

247, 248-1, 249-1, 182 and 185; the western line of lot 120; part of the northern line of Canton d'Orford to the dividing line between ranges VII and VI of Canton de Brompton; part of the said dividing line between ranges; in reference to the cadastre of that township, the northwestern line of lot 19A in ranges 6, 5 and 4; the northwestern line of lots 19A and 19B of Rang 3 and its extension to the centre line of Rivière Saint-François; the centre line of the said river upstream; the extension and the dividing line between lots 972 and 973 of the cadastre of Canton de Windsor; in reference to the cadastre of that township, part of the dividing line between ranges 14 and 15; the dividing line between lots 954 and 955; part of the dividing line between ranges 13 and 14; part of the dividing line between the townships of Windsor and Stoke; in reference to the cadastre of Canton de Stoke, part of the dividing line between ranges 5 and 4; the southeastern line of lot 9 in ranges 4 and 3; part of the dividing line between ranges 2 and 3; the southeastern line of lot 11D of Rang 2; part of the dividing line between ranges 1 and 2; the southeastern line of lots 12A, 12B and 12C of Rang 1; part of the northern line of Canton d'Ascot to the northwestern line of lot 21A of Rang 3 of the cadastre of Canton de Stoke; in reference to that cadastre, the northwestern line of the said lot and the northwestern line of lots 21B and 21A of Rang 4, 21C, 21B and 21A of Rang 5, 21C and 21A of Rang 6 and 21 of ranges 7 and 8; part of the dividing line between ranges 9 and 8 southeasterly; part of the southeastern line, the northeastern line and part of the northwestern line of Canton de Stoke to the dividing line between ranges 7 and 6 of Canton de Windsor; in reference to the cadastre of that township, part of the dividing line between ranges 7 and 6; the southeastern line of lots 461, 399 and 398; part of the dividing line between ranges 5 and 4; part of the southeastern line of Canton de Shipton; in reference to the cadastre of that township, part of the dividing line between ranges 7 and 6; the northwestern line of lot 4F of Rang 7; part of the dividing line between ranges 8 and 7; the northwestern line of lots 6C and 6A of Rang 8; finally, part of the northeastern line of Canton de Cleveland to the starting point.

The regional county municipality includes the following municipalities: the towns of Richmond, Valcourt and Windsor; the villages of Kingsbury, Melbourne, Saint-Grégoire-de-Greenlay and Lawrenceville; the parishes of Saint-Denis-de-Brompton and Saint-François-Xavier-de-Brompton; the townships of Cleveland, Melbourne and Valcourt; the municipalities of Bonsecours, Maricourt, Racine, Saint-Claude, Sainte-Anne-de-Larochelle, Stoke, Val-Joli and Ulverton.

**Note:** The official description appearing in Order in Council 619-96, published on 12 June 1996 (*G.O.*, Part 2, Vol. 128, No. 24, p. 2681) and defining the limits of the territory of the Municipalité régionale de comté du Val-Saint-François, is amended and replaced by this official description in order to take into account the transfer of the territory of Municipalité d'Ulverton located in the Municipalité régionale de comté de Drummond to that of the Municipalité régionale de comté du Val-Saint-François. The contents of the second paragraph reflect the current situation.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 16 March 1999

Prepared by: JEAN-PIERRE LACROIX,  
*Land surveyor*

MRC-L029/6

3246

Gouvernement du Québec

### **O.C. 1301-99, 1 December 1999**

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

Amalgamation of Municipalité d'Henryville and Village d'Henryville

WHEREAS each of the municipal councils of Village d'Henryville and of Municipalité d'Henryville 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 and Greater Montréal;

WHEREAS no objection to the application was made and the Minister of Municipal Affairs and Greater Montréal 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 with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal which was 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 Village d'Henryville and Municipalité d'Henryville be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Henryville".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 28 July 1999; that description is attached as Schedule A to this Order in Council.

3. The new municipality shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The new municipality shall be part of the Municipalité régionale de comté du Haut-Richelieu.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of the two councils in office at the time of the coming into force of this Order in Council. The quorum shall be half the members in office plus one. The current mayors shall alternate as mayor and deputy mayor of the provisional council for equal periods. The mayor of the former Village d'Henryville shall act as mayor from the coming into force of this Order in Council until the second regular sitting.

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.

The mayor of the former Municipalité d'Henryville and the mayor of the former Village d'Henryville shall continue to sit on the council of the Municipalité régionale de comté du Haut-Richelieu until the first general election and shall have the same number of votes as they had before the coming into force of this Order in Council.

Throughout the term of the provisional council, the elected municipal officers shall continue to receive the

same remuneration as they were receiving prior to the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held at the recreation hall located at 125, rue de l'Église, in the territory of the former village.

7. The first general election shall be held on the last Sunday in March 2000 if this Order in Council comes into force before 15 January 2000; otherwise, it shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. The second general election shall be held on the first Sunday in November 2004.

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 Municipalité d'Henryville 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 Village d'Henryville shall be eligible for seats 5 and 6.

9. Ms. Christiane Veilleux, secretary-treasurer of the former Municipalité d'Henryville, shall act as secretary-treasurer of the new municipality. Ms. Sonia Côté, secretary-treasurer of the former Village d'Henryville, shall act as assistant secretary-treasurer.

10. Any budget adopted by one 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 continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budget of each former municipality 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 it appears in their financial statements for the last fiscal year ending before 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 directly financed with that portion of the subsidy, shall constitute a reserve for the new municipality.

12. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect prior to 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. 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 as follows:

— an amount of \$50 000 shall be taken from the surplus accumulated on behalf of the former Municipalité d'Henryville and added to the surplus accumulated on behalf of the former Village d'Henryville as a contribution towards the renovations to the immovable located at 125, rue de l'Église, in the territory of the former Village d'Henryville; should a subsidy for these renovations be granted, the former Municipalité d'Henryville's contribution shall then be calculated by dividing by 2 the difference between \$100 000 and the amount of the subsidy. Should the surplus accumulated on behalf of the former Municipalité d'Henryville not cover the payment of the contribution, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference;

— an amount of \$17 501 taken from the surplus accumulated on behalf of the former Municipalité d'Henryville and an amount of \$6 129 taken from the surplus accumulated on behalf of the former Village d'Henryville shall be used to pay for the cost of acquiring fire protection equipment. Should the surplus accumulated on behalf of one of the former municipalities not cover its share of the cost, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference;

— an amount of \$8 000 taken from the surplus accumulated on behalf of the former Municipalité

d'Henryville and an amount of \$8 000 taken from the surplus accumulated on behalf of the former Village d'Henryville shall be used to pay the cost of repairs to the exterior rear wall of the community centre located at 109, rue Saint-Jean-Baptiste. Should the surplus accumulated on behalf of one of the former municipalities not cover these costs, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference.

14. Once the operation provided for in section 13 has been carried out, any balance remaining in the accumulated surplus on behalf of a former municipality shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used for carrying out public works in that sector, reducing taxes applicable to all the taxable immovables of that sector or repaying debts charged 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 continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

16. The annual amount payable to the Société québécoise d'assainissement des eaux under the agreement signed on 10 July 1985 between the Government and the former Village d'Henryville shall be charged to all of the users of the sewer system in the new municipality. It shall be paid by means of a compensation rate to be fixed annually by the new municipality.

17. The contributions payable to the Régie intermunicipale d'approvisionnement en eau potable Henryville-Venise with respect to loan by-laws 01-87, 02-89, 01-90, 01-94 and 02-97 contracted by the Régie shall continue to be charged to the users in each of the former municipalities and apportioned in accordance with the agreement. Those contributions shall be paid by means of a compensation rate charged annually to the users in each of the former municipalities.

18. One-half of the amalgamation subsidy granted to the new municipality under the Programme d'aide financière au regroupement municipal (PAFREM) shall be used primarily for the purchase of fire protection and computer equipment and for setting up the municipal office.

19. For the first eight full fiscal years following the coming into force of this Order in Council, and thereafter until the council decides otherwise, 75 % of the

annual operating costs of the street lighting network located in the area described in Schedule B shall continue to be charged to the consumers and 25 % shall be charged to all of the taxable immovables in the new municipality. The portion charged to the consumers shall be paid by means of a compensation rate to be fixed annually by the council.

During that same period, if canalization of Ruisseau Gariépy is carried out, the total cost shall be charged to the riparian owners, less the subsidy granted for the carrying out of that work.

20. Any debt or gain that may result from legal proceedings for an act performed by a former municipality shall continue to be charged or credited to the sector made up of the territory of that former municipality.

21. Should the contribution required under the Act to establish the special local activities financing fund (R.S.Q., c. F-4.01) be continued for the year 2000 or for any subsequent year, it shall continue to be charged to the sector made up of the territory of each former municipality in the proportion determined under the Act.

22. Notwithstanding section 119 of the Act respecting municipal territorial organization, as amended by section 202 of chapter 40 of the Statutes of 1999, the new municipality shall use the values entered on the real estate assessment rolls in effect in the former municipalities for the 1999 fiscal year, updated and adjusted after the coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered on the assessment roll of the former Village d'Henryville shall be divided by its median proportion and multiplied by the median proportion of the real estate assessment roll of the former Municipalité d'Henryville; the median proportions used shall be the ones that were established for the 1999 fiscal year.

The role in effect in the former Municipalité d'Henryville for the 1999 fiscal year and the role of the former Village d'Henryville amended in accordance with the second paragraph of this section shall constitute the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the role shall be those of the former Municipalité d'Henryville. The first fiscal year of the new municipality shall be the third period of application of the role.

23. 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 develop-

ment (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality 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 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 the whole territory of the new municipality.

24. The Régie de service de protection contre les incendies d'Henryville shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets.

25. All the movable and immovable property belonging to the former municipalities shall become the property of the new municipality. However, the immovable located at 125, rue de l'Église, in the territory of the former Village d'Henryville may not be alienated during the mandate of the council elected in the first general election.

26. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale d'Iberville, which is to be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale d'Iberville shall have jurisdiction over the territory of the new municipality.

27. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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

## SCHEDULE A

### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW MUNICIPALITÉ D'HENRYVILLE IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-RICHELIEU

The current territory of Municipalité d'Henryville and of Village d'Henryville, in the Municipalité régionale de comté du Haut-Richelieu, comprising, in reference to the cadastre of Paroisse de Saint-Georges-d'Henryville, 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 northeast angle of lot 240; thence, successively, the following lines and demarcations: southerly, part of the line dividing the cadastres of the parishes of Saint-Georges-d'Henryville and Saint-Sébastien to the centre line of a public road (Route 133) shown in the original and bordering lot 276 to the south-east, that line crossing Rivière du Sud that it meets; northwesterly, the centre line of the said road to its intersection with the southerly extension of the line bordering lots 276 and 277; southerly, the said extension to the south-west side of the right-of-way of the said road; northwesterly, the south-west side of the said right-of-way to the east side of the right-of-way of a public road shown in the original (Rang Lamoureux); successively, southerly, southeasterly and again southerly, the east, north-east and east sides of the right-of-way of the said road to its intersection with the line bordering the cadastres of the parishes of Saint-Georges-d'Henryville and Saint-Georges-de-Clarenceville; in a general westerly direction, successively, the broken line dividing the cadastre of Paroisse de Saint-Georges-d'Henryville and the cadastres of the parishes of Saint-Georges-de-Clarenceville and Saint-Thomas passing through the centre line of Rivière du Sud and the extension of the said line bordering the cadastres in Rivière Richelieu to the centre line of the said river, that broken line crossing the roads, routes and watercourses that it meets; in a general northeasterly direction, the centre line of Rivière Richelieu going downstream and skirting on the east islands 429 to 434 of the cadastre of Paroisse de Saint-Valentin to its intersection with the westerly extension of the north line of lot 85 of the cadastre of Paroisse de Saint-Georges-d'Henryville; in reference to that cadastre, easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Rang Saint-Louis), that line crossing Route 225 that it meets in its second section; northerly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 128; easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Route 133); northwesterly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 210; easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Le Petit-Sabrevois); northerly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 240; lastly, easterly, the said extension and the north line of the said lot to the starting point.

The said limits define the territory of the new Municipalité d'Henryville.

Ministère des Ressources naturelles  
Direction de l'information foncière sur le territoire public  
Division de l'arpentage foncier

Charlesbourg, 28 July 1999

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

H-110/1

## SCHEDULE B

### TECHNICAL DESCRIPTION OF THE URBAN AREA SUBJECT TO THE PUBLIC LIGHTING TAX

#### Sector 1

All of the territory of the former municipality of Village d'Henryville

#### Sector 2

Both sides of Rue de l'Église between Route 133 and Rue Dupont, comprising the following existing addresses:

1129, rue de l'Église  
1133, rue de l'Église

#### Sector 3

The north side of Rue Dupont between Rue de l'Église and Route 133, comprising the following existing addresses:

839, rue Dupont  
843, rue Dupont  
847, rue Dupont  
851, rue Dupont  
857, rue Dupont

#### Sector 4

The north side of Route 133 between Rue Dupont and Rue Patenaude, comprising the following existing addresses:

1171, route 133  
Lot 267-2 (1181), route 133  
1189, route 133  
1221, route 133



**Sector 5**

The north side of Rue Patenaude between Route 133 and its western limit, comprising the following existing addresses:

1015, rue Patenaude  
1039, rue Patenaude  
1051, rue Patenaude  
1057, rue Patenaude  
1065, rue Patenaude  
1071, rue Patenaude

**Sector 6**

Both sides of Rue Phénix, from the limits of the former municipality of Village d'Henryville to the Branch 51 watercourse of Rivière du Sud, comprising the following existing address:

1216, rue Phénix

**Sector 7**

Both sides of Rue Champagnat, from the limits of the former municipality of Village d'Henryville to Rue Marie Rivier, comprising the following existing addresses:

1239, rue Champagnat  
1243, rue Champagnat

**Sector 8**

Both sides of Rue Marie Rivier from Rue Champagnat to Rue St-Joseph, comprising the following existing addresses:

838, rue Marie Rivier  
842, rue Marie Rivier  
850, rue Marie Rivier  
856, rue Marie Rivier

**Sector 9**

Both sides of Rang de l'Église, from the limits of the former municipality of Village d'Henryville to the Branch 51 watercourse of Rivière du Sud on the south side, and to civic address 769, rang de l'Église on the north side, comprising the following existing addresses:

769, rang de l'Église  
774, rang de l'Église  
781, rang de l'Église  
787, rang de l'Église  
788, rang de l'Église  
790, rang de l'Église

**N.B.** Only sectors 1, 3 and 4 are serviced by the public lighting network as of the date of the agreement.

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