, 99, 97, 96, 92, 91, 86, 85, 84, 82, 81, 80, 78 in declining order to 70, 68, 67, 66, 65, 64, 63, 61, 60, 57, 56, 55, 54 and 51 in declining order to 36 to the southeast side of the right-of-way of Chemin du 4<sup>e</sup> Rang, that line crossing Route 218, another public road and Rivière du Chêne that it meets, then the northeast side of the right-of-way of Chemin Saint-Joseph Sud to the northern line of lot 33; finally, easterly, successively the said northern line and its extension across Route 271 to the apex of the northwestern angle of lot 1 then the northern line of the said lot to the starting point; the said limits define the territory of the Municipalité de Sainte-Agathe-de-Lotbinière.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 1 October 1998

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