

Municipal Affairs

Gouvernement du Québec

O.C. 64-2000, 26 January 2000

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

Amalgamation of Ville de Princeville and Paroisse de Princeville

WHEREAS each of the municipal councils of Ville de Princeville and Paroisse de Princeville 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 with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal, which was approved by the councils of the applicant municipalities;

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 Princeville and Paroisse de Princeville, on the following conditions:

1. The name of the new town shall be “Ville de Princeville”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 18 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 the Municipalité régionale de comté de L'Érable.

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 of the provisional council each month. The mayor of the former Paroisse de Princeville shall serve as mayor for the first month of the provisional council.

If a seat is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, an additional vote 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 Ville de Princeville and the former Paroisse de Princeville shall continue to sit on the council of the Municipalité régionale de comté de L'Érable until the first general election and shall have 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 before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the public hall of the town hall of the former Ville de Princeville.

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. If such date falls on the first Sunday in January or February, the first general election shall be postponed to the first Sunday in March. The second general election shall take place in 2004.

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

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 council members of the former Ville de Princeville and the only persons eligible for seats 4, 5 and 6 are the persons who would be eligible under that Act if such an election were an election of the council members of the former Paroisse de Princeville.

9. Mr. Mario Juaire, secretary-treasurer of the former Ville de Princeville, shall act as secretary-treasurer of the new town.

Ms. Louise Bergeron, deputy secretary-treasurer of the former Ville de Princeville and Mr. Jean-Marc Bédard, secretary-treasurer of the former Paroisse de Princeville, shall both act as deputy secretary-treasurers of the new town.

10. Any budgets adopted by either 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 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 of the former municipalities in proportion to their standardized real estate values, 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 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 by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of 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 to be deposited into the general fund of the new town for the first fiscal year in which the new town does not apply separate budgets.

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 the former municipalities adopted separate budgets.

13. The working fund of each of the former municipalities 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 each of the former municipalities and dealt with in accordance with section 14.

The council of the new town may, if deemed appropriate, constitute a new working fund in accordance with the law.

14. 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 in the following manner:

(a) \$104 600 shall be deducted from the surplus accumulated on behalf of the former Ville de Princeville and \$72 500 shall be deducted from the surplus accumulated on behalf of the former Paroisse de Princeville; those amounts shall be deposited into the general fund of the new town. If the surplus accumulated on behalf of a former municipality is insufficient to allow for the payment of its contribution to the general fund, a special real estate tax shall be imposed on all the taxable immovables in the sector made up of the territory of that former municipality in order to make up the difference;

(b) any balance shall be used for the benefit of ratepayers in the sector made up of the territory of the former municipality on whose behalf the surplus was accumulated. It may be used to carry out public works in the sector, to reduce the taxes applicable to all the immovables in that sector or to repay its debts.

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

16. The share payable to the Société québécoise d'assainissement des eaux by the former Ville de Princeville shall be charged to the users of the sewer system in the new town; it shall be paid by means of a compensation rate to be fixed annually by the new town.

17. Repayment in principal and interest of the loan made under By-law 466-91 adopted by the former Ville de Princeville shall become, in a proportion of 40.8 %, charged to all the users of the waterworks and sewer

system of the new town and, in a proportion of 59.2 %, charged to all the taxable immovables in the sector made up of the territory of the former Ville de Princeville. The taxation clause provided for in that by-law shall be consequently amended.

The portion charged to all the users of the waterworks and sewer system of the new town shall be repaid by means of a compensation rate that the council shall fix annually. The council may amend the taxation clause for that portion of the by-law in accordance with the law, if it orders works to extend the systems.

A special tax shall be imposed and levied on all the taxable immovables in the sector made up of the territory of the former Ville de Princeville on the basis of their value as it appears on the assessment role in effect each year, to cover the portion of the by-law which remains charged to the sector made up of the territory of that former town. If the new town decides to amend the taxation clause of the by-law in accordance with the law, for the portion charged to that sector, the amendments may affect the taxable immovables in that sector only.

18. Notwithstanding section 17, the annual repayment of the 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 sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses 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 affect the taxable immovables in that sector only.

19. 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.

20. 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 to 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, by the qualified voters of the whole territory of the new town.

21. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Princeville".

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

The members of the bureau shall be the members of the municipal housing bureau of the former Ville de Princeville.

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

Notwithstanding the foregoing, the proceeds of the sale of land from the land reserve of the former Ville de Princeville shall be used for the exclusive benefit of the ratepayers in the sector made up of the territory of that former municipality up to the amount of the expenses incurred by that former municipality to acquire and develop those lands (waterworks, sewers and infrastructure). Any balance of the proceeds of the sale of land shall be deposited into the general fund of the new town.

Any amounts used to the benefit of the former municipality under the second paragraph may be used to carry out public works in the sector made up of the territory of that former municipality, to reduce the taxes applicable to all the taxable immovables in the former municipality or to repay its debts.

23. The new town may impose a business tax in respect of business establishments in the sector made up of the territory of the former Paroisse de Princeville at a different rate than that which applies in the sector made up of the territory of the former Ville de Princeville.

Standardization of those rates shall be made over a period of five years following the coming into force of this Order in Council. The difference between the rates shall be made up at the rate of one fifth of the difference annually.

24. For each of the first seven fiscal years following the coming into force of this Order in Council, a general real estate tax credit shall be granted to all the taxable immovables of the sector made up of the territory of the former Paroisse de Princeville; that credit shall be calculated according to the following rates:

First year:	\$0.20 per \$100 of assessment
Second year:	\$0.20 per \$100 of assessment
Third year:	\$0.20 per \$100 of assessment
Fourth year:	\$0.16 per \$100 of assessment
Fifth year:	\$0.12 per \$100 of assessment
Sixth year:	\$0.08 per \$100 of assessment
Seventh year:	\$0.04 per \$100 of assessment

25. For each of the first seven fiscal years following the coming into force of this Order in Council, a compensation rate reduction shall be granted to the users of the sewer system of the sector made up of the territory of the former Paroisse de Princeville; the amount of the reduction is as follows:

First year:	\$70
Second year:	\$70
Third year:	\$70
Fourth year:	\$56
Fifth year:	\$42
Sixth year:	\$28
Seventh year:	\$14

26. In addition to works that may be paid for by specific government subsidies other than the financial aid paid by the Government to take charge of the local road system, an annual amount of \$336 300 shall be dedicated to improving the road system of the sector made up of the territory of the former Paroisse de Princeville during the first five years following the coming into force of this Order in Council; the portion of the costs of capital expenditures representing an amount of \$300 000 shall be charged to all the taxable immovables of the new town; the balance of \$36 300 shall be charged to all the taxable immovables in the sector made up of the territory of the former Paroisse de Princeville.

27. The Régie intermunicipale des loisirs de Princeville and the Régie intermunicipale d'incendie de Princeville shall be dissolved at the end of the last fiscal year for which the former municipalities adopted separate budgets.

28. 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 PRINCEVILLE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'ÉRABLE

The current territory of Paroisse de Princeville and Ville de Princeville, in the Municipalité régionale de comté de L'Érable, comprising in reference to the cadastres of Canton de Stanfold and Village de Princeville, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole included within the limits described hereafter, namely: starting from the point of intersection of the centre line of Rivière Bécancour with a perpendicular line to the southeast bank of the said river and whose point of origin is the northern extremity of the eastern line of lot 13 of Rang 1 of the cadastre of Canton de Stanfold: thence, successively, the following lines and demarcations: southeasterly, the said perpendicular line to the southeast bank of the said river; in reference to the aforementioned cadastre, southerly, the eastern line of lot 13 of ranges 1, 2 and 3, that line extended across Rivière Bourbon that it meets; northeasterly, part of the dividing line between ranges 4 and 3 to the eastern line of lot 11 of Rang 4; southerly, the eastern line of lot 11 of ranges 4 and 5; northeasterly, part of the dividing line between ranges 6 and 5 to the eastern line of lot 5A of Rang 6, that line crossing Rivière Blanche that it meets; southerly, the eastern line of the said lot, that line crossing Chemin 6^e Rang Ouest that it meets; northeasterly, part of the dividing line between ranges 7 and 6 to the eastern line of lot 3A of Rang 7; southerly, the eastern line of the said lot; northeasterly, part of the dividing line between ranges 8 and 7 to the eastern line of the cadastre of Canton de Stanfold, that line crossing Ruisseau Pellerin that it meets; southerly, successively, part of the eastern line of the said cadastre to the apex of the southeastern angle of lot 1A of Rang 12 of the said cadastre then its extension to the southeast side of the right-of-way of Chemin des Pointes (shown in the original), that line crossing the disused railway right-of-way (lot 454 of the cadastre of

Municipalité de Somerset-Sud), Route 116, 10^e Rang Est and 11^e Rang Est roads and Ruisseau des Aulnes that it meets; southwesterly, successively, the southeast side of the right-of-way of Chemin des Pointes (shown in the original) limiting to the southeast lots 1A, 1B, 1C, 1D, 2A, 2B, 2C, 3A, 3B, 3C and 3E of Rang 12 of the cadastre of Canton de Stanfold then part of the southeastern line of the said cadastre to the western line of lot 16C of Rang 12 of the said cadastre, that line crossing Rivière Bulstrode, Route 263 and Route Boisvert and Rivière L'Abbé that it meets; in reference to that cadastre, northerly, the western line of the said lot, that line extended across Route 116 and the disused railway right-of-way that it meets; southwesterly, part of the dividing line between ranges 11 and 12 to the western line of lot 23D of Rang 11, that line crossing Route de l'Aéroport and Rivière Bulstrode that it meets; northerly, the western line of the said lot and its extension to the southeastern line of lot 23F of Rang 10; southwesterly, successively, part of the southeastern line of lot 23F and the southeastern line of lots 24A, 24B and 24C, all of Rang 10; northerly, the western line of lot 24C of the said range, that line extended across Chemin 10^e Rang Ouest that it meets; southwesterly, part of the dividing line between ranges 9 and 10 to the western line of lot 25B of Rang 9; northerly, the western line of the said lot, that line crossing Rivière Noire that it meets; northeasterly, part of the dividing line between ranges 9 and 8 to the western line of lot 24D of Rang 8; northerly, the western line of the said lot, that line extended across Chemin 8^e Rang Ouest that it meets; northeasterly, part of the dividing line between ranges 8 and 7 to the western line of lot 23B of Rang 7; northerly, the western line of the said lot; northeasterly, part of the dividing line between ranges 7 and 6 to the western line of lot 21B of Rang 6; northerly, successively, the western line of lot 21B of Rang 6, that line crossing Petit Ruisseau Perreault and Chemin 6^e Rang Ouest that it meets, then the western line of lot 21 of Rang 5; southwesterly, part of the dividing line between ranges 4 and 5 to the western line of lot 22A of Rang 4; northerly, the western line of the said lot, that line crossing Rivière Blanche that it meets; southwesterly, part of the dividing line between ranges 3 and 4 to the western line of lot 23A of Rang 3; northerly, the western line of the said lot; southwesterly, part of the dividing line between ranges 2 and 3 to the dividing line between the cadastres of Canton de Stanfold and Canton de Bulstrode; northerly, part of the dividing line between the said cadastres and its extension to the centre line of Rivière Bécancour, that line crossing route 165 and extended across Route Saint-Louis that it meets; finally, in a general northeasterly direction, the centre line of the said river upstream and to the right of all the islands making up the cadastre of Canton de Blandford to the starting point.

Those limits define the territory of the new Ville de Princeville in the Municipalité régionale de comté de L'Érable.

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

Charlesbourg, 18 November 1999

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Gouvernement du Québec

O.C. 105-2000, 9 February 2000

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

Correction to the amalgamation order constituting
Municipalité d'Oka

WHEREAS Order in Council 950-99 respecting the amalgamation of Municipalité d'Oka and Paroisse d'Oka was made on 25 August 1999;

WHEREAS an error in writing appears on that Order in Council;

WHEREAS section 214.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) provides that the Government is allowed to correct that error;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT section 21 of the purview of Order in Council 950-99 dated 25 August 1999 respecting the amalgamation of Municipalité d'Oka and Paroisse d'Oka be amended by substituting the number "246" for the number "146" in the first sentence.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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