

Municipal Affairs

Gouvernement du Québec

O.C. 1486-99, 22 December 1999

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

Amalgamation of Village de Saint-Ulric and Paroisse de Saint-Ulric-de-Matane

WHEREAS each of the municipal councils of Village de Saint-Ulric and Paroisse de Saint-Ulric-de-Matane 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 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 be constituted through the amalgamation of Village de Saint-Ulric and Paroisse de Saint-Ulric-de-Matane, on the following conditions:

1. The name of the new municipality is “Municipalité de Rivière-Blanche”. However, the council 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.

2. The territorial description of the new municipality is the description drawn up by the Minister of Natural Resources on 24 August 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 is part of the Municipalité régionale de comté de Matane.

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 the members in office plus one. The current mayors will alternate as mayor of the provisional council each month. A draw of lots shall determine which of the two mayors will act as mayor for the first month.

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 Village de Saint-Ulric and the mayor of the former Paroisse de Saint-Ulric-de-Matane shall continue to sit on the council of the Municipalité régionale de comté de Matane until the first general election is held and they shall have the same number of votes as before the coming into force of this Order in Council.

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

6. The first sitting of the provisional council shall be held on the second juridical Monday following the coming into force of this Order in Council; it shall be held at 7:30 p.m. at the public hall of the former Paroisse de Saint-Ulric-de-Matane.

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, on Easter Sunday or on 1 July, the first general election shall be postponed to the next Sunday. The second general election shall be held on the first Sunday in November 2003.

The council of the new municipality shall be composed of seven members, that is, a mayor and six coun-

cillors. The councillors' seats shall be numbered from 1 to 6 from the first general election.

8. For the first general election, the only persons eligible for seats 1, 3 and 5 are the 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 members of the council of the former Paroisse de Saint-Ulric-de-Matane and the only persons eligible for seats 2, 4 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Village de Saint-Ulric.

9. Ms. Michèle Paquet, secretary-treasurer of the former Village de Saint-Ulric shall act as secretary-treasurer of the new municipality.

Ms. Louise Coll, secretary-treasurer of the former Paroisse de Saint-Ulric-de-Matane, shall act as deputy secretary-treasurer of the new municipality until the council, composed of persons elected, decides otherwise.

10. Any budget adopted by each 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 must 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 budgets of each of the former municipalities in proportion to their standardized property 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 paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year following the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and directly financed by that portion of the subsidy, shall constitute an amount reserved, from the accumulated surplus of the former municipalities, for the benefit 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 Saint-Ulric-de-Matane shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the fund that is not committed on that date shall be added to the surplus accumulated on behalf of that former municipality.

A new working fund shall be constituted from the surplus accumulated on behalf of each former municipality at the end of the last fiscal year for which it adopted a separate budget. The amount taken from each surplus shall be equal to the lowest surplus of the two, up to \$40 000.

14. Any balance of the 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 of the sector made up of the territory of that former municipality. It may be used for carrying out public works in that sector, for reducing taxes applicable to all the taxable immovables of that sector or for repaying debts charged to all that 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 will continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

16. Sections 11 and 16 of By-law 74-4 and sections 11 and 16 of By-law 75-2 of the former Village de Saint-Ulric are amended to enlarge the sectors in question to add the taxable immovables located in the sector made up of the territory of the former Paroisse de Saint-Ulric-de-Matane that benefit from waterworks and sewer works ordered by those by-laws. If the new municipality decides to amend the taxation clauses in accordance with law, those amendments may apply only to the taxable immovables that benefit from waterworks and sewer works ordered by those by-laws.

17. Paragraph *i* of section 4 of By-law 97-03 of the former Village de Saint-Ulric is amended to enlarge the sector in question to add the taxable immovables located in the sector made up of the territory of the former parish served by the waterworks or sewer system. If the new municipality decides to amend the taxation clause in accordance with law, those amendments may apply only to the taxable immovables served by the waterworks or sewer system.

18. Any debt or gain that may result from legal proceedings for an act performed by a former municipality shall be charged or credited to 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 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 new 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.

20. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Rivière-Blanche".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Saint-Ulric, 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 municipality as if it had been incorporated by letters patent under section 57 of that Act also amended by section 273.

The members of the bureau are the members of the municipal housing bureau of the former Village de Saint-Ulric.

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

21. 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 RIVIÈRE-BLANCHE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MATANE

The current territory of Village de Saint-Ulric and Paroisse de Saint-Ulric-de-Matane, in the Municipalité régionale de comté de Matane, comprising, in reference to the cadastres of the parishes of Saint-Ulric and Notre-Dame-de-L'Assomption-de-MacNider, 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 apex of the northern angle of lot 1A of Rang 3 of the cadastre of Paroisse de Saint-Ulric; thence, successively, the following lines and demarcations: southeasterly, part of the dividing line between the cadastres of the parishes of Saint-Ulric and Saint-Jérôme-de-Matane to the apex of the eastern angle of lot 1A of Rang 5 of the cadastre of Paroisse de Saint-Ulric, that line crossing Route 132, the right-of-way of a railway (lot 29 of the cadastre of Paroisse de Saint-Ulric), Chemin du 4e Rang Est and Chemin du 5e Rang that it meets; southwesterly, the dividing line between ranges 5 and 6 of the said cadastre, that line crossing Route Centrale and Rivière Blanche Sud that it meets; northwesterly, part of the dividing line between the cadastres of Paroisse de Saint-Ulric and Canton de MacNider to the apex of the eastern angle of lot 755 of the cadastre of Paroisse de Notre-Dame-de-L'Assomption-de-MacNider, that line crossing a public road, Lac de la Marne, Lac à Bouleaux, Chemin du Chômage and Lac du Nord that it meets; southwesterly, the southeastern line of lots 755 in declining order to 745 of the said cadastre; northwesterly, the southwestern line of lot 745 of the said cadastre, that line crossing Chemin du 3e Rang de Tartigou that it meets; northeasterly, the northwestern line of lots 745 to 755 of the said cadastre, that line crossing Rivière Tartigou that it meets; northwesterly, part of the dividing line between the cadastres of parishes of Saint-Ulric and Notre-Dame-de-L'Assomption-de-MacNider, crossing a first time Rivière Tartigou, then the extension of the said boundary line of cadastres to the centre line of the said river that bounds to the northwest lot 1G of Rang 1 of the cadastre of Paroisse de Saint-Ulric, that line crossing Chemin du 2e Rang de Tartigou that it meets; in a general northerly direction, the centre line of the said river downstream to the right shore of the St. Lawrence River (normal high water mark); finally, in a general northeasterly direction, the right shore of the said river to the starting point.

Those limits define the territory of Municipalité de Rivière-Blanche.

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

Charlesbourg, 24 August 1999

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