

Gouvernement du Québec

O.C. 9-2000, 12 January 2000

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

Amalgamation of Ville de Saint-Césaire and Paroisse de Saint-Césaire

WHEREAS each of the municipal councils of Ville de Saint-Césaire and Paroisse de Saint-Césaire 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 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 Ville de Saint-Césaire and Paroisse de Saint-Césaire, on the following conditions:

1. The name of the new town shall be “Ville de Saint-Césaire”.
2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 8 November 1999; that description is attached as Schedule A to this Order in Council.
3. The new town shall be governed by the Cities and Towns Act (R.S.Q., c. C-19).
4. The new town shall be part of 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 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 of the provisional council for two equal periods. The mayor of the former Paroisse de Saint-Césaire shall serve first.

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 de Saint-Césaire and the mayor of the former Paroisse de Saint-Césaire shall continue to sit on the council of Municipalité régionale de comté de Rouville until the first general election and they shall be allotted 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 the same remuneration as that in force for the former Ville de Saint-Césaire at the time of the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held at the public hall of the former Ville de Saint-Césaire.

7. The first general election shall be held on the first Sunday of June 2000. The second general election shall be held in 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 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 Ville de Saint-Césaire 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 the former Paroisse de Saint-Césaire.

For the second general election, the territory of the new town shall be divided into six electoral districts in accordance with the Act respecting elections and referendums in municipalities.

9. Pierre Despars, secretary-treasurer of the former Ville de Saint-Césaire shall act as director general and treasurer of the new town. Louise Benoit, secretary-treasurer of the former Paroisse de Saint-Césaire, shall act as 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 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.

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 a reserve that is paid into the general funds of the new town for the first fiscal year for which it does not apply separate budgets.

12. The subsidy granted under the Programme d'aide financière au regroupement municipal shall be apportioned as follows:

(a) an amount of \$20 000 shall be used to increase the working fund of the new town according to the terms and conditions provided for in section 14;

(b) an amount of \$20 000 shall be paid into the general funds of the new town to finance the special costs related to the amalgamation;

(c) the surplus shall be added to the surplus accumulated on behalf of the former Ville de Saint-Césaire and shall be dealt with in accordance with the provisions of section 15.

13. 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.

14. The working fund of the new town shall be made up of the working fund of each of the former municipalities as it exists at the end of the last fiscal year for which the former municipalities adopted separate budgets and of an amount of \$20 000 taken directly from the subsidy received under the Programme d'aide financière au regroupement municipal.

The sums borrowed from the working fund of each of the former municipalities shall be repaid directly into the general funds of the new town.

15. 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:

(a) an amount of \$50 000 shall be subtracted from the surplus accumulated on behalf of each of the former municipalities and it shall be paid into the general funds of the new town; if a surplus does not comprise at least the amount of \$50 000, the amount that is subtracted from each surplus shall be equal to the amount of the lowest accumulated surplus, or to zero in the case where there is no accumulated surplus for at least one of the former municipalities;

(b) any balance of the surplus accumulated on behalf of the former Ville de Saint-Césaire shall be used for the benefit of the ratepayers in the sector made up of the territory of that former town. It may be used to carry out public works in that sector, to reduce the taxes applicable to all the taxable immovables in that sector or to repay debts charged to that sector; any balance in the surplus accumulated on behalf of the former Paroisse de Saint-Césaire 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 in that sector, to repay debts charged to that sector or to tax credits granted to the users of the waterworks system. The total of tax credits granted to the users of the waterworks system may not exceed \$35 000.

16. 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.

17. Any tax imposed under By-laws 378, 388, 389, 391, 494, 470, 498, 527, 551, 585, 596 and 600 of the former Ville de Saint-Césaire shall be replaced by a tax imposed on all the taxable immovables of the new town

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.

18. Any tax imposed under By-laws 380, 471, 541 and 542 of the former Ville de Saint-Césaire shall be replaced by a tax imposed on all the taxable immovables of the new town that are served by the waterworks system. The taxation clauses of those by-laws shall be amended accordingly.

19. Any tax imposed under By-laws 365, 379, 383, 457, 461, 466, 467, 473, 495, 502, 504, 510, 512, 561, 563, 564, 573 and 591 of the former Ville de Saint-Césaire shall be replaced by a tax imposed on all the taxable immovables of the sectors listed in Schedule B to this Order in Council according to the proportions mentioned in that Schedule. The taxation clauses of those by-laws shall be amended accordingly.

20. If the former Ville de Saint-Césaire adopted, before the coming into force of this Order in Council, a loan by-law ordering waterworks on the crossing of Rivière Yamaska, the repayment of instalments in principal and interest of that loan shall be charged to all the taxable immovables of the new town, served by the waterworks system, on the basis of their value as it appears on the assessment roll in force each year. The taxation clauses of those by-laws shall be amended accordingly.

21. If the former Ville de Saint-Césaire adopted, before the coming into force of this Order in Council, a loan by-law ordering the acquisition of the sports complex of the former Collège de Saint-Césaire, the repayment of instalments in principal and interest of that loan shall be charged to all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in force each year. The taxation clauses of those by-laws shall be amended accordingly.

22. The annual repayment of the instalments in principal and interest of all loans made under the by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 17, 18, 19, 20 and 21, shall be charged to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses provided for in those by-laws. If the new town decides to amend the taxation clauses of those by-laws in accordance with the law, those amendments may only affect the taxable immovables located in the sector made up of the territory of that former municipality.

23. 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.

24. 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 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 (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new town.

25. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Saint-Césaire".

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

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

27. 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

SCHEDULE A

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE SAINT-CÉSAIRE, IN MUNICIPALITÉ RÉGIONALE DE COMTE DE ROUVILLE

The current territory of Paroisse de Saint-Césaire and Ville de Saint-Césaire, in Municipalité régionale de comté de Rouville, comprising in reference to the cadastres of Village de Saint-Césaire and the parishes of Sainte-Angèle, Sainte-Brigide and Saint-Césaire, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, autoroutes, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the two perimeters described hereinafter, namely:

Outside perimeter

Starting from the apex of the northeastern angle of lot 337 of the cadastre of Paroisse de Saint-Césaire; thence, successively, the following lines and demarcations: in reference to the cadastre of Paroisse de Saint-Césaire, in a general southerly direction, successively, the eastern line of lots 337 in declining order to 329, 327 in declining order to 317 and 313 in declining order to 302 then part of the eastern line of lot 301 to the apex of the northwestern angle of lot 50; easterly, successively, the northern line of lot 50, a straight line crossing Chemin Rang Saint-Ours joining the apex of the northeastern angle of the said lot to the apex of the northwestern angle of lot 17 then the northern line of the latter lot; in general southerly and easterly directions, part of the broken dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Paul-d'Abbotsford to the west side of the right-of-way of a public road shown on the original (Route 235) limiting to the east lots 104, 103, 102, 105, 106 and 107 of the cadastre of Paroisse de Saint-Césaire, that line crossing Route 112 and the railway right-of-way that it meets; southerly, the west side of the right-of-way of the said road to the apex of the southeastern angle of lot 107 of the said cadastre; in a general southwesterly direction, part of the dividing line between the cadastres of the parishes of Saint-Césaire and l'Ange-Gardien to the apex of the southern angle of lot 181 of the cadastre of Paroisse de Saint-Césaire, that line passing by the southwest side of the right-of-way of roads Rang Rosalie and Rang Saint-Charles and crossing Autoroute des Cantons-de-l'Est and Chemin Rang Casimir that it meets; in reference to the latter cadastre, northwesterly, the southwestern line of the said lot 181 and its extension to the centre line of the Rivière Yamaska, that line crossing Chemin Rang du Haut-de-la-Rivière Sud that it meets; in a general southerly direction, the centre line of the said river upstream to its meeting point with the southeasterly extension of the

southwestern line of lot 468; northwesterly, the said extension and the southwestern line of lots 468, 467, 466, 465 and 464, that line crossing Chemin Rang du Haut-de-la-Rivière Nord that it meets; northerly, part of the dividing line between the cadastres of the parishes of Saint-Césaire and Sainte-Brigide to the apex of the southern angle of lot 232 of the latter cadastre, that line running along in part Chemin Rang des Écossais and crossing a road (shown on the original) that it meets; in reference to the latter cadastre, northwesterly, part of the southwestern line of lot 232 to the apex of the eastern angle of lot 233, that line crossing Autoroute des Cantons-de-l'Est that it meets; westerly, the southern line of lots 233 to 237; northwesterly, part of the southwestern line of lot 237 to the apex of the southern angle of lot 242; successively northeasterly, northwesterly and southwesterly, the southeastern, northeastern and northwestern lines of the said lot; in a general northwesterly direction, successively, part of the southwestern line of lot 237, the southwestern line of lots 241 and 240, a straight line crossing Chemin Rang Chaffers joining the apex of the western angle of lot 240 to the apex of the southern angle of lot 239, the southwestern line of lots 239, 238, 218 and 219, a straight line crossing Chemin Rang du Pipeline joining the apex of the western angle of lot 219 to the apex of the southern angle of lot 221, the southwestern line of the said lot then its extension crossing Chemin Saint-François (shown on the original) to the northwest side of the right-of-way of the said road; successively northeasterly, northerly and again northeasterly, the northwest side of the said right-of-way to the southwestern line of lot 48 of the cadastre of Paroisse de Sainte-Angèle; in reference to that cadastre, northwesterly, part of the southwestern line of the said lot over a distance of 90.53 metres; in lots 48 and 47, northeasterly, a straight line being at an inside angle of $87^{\circ}27'29''$ with the preceding line and measuring 91.43 metres; in lot 47, successively southeasterly and northeasterly, a straight line being at an inside angle of $92^{\circ}32'25''$ with the preceding line and measuring 84.81 metres then a straight line being at an inside angle of $269^{\circ}42'11''$ with the preceding line and measuring 57.58 metres; in lots 47 and 46, northeasterly, a straight line being at an inside angle of $181^{\circ}37'02''$ with the preceding line and measuring 30.05 metres; in lot 46, northeasterly, successively, a straight line being at an inside angle of $184^{\circ}29'43''$ with the preceding line and measuring 21.22 metres then a straight line being at an inside angle of $185^{\circ}27'41''$ with the preceding line and measuring 21.19 metres; in lots 46 and 45, northeasterly, a straight line being at an inside angle of $184^{\circ}56'35''$ with the preceding line and measuring 65.50 metres; in lots 45 and 44, northeasterly, a straight line being at an inside angle of $176^{\circ}29'36''$ with the preceding line and measuring 69.69 metres, that is, to the northeastern line of lot 44; northwesterly, part of the dividing line between the cadastres of the parishes of Saint-Césaire and

Sainte-Angèle to the apex of the western angle of lot 488 of the cadastre of Paroisse de Saint-Césaire; in reference to that cadastre, northeasterly, the northwestern line of lot 488 and its extension to the northeast side of the right-of-way of Route 112, that line crossing the railway right-of-way that it meets; southeasterly, the northeast side of the right-of-way of the said route to the apex of the western angle of lot 596; northeasterly, the northwestern line of the said lot; in a general northerly direction, successively part of the western line of lot 390 to the apex of the northwestern angle of the said lot then the eastern line of lots 388, 387, 386, 384, 383, 382, 380, 379 in declining order to 356, 354 in declining order to 341 and 339; finally, easterly, part of the dividing line between the cadastres of the parishes of Saint-Césaire and Saint-Damase to the starting point, that line crossing Chemin Rang du Bas-de-la-Rivière Nord, the Rivière Yamaska and Chemin Rang du Bas-de-la-Rivière Sud that it meets.

Inside perimeter

Starting from the meeting point of the southeast side of Chemin Saint-François (shown on the original) and the northeastern line of lot 51 of the cadastre of Paroisse de Sainte-Angèle; thence, successively, the following lines and demarcations: in reference to that cadastre, southwesterly, the southeast side of the right-of-way of the said road to the southwestern line of lot 53-1; successively southeasterly and northeasterly, the southwestern and southeastern lines of the said lot; southeasterly, part of the southwestern line of lot 52 over a distance of 335.68 metres; in lot 53, successively southwesterly and southeasterly, a straight line being at an inside angle of 270°21'25" with the preceding line and measuring 41.58 metres then a straight line being at an inside angle of 89°47'56" with the preceding line and measuring 82.65 metres, that is to the southeastern line of the said lot; northeasterly, part of the southeastern line of lot 53 and the southeastern line of lots 52 and 51; finally, northwesterly, the northeastern line of lot 51 to the starting point.

Those perimeters define the limits of the territory of the new Ville de Saint-Césaire, in Municipalité régionale de comté de Rouville.

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

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SCHEDULE B

TERMS AND CONDITIONS FOR FINANCING CERTAIN LOAN BY-LAWS OF THE FORMER VILLE DE SAINT-CÉSAIRE

By-law number	Sector of the former Ville de Saint-Césaire	Sector of the former Ville de Saint-Césaire served by the waterworks system	Sector of the former Ville de Saint-Césaire served by the sewer system
365	20 %	20 %	60 %
379	—	—	100 %
383	30 %	12 %	58 %
457	17 %	25 %	58 %
461	38 %	19 %	43 %
466	—	100 %	—
467	—	38 %	62 %
473	37 %	15 %	48 %
495	40 %	19 %	41 %
502	24 %	23 %	53 %
504	—	100 %	—
510	35 %	17 %	48 %
512	42 %	23 %	35 %
561	30 %	17 %	53 %
563	33 %	16 %	51 %
564	38 %	16 %	46 %
573	38 %	19 %	43 %
591	34 %	46 %	20 %

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