

Municipal Affairs

Gouvernement du Québec

O.C. 65-2000, 26 January 2000

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

Amalgamation of Ville de Rouyn-Noranda and
Municipalité de Beaudry

WHEREAS both the municipal councils of Ville de Rouyn-Noranda and Municipalité de Beaudry adopted by-laws 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 she 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 Rouyn-Noranda and Municipalité de Beaudry be constituted, on the following conditions:

1. The name of the new town shall be “Ville de Rouyn-Noranda”.

2. The description of the territory of the new town is the description that was drawn up by the Minister of Natural Resources on 8 October 1999; it 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 Rouyn-Noranda.

5. The following special legislative provisions that governed the former Ville de Rouyn-Noranda shall apply to the new town:

— sections 4, 21 and 38 of chapter 63 of the Statutes of 1948; and

— sections 5 and 6 of chapter 94 of the Statutes of 1950.

6. Until the first general election, the territory of the former Municipalité de Beaudry shall form an electoral district, within the meaning of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), which is added to the eight electoral districts of the former Ville de Rouyn-Noranda.

7. A provisional council shall hold office until the first general election. It shall be composed of all the members of the council of the former Ville de Rouyn-Noranda at the time of the coming into force of this Order in Council and a representative of the former Municipalité de Beaudry. The quorum shall be half of the members in office plus one. The mayor of the former Municipalité de Beaudry shall be the representative of the new electoral district made up of the territory of that municipality; in the event of the resignation or unavailability of the representative of the former Municipalité de Beaudry, the members of the council of the former Municipalité de Beaudry shall replace the representative in the following order:

- Ms. Sylvie Savard
- Ms. Rita Girard
- Mr. Paul Dufour
- Ms. Françoise Bégin
- Mr. Marcel Maheux.

The mayor of the former Ville de Rouyn-Noranda shall serve as mayor of the new town for the duration of the provisional council. The mayor of the former Municipalité de Beaudry shall serve as deputy mayor for the first four months following the coming into force of this Order in Council.

By-law 46 of the former Ville de Rouyn-Noranda with respect to the remuneration of elected officers shall apply to the new town until the town council amends it.

8. The first meeting of the provisional council shall be held in the council hall of the Rouyn-Noranda town hall, at 100, Taschereau Est.

9. The first general election shall be held on the first Sunday of November 2002 and the second general election on the first Sunday of November 2006.

For the first general election, the council of the new town shall be formed of the mayor and eight councillors. The territory of the new town shall be divided into eight electoral districts in accordance with the Act respecting elections and referendums in municipalities. The third, fourth and fifth paragraphs of section 8 of Order in Council 1538-95 dated 29 November 1995 amalgamating Ville de Rouyn-Noranda and Municipalité de Saint-Guillaume-de-Granada shall continue to apply to the new town.

10. Daniel Samson, clerk of Ville de Rouyn-Noranda, shall act as first 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 new town council and the expenditures and revenues shall be accounted for separately as if those municipalities had continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budget of each former municipality in proportion to its 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 appearing in the financial statements of those municipalities for the fiscal year preceding that in which this Order in Council came into force.

12. If section 11 applies, the portion of the subsidy granted by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and funded with that portion of the subsidy, shall constitute a reserve to be transferred to the general fund of the new town for the first fiscal year in which the new town does not apply separate budgets.

13. The terms and conditions for apportioning the cost of the shared services provided for in intermunicipal agreements in effect before the coming into force of the 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 former Ville de Rouyn-Noranda, as it existed at the end of the last fiscal year for which the former municipalities adopted separate budgets, shall constitute the working fund of the new town. The amounts borrowed shall be repaid in accordance with section 569 of the Cities and Towns Act, amended by section 51 of chapter 40 of the Statutes of 1999, into the working fund of the new town.

15. Any reserve or 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 ratepayers in the sector made up of the territory of the former municipality. The amounts may be used to carry out public works in the sector, to reduce taxes for all the sector's taxable immovables or to repay any debts contracted on its behalf. The surplus accumulated on behalf of the former Municipalité de Beaudry shall be used primarily for the drainage of aerated ponds and for other capital expenditures approved by the new council.

Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

16. The new town shall earmark \$100 000 out of the amount received under the Programme d'aide financière au regroupement municipal (PAFREM) for payment to the Commission scolaire de Rouyn-Noranda as a contribution to the recreational equipment, recreational activities and a public library that will be set up and shared as part of the proposed construction of an elementary school in the sector made up of the territory of the former Municipalité de Beaudry.

Two additional amounts of \$50 000 received under the program shall be used respectively for the exclusive benefit of the ratepayers of the sector made up of the territory of the former Municipalité de Beaudry and for the ratepayers of the sector made up of the territory of the former Ville de Rouyn-Noranda; the amounts may be used for public works in the sector made up of the territory of the former municipality, for tax reductions applicable to the taxable immovables in that sector or for the repayment of its debts. With respect to the sector made up of the territory of the former Municipalité de Beaudry, the amount shall be used primarily for:

— surface treatment for ranges des Trembles, des Collines, de la Carrière, de la Sablière, de la Montagne,

for Chemin Beauchastel, Rue du Parc and Rue des Pionniers and for part of Rue Clément;

— surface drainage for the town centre.

17. Any tax levied under the loan by-laws of any of the former municipalities that is chargeable to one of its sectors shall continue to be levied by the new town, in accordance with the taxation clauses provided for in the by-laws.

18. Any tax levied under the following by-laws of a former municipality shall be replaced by a tax charged to all the taxable immovables of the new town:

(a) with respect to the former Ville de Rouyn-Noranda:

— By-laws 16, 24, 60, 84, 85, 86, 88, 118, 132, 154, 160, 178, 180, 189, 235, 239, 291, 293, 343, 402, 96-033, 97-058, 97-077, 97-081, 98-101, 98-114, 99-141, 99-142 and 99-147 in their entirety, By-law 94-09 of the former Municipalité de Lac-Dufault and By-law 105-91 of the former Municipalité de Saint-Guillaume-de-Granada in their entirety and:

- By-law 131, in a 40 % proportion;
- By-law 232, in an 82.7 % proportion;
- By-law 340, in a 24 % proportion;
- By-law 98-105, in a 34 % proportion;
- By-law 98-113, in a 13 % proportion;
- By-law 99-140, in a 40 % proportion;
- By-law 99-146, in a 20 % proportion; and

any other by-law adopted before the coming into force of this Order in Council that concerns:

- the purchase of additional equipment for the municipal library;
- the development of the cycleway network;
- the purchase of a hydraulic spreader;
- changes to zoning plans and by-laws;
- repairs to the La Source soccer field;
- the relocation of the lighting at the Mouska 3 ball park;

— the installation of an elevator at the Club de l'âge d'or de Noranda;

— the rebuilding of the shores of Lac Osisko;

— the identification of the Théâtre du Cuivre;

— energy saving measures implemented in the sector of the arenas;

— the development of Parc Lauzon.

(b) with respect to the former Municipalité de Beaudry:

— By-law 93-03 in its entirety;

— By-law 94-04 in its entirety.

A special tax is therefore imposed and shall be charged to all the taxable immovables of the new town based on their value as it appears on the assessment roll in effect each year. The by-laws' taxation clauses shall be amended accordingly.

19. The amounts owed by the former Municipalité de Saint-Guillaume-de-Granada to the Fabrique de Granada concerning the purchase of land carried out under resolution 92-07-3795 shall also be charged to all the taxable immovables of the new town, based on their value as it appears on the assessment roll in effect each year.

20. Subject to section 12 of the letters patent of 5 July 1986 amalgamating Ville de Rouyn and Ville de Noranda, to the first and second paragraphs of section 17 of Order in Council 1538-95 dated 29 November 1995 amalgamating Ville de Rouyn-Noranda and Municipalité de Saint-Guillaume-de-Granada, to section 17 and the first paragraph of section 20 of Order in Council 12-97 dated 15 January 1997 amalgamating Ville de Rouyn-Noranda and Municipalité de Lac-Dufault, the balance, in principal and interest, of all the loan by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 17 and 18 of this Order in Council, shall remain chargeable to the sector made up of the territory of the former municipality for which they were contracted, in accordance with those by-laws' taxation clauses. If the new town decides to amend the by-law taxation clauses in accordance with the law, the amendments may only concern the taxable immovables located in the sector made up of the territory of the former municipality.

In accordance with sections 14, 15 and 16 of the letters patent of 5 July 1986 amalgamating Ville de Rouyn and Ville de Noranda, with the third paragraph of

section 17 of Order in Council 1538-95 dated 29 November 1995 amalgamating Ville de Rouyn-Noranda and Municipalité de Saint-Guillaume-de-Granada, and with the second paragraph of section 20 of Order in Council 12-97 dated 15 January 1997 amalgamating Ville de Rouyn-Noranda and Municipalité de Lac-Dufault, the amounts owed to the Société québécoise d'assainissement des eaux under any agreement between the Gouvernement du Québec and a former municipality shall remain charged to the ratepayers of the sector made up of the former municipality.

21. Any available balance of loan by-laws of a former municipality shall be used to pay the annual instalments in principal and interest on the loans or, if the debt securities were issued for a term shorter than the original term, to reduce the balance of the loans.

If the available balances are used to pay the annual instalments on the loans, the rate of the tax imposed to pay the instalments shall be reduced so that the revenues from the tax are equivalent to the balance, less the available balance used.

22. Notwithstanding section 119 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), amended by section 202 of chapter 40 of the Statutes of 1999, the new town shall use, from the coming into force of this Order in Council, the values entered on the assessment roll in effect for the 2000 fiscal year for each former municipality, adjusted in accordance with the second paragraph.

The adjustment shall be as follows: the values entered on the assessment roll of the former Municipalité de Beaudry shall be divided by the median proportion of the roll and multiplied by the median proportion of the roll of the former Ville de Rouyn-Noranda, using the median proportion established for the 2000 fiscal year for Ville de Rouyn-Noranda and that established for the 1999 fiscal year for Municipalité de Beaudry.

The roll of the new town for its first fiscal year shall be made up of the roll in effect for the former Ville de Rouyn-Noranda for the 2000 fiscal year and the roll of the former Municipalité de Beaudry, amended in accordance with the second paragraph. The median proportion and the comparative factor of the roll shall be those of the former Ville de Rouyn-Noranda. The first fiscal year of the new town shall be the first year of application of the roll.

23. 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.

24. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de Rouyn-Noranda".

That municipal bureau shall succeed to the municipal housing bureau of the former Ville de Rouyn-Noranda, 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, shall apply to the municipal housing bureau of the new town as if it had been constituted by letters patent under section 57 of the Act which is also amended by section 273.

The members of the bureau shall be the members of the municipal housing bureau of the former Ville de Rouyn-Noranda.

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 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 entire territory of the town, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

The qualified voters of the entire territory of the new town shall approve such a by-law, in accordance with the Act respecting elections and referendums in municipalities,

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

Notwithstanding the above, the proceeds of the sale of land that is part of the land reserve of the former Municipalité de Beaudry shall be used exclusively for the benefit of the ratepayers of the sector made up of the territory of the former municipality; they will be used primarily for lighting and infrastructure work on Rue du Parc, including the development of the waterworks and sewer systems, and for road and land development related to the development project of the former Route 391.

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

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE ROUYN-NORANDA, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROUYN-NORANDA

The current territory of Municipalité de Beaudry and Ville de Rouyn-Noranda, in Municipalité régionale de comté de Rouyn-Noranda, comprising, in reference to the cadastres of the towns of Noranda and Rouyn, the townships of Beauchastel, Bellecombe, Dufresnoy, Duprat, Joannès, Montbeillard and Rouyn, the lots or parts of lots, blocks or parts of blocks and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, lakes, water-courses or parts thereof, within the two perimeters described hereafter, namely:

First perimeter

Starting from the apex of the northeast angle of Lot 44 of Rang 3 of the cadastre of Canton Dufresnoy; thence, successively, the following lines and demarcations: southerly, the east line of Lot 44 in ranges 3, 2 and 1 of the said cadastre; easterly, part of the dividing line between the cadastres of the townships of Rouyn and Dufresnoy to the centre line of Rivière Kinojévis; in general southerly and southwesterly directions, successively, the centre line of the said river, without exceeding the dividing line between the cadastres of the townships of Rouyn and Joannès, then the centre line of Lac Routhier to its meeting point with the extension of the dividing line between ranges 7 Nord and 7 Sud of the cadastre of Canton de Rouyn; in reference to that cadastre, westerly, the said extension and part of the dividing line between the said ranges to the east line of Lot 38 of Rang 7 Sud; southerly, the east line of the said lot; westerly, part of the dividing line between ranges 7 Sud and 6 Nord to the northeast line of Bloc 163; in a general southwesterly direction, the broken line dividing blocks 163 and 162 and lots 38, 37 and 36 of Rang 6 Nord; westerly, in lots 36 and 35 of the said range, a straight line to the centre line of a brook to its mouth in Lac Rouyn; in a general southwesterly direction, the centre line of the said brook to the dividing line between ranges 6 Nord and 6 Sud; westerly, part of the dividing line between the said ranges to the east line of Lot 25 of Rang 6 Nord; northerly, the east line of the said lot; southwesterly, part of the northwest line of ranges 6 Nord and 6 Sud to the east line of Lot 22 of Rang 6 Sud; southerly, successively, the east line of the said lot then part of the east line of Lot 22 of Rang 5 to its meeting point with the centre line of the said range; easterly, the centre line of the said range to the dividing line between lots 40B and 41 B of Rang 5; southerly, successively, part of the said dividing line between lots, the dividing line between lots 40C and 40A and lots 41C and 41A of

the said range then the east line of Lot 40 of Rang 4; part of the dividing line between ranges 3 and 4, in an easterly direction, crossing Lac Vallet, to the east line of the cadastre of Canton de Rouyn; successively, southerly and westerly, part of the east and south lines of the said cadastre to the centre line of Lac Kinojévis; in southwesterly and northwesterly directions, successively, the centre line of the said lake and the centre line of the river connecting that lake to Lac Bruyère to the south line of the cadastre of Canton de Rouyn, the centre line of Lac Kinojévis passing between lots 55B, 54B, 53B and 52B and lots 55A, 54A, 53A, 52A, 51, 50, 49A and 48 of Rang 10 of the cadastre of Canton de Bellecombe; westerly, part of the south line of the cadastre of Canton de Rouyn to the apex of the northeast angle of Lot 8 of Rang 10 of the cadastre of Canton de Bellecombe; southerly, the east line of Lot 8 in ranges 10 and 9 of the said cadastre; westerly, part of the dividing line between ranges 9 and 8 of the said cadastre to the dividing line between the cadastres of the townships of Montbeillard and Bellecombe; southerly, the dividing line between the cadastres of the said townships to the apex of the southeast angle of Lot 62 of Rang 5 of the cadastre of Canton de Montbeillard; in reference to that cadastre, westerly, part of the dividing line between ranges 5 and 4 and its extension to the centre line of Lac Provancher; in a general northerly direction, successively, the centre line of the said lake, the centre line of the river connecting that lake to Lac Montbeillard and the centre line of the latter to its meeting point with the extension of the dividing line between ranges 6 and 5; westerly, the said extension and part of the dividing line between the ranges to the east side of the right-of-way of Route 391; northerly, the east side of the said right-of-way to its meeting point with the easterly extension of the north side of the right-of-way of the public road between ranges 6 and 5; westerly, the said extension and the north side of the said right-of-way to its meeting point with the east line of Lot 34A of Rang 6; southerly, the extension of the east line of the said lot to the south side of the said right-of-way; westerly, the south side of the said right-of-way to the west line of Lot 32 of Rang 6; northerly, the west line of Lot 32 in ranges 6 and 7; westerly, part of the dividing line between ranges 8 and 7 to the apex of the southwest angle of Lot 20 of Rang 8; northerly, the west line of the said lot; westerly, part of the dividing line between ranges 9 and 8 to the apex of the southeast angle of Lot 18 of Rang 9; northerly, the west line of the said lot; easterly, part of the dividing line between ranges 9 and 10 to the apex of the southwest angle of Lot 26 of Rang 10; northerly, the west line of the said lot; westerly, part of the dividing line between the cadastres of the townships of Beauchastel and Montbeillard to the apex of the southwest angle of Lot 25 of Rang 1 of the cadastre of Canton de Beauchastel; in reference to that cadastre, northerly, the west line of

Lot 25 in ranges 1 and 2; easterly, part of the dividing line between ranges 2 and 3 to the apex of the southwest angle of Lot 32 of Rang 3; northerly, the west line of the said lot; part of the dividing line between ranges 3 and 4, easterly and crossing Rivière Pelletier, to the dividing line between lots 53B and 52B of Rang 4; northerly, the dividing line between lots 53B, 53A and 53C and lots 52B, 52A and 52C of the said range, that line extended across the public roads and watercourses that it meets; easterly, part of the dividing line between ranges 4 and 5 to the dividing line between lots 58A and 57B of Rang 5; northerly, the dividing line between lots 58A and 58B and lots 57B and 57A of Rang 5; that line extended across the public roads and watercourses that it meets; easterly, part of the dividing line between ranges 5 and 6 to the west line of the cadastre of Canton de Rouyn; northerly, part of the west line of the said cadastre to the dividing line between the cadastres of the townships of Duprat and Beauchastel; westerly, part of the dividing line between the cadastres of the said townships to the west line of Lot 43 of Rang 1 of the cadastre of Canton de Duprat; in reference to that cadastre, northerly, the west line of the said lot; easterly, part of the dividing line between ranges 1 and 2 to the west line of Bloc 124; successively, northerly and northeasterly, part of the west line and the northwest line of the said block; easterly, successively, the north line of blocks 122, 120 and 37; southerly, part of the dividing line between the cadastres of the townships of Dufresnoy and Duprat to the north line of Bloc 58 of the cadastre of Canton de Dufresnoy; in reference to that cadastre, easterly, the north line of blocks 58, 172 and 1A; successively northerly, easterly and southerly, part of the west line, the north line and part of the east line of Bloc 53A to the dividing line between lots 75 and 76 of Rang Ouest of Chemin Macamic; easterly, successively, the dividing line between the said lots, its extension across the right-of-way of Route 101, the south line of Lot 75A of Rang Est of Chemin Macamic then the extension of that line in Lac Dufault to the west line of Lot 75B of the said range, the west line being the shore of the said lake, in general southerly and easterly directions, the shore of the said lake to the southeast extremity of Lot 75D of the said range; in Lac Dufault, northeasterly, a straight line to the meeting point of the southern extension of the dividing line between Lot 32 and Lot 33 of Rang 3 with the western extension of the dividing line between ranges 2 and 3, that line passing south of Île 61 and north of Île 107; northerly, the extension and the dividing line between Lot 32 and Lot 33 of Rang 3, that extension skirting Île 35 to the east; easterly, part of the dividing line between ranges 3 and 4 to the starting point.

Second perimeter

Starting from the meeting point of the southwest side of the right-of-way of Route 117 and the east line of

Lot 15B of Rang 5 of the cadastre of Canton de Joannès; thence, successively, the following lines and demarcations: in reference to that cadastre, in northwesterly and westerly directions, the southwest side of the right-of-way of the said route to the east line of Lot 9 of Rang 5; southerly, part of the east line of the said lot over a distance of 300 metres; in lots 9, 8A, 7A and 6 of Rang 5, a straight line having an azimuth of 244°00' in reference to the centre line of Canton Joannès to the east line of Lot 5 of the said range; southerly, part of the east line of the said lot to the dividing line between ranges 5 and 4; easterly, part of the dividing line between the said ranges to the dividing line between Lot 15A and Lot 15B and Lot 16A of Rang 5; northerly, the said dividing line between the lots to the starting point.

The said perimeters define the territory of the new Ville de Rouyn-Noranda.

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

Charlesbourg, 8 October 1999

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R-166/1

3396

Gouvernement du Québec

O.C. 66-2000, 26 January 2000

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

Amalgamation of Village de L'Isle-Verte and
Municipalité de Saint-Jean-Baptiste-de-l'Isle-Verte

WHEREAS each of the municipal councils of Village de L'Isle-Verte and Municipalité de Saint-Jean-Baptiste-de-l'Isle-Verte 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 Minis-