

The said limits define the territory of Municipalité de L'Isle-Verte.

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

Charlesbourg, 14 October 1999

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

L-358/1

3395

Gouvernement du Québec

O.C. 67-2000, 26 January 2000

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

Amalgamation of Municipalité de Weedon and Village de Saint-Gérard

WHEREAS each of the municipal councils of Municipalité de Weedon and Village de Saint-Gérard 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 resulting from the amalgamation of Municipalité de Weedon and Village de Saint-Gérard be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Weedon".

The council of the new municipality shall apply to the Commission de toponymie du Québec to request that the name "Saint-Gérard" be attributed to the sector of the new municipality corresponding to the territory of the former Municipalité de Saint-Gérard.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 28 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 will be part of Municipalité régionale du Haut-Saint-François.

5. A provisional council shall hold office until the first general election. It shall be composed of all the council members of the former Municipalité de Weedon and of four elected officers representing the former Village de Saint-Gérard. The mayor and the councillors on seats 1, 2 and 5 of the former Village de Saint-Gérard shall be the representatives of that former municipality. The quorum shall be half the members in office plus one. The mayor of Municipalité de Weedon will be the mayor of the provisional council for all the duration of the provisional council.

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 per vacant seat 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 before the coming into force of this Order in Council.

The mayors of the former Municipalité de Weedon and of the former Village de Saint-Gérard shall continue to sit on the council of Municipalité régionale de comté du Haut-Saint-François until the mayor elected in the first general election takes office and they shall have the same number of votes as before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the council room of the town hall, at 450, 2^{ème} Avenue, Weedon, on the territory of the former Municipalité de Weedon.

7. The first general election shall be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. The second general election shall be held on the first Sunday of November 2004.

The council of the new municipality 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 two general elections, only those 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 council members of the former *Municipalité de Weedon*, as it existed before the amalgamation of December 24, 1997, shall be eligible for seats 1, 3 and 5; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former *Municipalité de Fontainebleau*, as it existed before the amalgamation of December 24, 1997, shall be eligible for seat 2, and only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former *Village de Saint-Gérard*, shall be eligible for seats 4 and 6.

9. Émile Royer, secretary-treasurer of the former *Municipalité de Weedon*, will act as the first secretary-treasurer of the new municipality.

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 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 of the former municipalities in proportion to their standardized property values, established in accordance with the Regulation respecting the equalization scheme, made by Order in Council 1087-92 dated 22 July 1992 and amended by the Regulations made 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 the financial statements of those former municipalities for the fiscal year preceding the year during which this Order in Council comes into force.

11. If section 10 applies, the portion of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of the amalgamation, less expenditures recognized by the council as resulting from the amalgamation and

financed by that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality.

12. 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:

— amounts reserved in the surpluses accumulated for the benefit of the ratepayers of the former municipalities of *Village de Weedon Centre*, of *Canton de Weedon* and of *Weedon* and *Fontainebleau* under Orders in Council 1465-96 dated 27 November 1996 and 1602-97 dated 10 December 1997 shall be transferred to the new municipality and reserved for the same purposes;

— any balance of the surplus accumulated shall be used for the benefit of ratepayers of the former municipality on whose behalf it was accumulated; it may be used to carry out public works, to reduce taxes applicable to all the taxable immovables in that sector or to repay debts charged to all that sector.

13. 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.

14. The tax imposed under By-law 287 of the former *Municipalité de Weedon* shall be replaced by a tax imposed on all the taxable immovables of the new municipality. The by-law shall be amended accordingly.

15. The share payable to the *Société québécoise d'assainissement des eaux* by the former *Municipalité de Weedon* under the agreement signed on 27 January 1982 shall remain charged to the users of the water and sewer system of the sector made up of the territory of the former *Village de Weedon Centre* and shall be repaid by means of a compensation rate fixed yearly by the council of the new municipality.

The share payable to the *Société québécoise d'assainissement des eaux* by the former *Village de Saint-Gérard* under the agreement signed on 18 April 1985 shall remain charged to the users of the water and sewer system of the sector made up of the territory of the former *Village de Saint-Gérard* and shall be repaid by means of a compensation rate fixed yearly by the council of the new municipality.

16. The annual repayment of the instalments in principal and interest of the loans taken under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in

sections 14 and 15 shall remain charged to the municipality that contracted them, in accordance with those by-laws. If the new municipality decides to amend those by-laws in accordance with the law, such amendments may affect only the taxable immovables located in the sector made up of the territory of that former municipality.

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

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

18. 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.

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

20. In accordance with the Order in Council concerning the extension of the jurisdiction of the Cour municipale commune de la Ville d'East-Angust, which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville d'East-Angus will have jurisdiction over the territory of the new municipality.

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

22. Should the new municipality dispose of lot 19AP (Rang 3 of the cadastre of Canton de Weedon), on which there is an artesian well connected to the water system located in the sector made up of the former territory of Municipalité de Fontainebleau, it shall do so with the approval of the qualified voters in the sector served by the water system, in accordance with the Act respecting elections and referendums in municipalities.

23. The council of the new municipality may, for the eight fiscal years following the year for which separate budgets were adopted, impose a special tax on all the taxable immovables in the sector made up of the territory of the former Village de Saint-Gérard on the basis of their value at it appears on the assessment roll in force each year, to cover all or part of the operating costs of the wastewater treatment service related to that sector. After that time, the council of the new municipality shall decide on a method of taxation that is appropriate to cover those costs.

24. Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., c. I-15), for a period of five years following the coming into force of this Order in Council, the new municipality shall provide free of charge premises in the Salle communautaire of the former Village de Saint-Gérard to the following bodies of that former territory:

- Cercle des Fermières (including rooms for meals after funerals)
- Rayons de Chaleur
- L'Écho du Village
- Les Loisirs St-Gérard 1998 Inc.
- Club des Archers des Loisirs St-Gérard
- Santé Vous Bien
- Caisse populaire (for the annual meeting of its members).

25. 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 WEEDON, IN MUNICIPALITÉ RÉGIONALE DU HAUT-SAINT-FRANÇOIS

The current territory of Municipalité de Weedon and of Village de Saint-Gérard, in Municipalité régionale de comté du Haut-Saint-François, comprising in reference to the cadastres of the townships of Dudswell and Weedon and of the villages of Lac-Weedon and Weedon-Centre, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, streets, rail-

way rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereinafter, namely: starting from the apex of the northern angle of lot 211 of the cadastre of Village du Lac-Weedon; thence, successively, the following lines and demarcations: southeasterly, part of the line dividing the cadastres of Village du Lac-Weedon and Canton de Weedon from the cadastres of the townships of Garthby and Stratford to the apex of the eastern angle of lot 28 of Rang 1 of the cadastre of Canton de Weedon, that line crossing Route 112, the right-of-way of a railroad (lot 236 of the cadastre of Village du Lac-Weedon), the former Route 1, Lac Aylmer, Route 161 and Chemin Rang des Granites that it meets; southwesterly, the dividing line between the cadastre of Canton de Weedon and the cadastre of Canton de Lingwick, that line crossing the public roads, the pond Lac à la Biche and the Rivière au Saumon that it meets; northwesterly, part of the dividing line between the cadastres of the townships of Weedon and Dudswell to the apex of the eastern angle of lot 28E of Rang 2 of the cadastre of Canton de Dudswell; in reference to that cadastre, southwesterly, the southeastern line of lots 28E, 28D and 28A of the said range; northwesterly, the southwestern line of lots 28A and 28B of the said range; northeasterly, the northwestern line of lots 28B, 28C and 28F of the said range; northwesterly, part of the dividing line between the cadastres of the townships of Weedon and Dudswell to the line bordering ranges 9 and 10 of the cadastre of Canton de Weedon, that line crossing Rivière Saint-François, the right-of-way of a railroad (lot 29 of the cadastre of Canton de Weedon) and Route 112 that it meets; finally, northeasterly, successively, the said line bordering ranges then the dividing line between the cadastre of Village du Lac-Weedon and the cadastre of Canton de Weedon to the starting point, that line crossing Route 257 that it meets in its first segment.

The said limits define the territory of the new Municipalité de Weedon.

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

Charlesbourg, 28 September 1999

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

W-64/1

3394