

Municipal Affairs

Gouvernement du Québec

O.C. 31-2000, 19 January 2000

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

Amalgamation of Ville de Sainte-Anne-des-Monts and
Municipalité de Tourelle

WHEREAS each of the municipal councils of Ville de Sainte-Anne-des-Monts and Municipalité de Tourelle 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 to the application were submitted to the Minister of Municipal Affairs and Greater Montréal and whereas 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 de Sainte-Anne-des-Monts and Municipalité de Tourelle be constituted, on the following conditions:

1. The name of the new town shall be “Ville de Sainte-Anne-des-Monts-Tourelle”.

Notwithstanding the foregoing paragraph, at the first general election, the new town shall consult its qualified voters on whether the name of the new town is to be Ville de Sainte-Anne-des-Monts, Ville de Tourelle or Ville de Sainte-Anne-des-Monts-Tourelle. Following the consultation, if necessary, the council shall apply for a change of name in accordance with the law.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 17 November 1999; that description is attached as a Schedule 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 Denis-Riverin.

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 one-half the members in office plus one.

Until the mayor elected in the first general election assumes office, the mayor of the former Ville de Sainte-Anne-des-Monts shall act as mayor and the mayor of the former Municipalité de Tourelle shall act as deputy mayor.

For each vacant councillor seat on the council of a former municipality at the time of the coming into force of this Order in Council or for each seat that becomes vacant on the provisional council, one additional vote on the provisional council shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

The mayors of the former municipalities shall continue to sit on the Municipalité régionale de comté de Denis-Riverin council until the mayor elected in the first general election begins his term and they 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, and until the council formed by the members elected in the first general election determines otherwise, the by-law respecting the salary of elected officials of the former Ville de Sainte-Anne-des-Monts shall apply to the provisional council and the mayor of the former Municipalité de Tourelle shall receive the same remuneration as he was receiving before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the Salle Gérard C. Gagnon of Polyvalente Gabriel-Le Courtois.

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. However, should that date fall on the first Sunday in January, the first general election shall be held on the first Sunday in February. The second general election shall be held in 2004.

8. The council of the new town shall be composed of seven members, that is, a mayor and six councillors.

9. For the first general election, the new town shall be divided into two electoral districts. The first district shall correspond to the territory of the former *Municipalité de Tourelle* and shall have two councillors and the second district shall correspond to the territory of the former *Ville de Sainte-Anne-des-Monts* and shall have four councillors.

10. Sylvie Lepage shall act as clerk of the new town.

11. Any budget adopted by either former municipality for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new town and the expenditures and revenues shall be accounted for separately.

The subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation shall be paid into the general fund of the new town for the first fiscal year for which separate budgets are not adopted.

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 separate budgets were adopted.

13. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality and it may be used to repay loans contracted by that municipality or to carry out work in that sector.

The available amounts in the working fund of the former *Ville de Sainte-Anne-des-Monts* at the end of the last fiscal year for which separate budgets were adopted shall be considered a surplus and be dealt with in accordance with the first paragraph.

14. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall continue to be

charged to all the taxable immovables in the sector made up of the territory of that former municipality.

15. 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 all the taxable immovables in the sector made up of the territory of that former municipality.

16. The reserved surpluses of a former municipality shall be used for the purposes for which they were reserved.

17. 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 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 town, 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 by the qualified voters of the whole territory of the new town, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

18. As of the first fiscal year following the last fiscal year for which separate budgets were adopted, the annual repayment of the loans contracted under by-laws 398 and 519 of the former *Ville de Sainte-Anne-des-Monts* for repairs to the pumping station shall be made by means of a special tax imposed and levied on all the taxable immovables serviced by the waterworks of the new town on the basis of their taxable value as it appears on the assessment roll.

19. As of the first fiscal year following the last fiscal year for which separate budgets were adopted, the annual repayment of the loans contracted under by-laws 388, 106, 353, 41, 111 and 157 of the former *Ville de Sainte-Anne-des-Monts* shall be made by means of a special tax imposed and levied on all the taxable immovables in the new town on the basis of their taxable value as it appears on the assessment roll.

20. The commitments of the former *Municipalité de Tourelle* under section 20 of the intermunicipal agreement signed between the former municipalities on 7 July 1994 and under Resolution 135-99 of the former *Municipalité de Tourelle* shall be assumed by the

ratepayers of the sector made up of the territory of that former municipality by means of a tax imposed and levied on the taxable immovables in that sector on the basis of their value as it appears on the assessment roll.

21. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Sainte-Anne-des-Monts-Tourelle".

That municipal housing bureau shall succeed the municipal housing bureaus of the former Ville de Sainte-Anne-des-Monts and of the former Municipalité de Tourelle. 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, also amended by the said section 273.

The members of the housing bureau shall be the members of the municipal housing bureaus that it succeeds.

22. The tax on non-residential immovables applicable in the territory of the former Ville de Sainte-Anne-des-Monts shall be maintained and applies in the territory 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 VILLE DE SAINTE-ANNE-DES-MONTS-TOURELLE IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE DENIS-RIVERIN

The current territory of Municipalité de Tourelle and of Ville de Sainte-Anne-des-Monts in Municipalité régionale de comté de Denis-Riverin, comprising, in reference to the cadastres of the fief of Sainte-Anne-des-Monts and of the townships of Cap-Chat, Christie and Tourelle, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the north angle of Lot 1 of Rang 1 of the cadastre of Canton de Christie; thence, successively, the following lines and demarcations: in reference to that cadastre, southerly, the east line of the said lot, that line crossing Route 132 that it meets; westerly, part of the dividing line between ranges 1 and 2 to the dividing line between the cadastres

of the townships of Tourelle and Christie; southeasterly, part of the dividing line between the said cadastres to the apex of the east angle of Lot 56 of Rang 5 of the cadastre of Canton de Tourelle; in reference to that cadastre, southwesterly, the southeast line of the said lot; southeasterly, the northeast line of lots 49 to 54 of Rang 6; southwesterly, part of the dividing line between ranges 6 and 7 to the apex of the north angle of Lot 52 of Rang 7; southeasterly, the northeast line of Lot 52 in ranges 7, 8, 9, 10 and 11; southwesterly, part of the dividing line between the cadastres of the townships of Tourelle and la Potardière to the apex of the south angle of Lot 25 of Rang 11 of the cadastre of Canton de Tourelle, that line crossing the Rivière à la Martre that it meets; in reference to that cadastre, northwesterly, the southwest line of Lot 25 in ranges 11, 10, 9, 8 and 7; southwesterly, part of the dividing line between ranges 6 and 7 to the apex of the south angle of Lot 25 of Rang 6; northwesterly, the southwest line of the said lot; southwesterly, part of the dividing line between ranges 5 and 6 to the dividing line between the cadastres of the townships of Cap-Chat and Tourelle, that line crossing Ruisseau-à-Patates, Lavoie and Odias-Marin routes, the Petite Rivière Sainte-Anne then Route 299 that it meets; southeasterly, part of the dividing line between the said cadastres to the apex of the east angle of Lot 1 of Rang C of the cadastre of Canton de Cap-Chat; in reference to that cadastre, southwesterly, the dividing line between ranges C and D, that line crossing Ruisseau du Lac de la Marne that it meets; northerly, part of the line dividing ranges C, B, and A from Rang Est Rivière Sainte-Anne to the apex of the northeast angle of Lot 16 of that range, that line crossing Ruisseau du Lac de la Marne and Chemin de la Coulée-Levasseur that it meets; westerly, successively, the north line of the said lot, a straight line across the Rivière Sainte-Anne joining the apex of the northwest angle of the said lot to the apex of the northeast angle of Lot 16 of Rang Ouest Rivière Sainte-Anne then the north line of that lot, that line crossing Route de Saint-Joseph-des-Monts that it meets; southerly, part of the line dividing ranges 4, 5 and 6 from Rang Ouest Rivière Sainte-Anne to the line dividing Rang 6 from ranges 7 and 8; westerly, part of the line dividing the said ranges to the apex of the south angle of Lot 23 of Rang 6; northwesterly, the southwest line of the said lot; easterly, part of the dividing line between ranges 6 and 5 to the apex of the south angle of Lot 23 of Rang 5; northwesterly, the southwest line of the said lot; westerly, part of the dividing line between ranges 4 and 5 to the apex of the south angle of Lot 23-2 of Rang 4; northwesterly, the southwest line of the said lot; easterly, part of the dividing line between ranges 4 and 3 to the southwest side of the right-of-way of a road dividing lots 18-2 and 19-1 of Rang 3; northwesterly, successively, the southwest side of the right-of-way of the said road then the dividing line between the said lots; easterly, part of

the dividing line between ranges 3 and 2 to the apex of the south angle of Lot 14-2 of Rang 2; northwesterly, the southwest line of the said lot; westerly, part of the dividing line between ranges 1 and 2 to the apex of the south angle of Lot 41A-4; northwesterly, successively, the southwest line of Lot 41A-4 crossing Route 132 that it meets, the southwest line of Lot 41A-2 of Rang 1 and its extension across a public road shown on the original, the southwest line of Lot 41A-3 of Rang 1 then its extension in the St. Lawrence River for 4.83 kilometres (3 miles); in a general northeasterly direction, an irregular line parallel to the southeast shore of the St. Lawrence River to its meeting point with the northwesterly extension of the northeast line of Lot 36-2 of Block B of the cadastre of Canton de Tourelle; southeasterly, the said extension for 4.83 kilometres (3 miles); finally, in a general northeasterly direction, the southeast shore of the St. Lawrence River to the starting point.

The said limits define the territory of Ville de Sainte-Anne-des-Monts-Tourelle in Municipalité régionale de comté de Denis-Riverin.

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

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