

Municipal Affairs

Gouvernement du Québec

O.C. 5-2000, 12 January 2000

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

Amalgamation of Village de Rougemont and Paroisse de Saint-Michel-de-Rougemont

WHEREAS each of the municipal councils of Village de Rougemont and of Paroisse de Saint-Michel-de-Rougemont 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 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 was 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 Rougemont and Paroisse de Saint-Michel-de-Rougemont, on the following conditions:

1. The name of the new municipality shall be “Municipalité de Rougemont”.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 23 September 1999; that description is attached as a Schedule 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 de Rouville.

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 shall alternate as mayor and deputy mayor at each sitting of the provisional council. The mayor of the former Village de Rougemont shall act as mayor of the new municipality for the first 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.

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

Throughout the term of the provisional council, the mayors of the former municipalities shall continue to be qualified to act within the Municipalité régionale de comté de Rouville.

6. The first sitting of the provisional council shall be held at the town hall located at 61, Chemin Marieville, on the territory of the former parish.

7. The first general election shall be held on the first Sunday of the third month following the coming into force of this Order in Council. If the third month is January, the election shall be postponed to the first Sunday in February. The second general election shall be held in 2003.

8. For the first general election, the council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6.

9. For the first general election, the only persons eligible for seats 1, 2 and 3 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 Village de Rougemont and the only persons eligible for seats 4, 5 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 Paroisse de Saint-Michel-de-Rougemont.

For the second general election, the new municipality shall divide its territory into electoral districts, in accordance with the Act respecting elections and referendums in municipalities.

10. Ms. Louise Berthiaume, director general and secretary-treasurer of the former Village de Rougemont shall act as director general and secretary-treasurer of the new municipality.

11. Any budgets 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 budgets of each former municipality 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.

The subsidy paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year following the amalgamation shall constitute a reserve to be paid into the general fund of the new municipality for the first year in which it does not apply separate budgets.

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. In order to take into account the contribution of the general fund of the former Village de Rougemont to the payment of the hypothec affecting the immovable at 11, Chemin Marieville in Rougemont, purchased by the former village before the coming into force of this Order in Council, the new municipality shall transfer an amount of \$35 000 from the surplus accumulated on behalf of the former Paroisse de Saint-Michel-de-Rougemont into

the surplus accumulated on behalf of the former Village de Rougemont. If there is no surplus accumulated or if it is insufficient, the new municipality shall impose, during the first complete fiscal year following the coming into force of this Order in Council, a special tax on all the taxable immovables in the sector made up of the territory of that former municipality according to their value as it appears on the assessment roll in force.

14. The working fund of the former Village de Rougemont 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 working fund in the amount of \$50 000 shall be constituted for the new municipality from a contribution of which each former municipality's share, taken directly from the surplus accumulated on its behalf, shall be established in proportion to their standardized property value determined in accordance with the Regulation respecting the equalization scheme as it appears in the financial statements of the former municipalities for the fiscal year preceding the year during which this Order in Council comes into force.

If, for a former municipality, there is no surplus accumulated or that surplus is insufficient, the new municipality shall impose, during the first complete fiscal year following the coming into force of this Order in Council, a special tax on all the taxable immovables in the sector made up of the territory of that former municipality according to their value as it appears on the assessment roll in force.

15. An amount of \$50 000 shall be allocated to the general fund of the new municipality from a contribution of which each former municipality's share, taken directly from their accumulated surplus, shall be established in accordance with section 14. The third paragraph of section 14 shall apply *mutatis mutandis*.

16. Any balance of the surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget 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 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.

The amounts in the accumulated surplus that have been reserved by resolution of the council for specific purposes shall be used for the purposes contemplated unless the council of the new municipality decides to use them, in whole or in part, for the benefit of the

ratepayers in the sector made up of the territory of the former municipality that accumulated that surplus for the purposes provided for in the first paragraph.

Notwithstanding the foregoing, the cost of the work for replacing the water main between the main well and the water filtration plant, located on the territories of the former Paroisse de Saint-Michel-de-Rougemont and of Paroisse de Sainte-Angèle-de-Monnoir, for which the former Village de Rougemont reserved amounts, shall be apportioned in accordance with the intermunicipal agreement on the supply of drinking water by Village de Rougemont to Paroisse de Saint-Michel-de-Rougemont in force before the coming into force of this Order in Council; that is: 88.7 % charged to the sector made up of the territory of the former Village de Rougemont and 11.3 % charged to the sector made up of the territory of the former Paroisse de Saint-Michel-de-Rougemont, after deducting any government subsidy related thereto.

17. 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.

18. At the end of the last fiscal year for which the municipalities adopted separate budgets, the annual repayment of instalments in principal and interest of the loan made by the former Village de Rougemont under By-law 220-91 for the part charged to all the taxable immovables of the territory of that former municipality, and the loan made by the former Paroisse de Saint-Michel-de-Rougemont under By-law 189, shall be charged to all the taxable immovables of the territory of the new municipality according to their value as it appears on the assessment roll in force each year.

The taxation clauses of those by-laws shall be amended accordingly.

19. At the end of the last fiscal year for which the municipalities adopted separate budgets, and subject to section 18, the annual repayment of instalments in principal and interest of all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the taxable immovables in the sector made up of the territory of the former municipality that made the loans. If the council of the new municipality decides to amend those by-laws in accordance with the law, those amendments may affect only the taxable immovables located on the territory of that former municipality.

20. If the infrastructure work in Rang Double described in the subsidy application under the "Eaux vives"

program, dated 19 October 1998, is carried out before the end of the last fiscal year for which the former municipalities adopted separate budgets, their cost, after deducting any government subsidy related thereto and any contribution from the sector benefiting therefrom, shall be charged to all the taxable immovables located on the territory of the new municipality in a proportion of 42 % charged to the taxable immovables in the sector made up of the territory of the former Village de Rougemont and 58 % charged to the taxable immovables in the sector made up of the territory of the former Paroisse de Saint-Michel-de-Rougemont.

If the work is carried out after the end of the last fiscal year for which the former municipalities adopted separate budgets, the council of the new municipality shall determine the methods of payment of the work and, where applicable, the method of taxation related thereto.

21. For the first complete fiscal year following the coming into force of this Order in Council, a property tax credit of \$0.04 per \$100 of assessment shall be granted to all the taxable immovables in the sector made up of the territory of the former Village de Rougemont. For the second and third fiscal years, that credit shall be respectively \$0.02 and \$0.01 per \$100 of assessment.

22. For the first complete fiscal year following the coming into force of this Order in Council, the rate of the surtax on non residential immovables in the sector made up of the territory of the former Paroisse de Saint-Michel-de-Rougemont shall be \$0.08 per \$100 of assessment. For the second fiscal year, the rate shall be \$0.17 per \$100 of assessment. For those same fiscal years, the rate of that surtax for the sector made up of the territory of the former Village de Rougemont shall be \$0.35 per \$100 of assessment. For the third fiscal year, the rate shall be standardized for both sectors.

23. Any debt or gain that may result from legal proceedings, for an act performed by a former municipality, shall remain charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

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

25. 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 town, provided that such a by-law comes into force within five years of 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.

26. 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 MUNICIPALITÉ DE ROUGEMONT, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROUVILLE

The current territory of Paroisse de Saint-Michel-de-Rougemont and of Village de Rougemont, in the Municipalité régionale de comté de Rouville, comprising in reference to the cadastres of the parishes of Saint-Césaire, Saint-Damase and Saint-Jean-Baptiste, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way (not shown on the original cadastre), islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the eastern angle of lot 303 of the cadastre of Paroisse de Saint-Damase; thence, successively, the following lines and demarcations: southerly, successively, part of the dividing line between the cadastres of the parishes of Saint-Damase and Saint-Césaire to the apex of the northeastern angle of lot 615 of the cadastre of Paroisse de Saint-Césaire, the eastern line of lots 615 in declining order to 600 then the eastern line of lots 591 to 595; southwesterly, the southeastern line of lot 595 to the northeast side of the right-of-way of Route 112, northwesterly, the northeast side of the right-of-way of the said route to the northeastern extension of lot 489; southwesterly, the said extension and the southeastern line of the said lot, that line crossing the railway (not shown on the original cadastre); northwesterly, the dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Jean-Baptiste and the cadastres of the parishes of Sainte-Angèle and Sainte-Marie-de-Monnoir to the apex of the western angle of lot 475 of the cadastre of Paroisse de Saint-Jean-Baptiste, that line crossing the railway (not shown on the original cadastre), Route 112 and Chemin des Dix-Terres; in reference to the latter cadastre, easterly, the southern line of lots 419

to 421; northwesterly, the southwestern line of lot 462; in a general northeasterly direction, the northwestern line of lots 462 to 469 and 471 to 474; southeasterly, the northeastern line of lot 474; northeasterly, successively, part of the dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Jean-Baptiste then the northwestern line of lots 481, 482, 492, 493, 501, 502, 503 and 504 of the latter cadastre, that line crossing Route 229 that it meets; southeasterly, the northeastern line of lots 504 to 508; notheasterly, part of the dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Jean-Baptiste to the dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Damase; easterly, that latter dividing line of the cadastres; in reference to the cadastre of Paroisse de Saint-Damase, northerly, part of the western line of Rang de Corbin to the northeastern line of lot 355; finally, southeasterly, the northeastern line of lots 355, 354, 353 and 303, to the starting point, that line extended across Route 231 that it meets.

The said limits define the territory of Municipalité de Rougemont.

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

Charlesbourg, 23 September 1999

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 6-2000, 12 January 2000

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

Amalgamation of Paroisse de Saint-Malachie-d'Ormstown and Village d'Ormstown

WHEREAS each of the municipal councils of Paroisse de Saint-Malachie-d'Ormstown and Village d'Ormstown 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);