

Municipal Affairs

Gouvernement du Québec

O.C. 1274-99, 24 November 1999

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

Amalgamation of Ville d'Asbestos and Municipalité de Trois-Lacs

WHEREAS each of the municipal councils of Ville d'Asbestos and Municipalité de Trois-Lacs 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 objections were sent to the Minister of Municipal Affairs and Greater Montréal, 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 and Greater Montréal:

THAT the application be granted and that a local municipality resulting from the amalgamation of Ville d'Asbestos and Municipalité de Trois-Lacs be constituted, on the following conditions:

1. The name of the new town is "Ville d'Asbestos". However, the town will consult the voters at the first general election and then apply, if need be, for a change of name in accordance with the Act respecting municipal territorial organization.

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 7 September 1999; that description is attached as a Schedule to this Order in Council.

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

4. The new town will be part of the Municipalité régionale de comté d'Asbestos.

5. A provisional council shall hold 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 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 Ville d'Asbestos shall serve first as mayor of the new town.

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 Ville d'Asbestos and the mayor of the former Municipalité de Trois-Lacs shall continue to sit on the council of the Municipalité régionale de comté d'Asbestos 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.

Throughout the term of the provisional council, the elected municipal officers shall receive a remuneration equivalent to that which was in force in the former Ville d'Asbestos before the coming into force of this Order in Council, until the council of the new town decides otherwise.

6. The first sitting of the provisional council shall be held on the second Tuesday following the coming into force of this Order in Council; it shall be held at 7:30 p.m. in the municipal hall of the former Ville d'Asbestos.

7. The first general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. If that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday in February. Likewise, if that date falls on the first Sunday in July, the general election shall be postponed to the first Sunday in September. The second general election shall be held on the first Sunday in November 2003.

The council of the new town 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 and second general elections, 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 de Trois-Lacs*, shall be eligible for seat 2; the Act respecting elections and referendums in municipalities apply to the mayor's seat and to seats 1, 3, 4, 5 and 6.

9. Mr. Yvan Provancher, clerk of the former *Ville d'Asbestos*, will act as the clerk of the new town.

10. If the former municipalities adopted budgets for the fiscal year during which this Order in Council comes into force, they 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 respective populations on 1 January 1999 in accordance with Order in Council 1433-98 dated 27 November 1998 amended by Order in Council 636-99 dated 9 June 1999 respecting the population of municipalities.

11. Amounts paid under the Programme d'aide financière au regroupement municipal (PAFREM) shall be shared between the former municipalities in proportion to their respective populations on 1 January 1999 in accordance with Order in Council 1433-98 dated 27 November 1998 amended by Order in Council 636-99 dated 9 June 1999 respecting the population of municipalities.

12. The terms and conditions for apportioning the costs 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 business tax in force on the territory of the former *Ville d'Asbestos* before the coming into force of this Order in Council shall apply to the territory of the new town, except for the places of business existing on the territory of the former *Municipalité de Trois-Lacs* before the coming into force of this Order in Council, for a five-year period starting from the coming into force of this Order in Council.

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 taxpayers in the sector made up of the territory of the former municipality on whose behalf it was accumulated. It may be used to carry out public works in the sector made up of the territory of that former municipality, to reduce the taxes applicable to all the immovables in that sector or to repay debts chargeable to the whole sector.

15. 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.

16. The balance in principal and interest of all the loans contracted under by-laws adopted by a former 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 contracted them, in accordance with the taxation clauses in those by-laws.

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

17. The balance in principal and interest of the amounts owing to the *Société québécoise d'assainissement des eaux* under the agreement signed between the *Gouvernement du Québec* and the former *Ville d'Asbestos* on 6 November 1984 remains charged to the immovables in the sector made up of the territory of that former town.

18. 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.

19. 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 new town, provided that such a by-law comes into force within six 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 town.

20. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville d'Asbestos".

That municipal bureau shall succeed to the municipal housing bureau of the former Ville d'Asbestos, 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) amended by section 273 of Chapter 40 of the Statutes of 1999 apply to the municipal housing bureau of the new town as if it had been incorporated by letters patent under section 57 of that Act amended by the same section 273.

The members of the bureau shall be the members of the municipal housing bureau of the former Ville d'Asbestos until a new election is held.

21. Notwithstanding section 119 of the Act respecting municipal territorial organization amended by section 202 of Chapter 40 of the Statutes of 1999, the new town shall use the values entered on the real estate assessment rolls of the former municipalities filed for the fiscal years 2000, 2001 and 2002. Those rolls shall become the real estate assessment roll of the new town for the fiscal years 2000, 2001 and 2002.

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

23. 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 VILLE D'ASBESTOS, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ASBESTOS

The current territory of Municipalité de Trois-Lacs and Ville d'Asbestos, in the Municipalité régionale de comté d'Asbestos, comprising in reference to the cadastres of the townships of Shipton, Tingwick and Village d'Asbestos, the lots or parts thereof 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 hereinafter, namely: starting from the meeting point of the centre line of Trois Lacs (Lac Richmond) with the northeastern extension of the dividing line between lots 1166 and 1167 of the cadastre of Canton de Tingwick; thence, successively, the following lines and demarcations: southwesterly, successively, the said extension across Trois Lacs (Lac Richmond) and lots 1160 and 1164 of the cadastre of Canton de Tingwick, the said dividing line between lots then the dividing line between lots 1170 and 1171 of the said cadastre to the dividing line between the cadastres of the townships of Tingwick and Shipton; northwesterly, part of the said line dividing the cadastres to the southeastern line of lot 8C of Rang 1 of the cadastre of Canton de Shipton; in reference to that cadastre, southwesterly, part of the southeastern line of lot 8C of Rang 1 to the apex of the northern angle of lot 7B of Rang 1; successively southeasterly and southwesterly, the northeastern and southeastern lines of the said lot; southeasterly, the northeast side of the right-of-way of a road dividing lots 6A and 6B of the said range to the north side of the right-of-way of another road (shown on the original) crossing lot 6B of Rang 1; in a general easterly direction, the north side of the right-of-way of the said road to the northern extension, across the said road, of the eastern line of lot 5B-17 of Rang 1; southerly, successively, the said extension and the eastern line of lots 5B-17, 5B-3 and 5B-4 of Rang 1; successively easterly and southwesterly, the northern and southeastern lines of lot 5B-4 of Rang 1 to the northeastern side of the right-of-way of a road dividing lots 5A and 5B of Rang 1; successively southeasterly, southerly and southwesterly, the northeast side, the east side and the southeast side of the right-of-way of the said road, crossing lot 4B of Rang 1 in its second section and dividing lots 4B and 4A from lot 3A of Rang 1 in its third section to the dividing line between ranges 1 and 2; northwesterly, part of the said dividing line between the ranges to the southeastern line of lot 4B of Rang 2; southwesterly, successively, the southeastern line of lots 4B and 4A of Rang 2, a straight line across a public road, joining the apex of the southern angle of lot 4A of Rang 2 to the apex of the eastern angle of lot 4C of Rang 3, then the southeastern line of lots 4C and 4B of Rang 3; northwesterly, the southwestern line of lots 4B and 5B of the said range, that line crossing Route 249 that it meets; southwesterly, successively, part of the southeastern line of lot 6C and the southeastern line of lot 6B of the said range; northwesterly, the northeastern line of lots 6A and 7A of the said range; northwesterly, the southeastern line of lot 8A of Rang 3 and part of the southeastern line of lot 8B of Rang 4 to the northwestern side of the new right-of-way of Chemin Saint-Georges Nord; southwesterly, the northwest side of the said right-

of-way, in lot 8B of Rang 4, to the eastern side of the right-of-way of a public road (Chemin Saint-Georges, Danville); northerly, the east side of the said right-of-way along a bearing of $0^{\circ} 42' 50''$ over a distance of 28.37 metres; westerly, crossing the said road and in lot 8B of the said range, a straight line along a bearing of $276^{\circ} 07' 46''$ and measuring 32.48 metres; southerly, a straight line along a bearing of $190^{\circ} 03' 39''$ and measuring 41.56 metres then southeasterly, a straight line along a bearing of $153^{\circ} 42' 08''$ and measuring 36.31 metres to the centre line of a former public road (shown on the original) separating lot 8B from lots 7B, 7F, 7C and 7D of Rang 4; southwesterly, the centre line of the said road along a bearing of $216^{\circ} 55' 48''$ over a distance of 423.45 metres; southeasterly, crossing the right-of-way of the said road and across lot 7D of Rang 4, a straight line along a bearing of $126^{\circ} 55' 48''$ to the west side of the right-of-way of Chemin Saint-Claude; successively southerly and southwesterly, the west and northwest sides of the former and new right-of-way of the said road passing through lots 7D and 7E of Rang 4 and lot 7B of Rang 5 to the intersection of the said right-of-way with the dividing line between lots 7B and 6E of Rang 5; southwesterly, the dividing line between lots 7B and 6E of the said range, crossing Rivière Danville that it meets; northwesterly, part of the dividing line between lots 7B and 7A of Rang 5 to the centre line of Rivière Danville; in a general northwesterly direction, the centre line of the said river downstream, passing to the left of the island located in lot 12B of Rang 5, to the southwestern extension of the southeastern line of lot 14D of Rang 5; successively northeasterly, northerly and northwesterly, the said extension and the southeastern, eastern and northeastern line lot 14D of Rang 5; northeasterly, successively, the northwestern line of lot 14F of the said range, crossing Chemin Haslett (shown on the original) that it meets, the northwestern line of lot 14G of the said range and part of the northwestern line of lot 14H of the said range to a point 262.65 metres to the southwest of the dividing line between ranges 5 and 4 measured along the northwestern line of lot 14H of the said range; northeasterly, a straight line along a bearing of $40^{\circ} 01' 58''$ and measuring 262.59 metres in lot 14H of Rang 5 and 126.60 metres in lot 14 of Rang 4; northeasterly, in lot 14 of Rang 4, successively, the following straight lines: along a bearing of $66^{\circ} 27' 51''$ and measuring 213.19 metres, northeasterly along a bearing of $27^{\circ} 56' 59''$ and measuring 266.37 metres, northerly along a bearing of $358^{\circ} 22' 27''$ and measuring 120.68 metres, northeasterly along a bearing of $37^{\circ} 21' 08''$ and measuring 80.83 metres to the northwestern line of lot 14 of Rang 4 along a bearing of $37^{\circ} 59' 39''$ over a distance of 148.21 metres; southeasterly, a straight line along a bearing of $127^{\circ} 21' 22''$, crossing lots 14 and 13B of Rang 4, to the dividing line between lots 13B and 12E of the said range; northeasterly, part of the dividing line between

lots 12E and 13B of the said range to the west side of the right-of-way of Chemin Haslett (shown on the original) limiting to the east lot 13B of the said range; successively northerly and northeasterly, the west and northwest sides of the right-of-way of the said road limiting to the east lot 13B of the Rang 4 to the southwestern side of the right-of-way of Chemin Taylor (shown on the original); southeasterly, a straight line crossing Chemin Haslett (shown on the original) to the apex of the northern angle of lot 12E-1 of Rang 4; southeasterly, the southwestern line of lot 12E-1 of the said range; northeasterly, successively, the southeastern line of lots 12E-1 of Rang 4 and 12A-18 of Rang 3 and part of the southeastern line of lot 12A-17 of Rang 3 to the southeastern extension of the southwestern line of lot 12A-8 of Rang 3; southeasterly, in lot 12A of Rang 3, the said extension to its meeting point with the southwestern extension of the southeastern line of lot 12A-19 of Rang 3; northeasterly, successively, the said extension and the southeastern line of lots 12A-19 and 12A-20 of Rang 3; northwesterly, part of the northeastern line of lot 12A-20 over a distance of 3.05 metres; northeasterly, a straight line in lot 12A of Rang 3, parallel to the southeastern side of the right-of-way of Chemin Haslett (shown on the original) to the dividing line between lots 12A and 12C-1 of Rang 3; northwesterly, part of the said dividing line between the lots to the northwestern line of lot 12C-1 of Rang 3; northeasterly, the northwestern line of the said lot; northwesterly, a straight line along a bearing of $331^{\circ} 33' 50''$ to the northwest side of the right-of-way of Route 255, the latter line crossing Chemin Haslett (shown on the original), part of lot 13A of Rang 3, lots 13A-3 and 13A-7 of the said range and ending in lot 13A-6 of the said range; northeasterly, the northwestern side of the right-of-way of Route 255 to the northern extension of the western line of lot 12G-97 of Rang 3; northerly, a straight line in lot 12G to its meeting point with the western extension of the northern line of lot 12G-89 of the said range, 91.44 metres (300 feet) from the apex of the northwestern angle of the said lot measured along the said extension; easterly, successively, the said extension over a distance of 91.44 metres (300 feet), the northern line of lots 12G-89 in declining order to 12G-71 of Rang 3, that line crossing Route 255 that it meets, then a straight line in lot 12G-95, parallel to the northern line of lot 12G-61, 36.58 metres (120 feet) from the latter to its meeting point with the dividing line between lots 11D and 12G, corresponding to the apex of the northwestern angle of lot 11D-164 of Rang 3; northeasterly, part of the southeastern line of lot 12G of Rang 3 to the dividing line between Ranges 2 and 3, that line crossing the right-of-way of a railroad (lot 31 of the cadastre of Canton de Shipton) and Route 255 that it meets; northwesterly, part of the said dividing line between ranges to the northwestern line of lot 12A of Rang 3; northeasterly, the northwestern line of lots 12A and 12E

of Rang 2, that line extended to the centre line of Rivière Nicolet Sud Ouest; in a general easterly direction, the centre line of the said river upstream to the northeastern extension of the dividing line between lots 10A and 11C of Rang 2; southwesterly, the said extension to the left bank of the said river; in a general easterly direction, the left bank of the said river to the dividing line between ranges 1 and 2; northwesterly, the extension of the said dividing line between ranges to the centre line of Rivière Nicolet Sud Ouest; finally, in a general easterly direction, successively, the centre line of the current bed of the said river upstream then the centre line of Trois Lacs (Lac Richmond) to the starting point.

The said limits define the territory of the new Ville d'Asbestos.

In this description, the bearings refer to the SCOPQ coordinates NAD 83 (Zone 7) and the distances are given in metres (SI).

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

Charlesbourg, 7 September 1999

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Gouvernement du Québec

O.C. 1275-99, 24 November 1999

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

Amalgamation of the Municipalité de Compton and
the Municipalité de Compton Station

WHEREAS each of the municipal councils of the Municipalité de Compton and the Municipalité de Compton Station 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 objections were sent to the Minister of Municipal Affairs and Greater Montréal, 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 and Greater Montréal:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Municipalité de Compton and the Municipalité de Compton Station be constituted, on the following conditions:

1. The name of the new municipality is "Municipalité de Compton".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 7 September 1999; 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 Coaticook.

5. A provisional council shall hold 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 the members in office plus one. The current mayors will alternate as mayor and deputy mayor of the provisional council for each one-month period beginning on the date of coming into force of this Order in Council. The mayor of the former Municipalité de Compton shall serve first as mayor of the new municipality.

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. If the seat that is or becomes vacant is that of the mayor, the councillors from the mayor's former municipality shall designate by an absolute majority a councillor among them who will be allotted the additional vote; in such a case, the designated councillor shall act as the