

Municipal Affairs

Gouvernement du Québec

O.C. 128-2000, 16 February 2000

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

Amalgamation of Village de Saint-Basile-Sud and Paroisse de Saint-Basile

WHEREAS each of the municipal councils of Village de Saint-Basile-Sud and Paroisse de Saint-Basile 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 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 resulting from the amalgamation of Village de Saint-Basile-Sud and Paroisse de Saint-Basile be constituted, under the following conditions:

1. The name of the new town shall be “Ville de Saint-Basile”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 16 September 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 will be part of Municipalité régionale de comté de Portneuf.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of both councils that existed on the coming into force of this Order in Council. The quorum shall be eight members. The current mayors shall alternate each month as mayor and deputy mayor of the provisional council. The mayor of the former Village de Saint-Basile-Sud shall act as the mayor for the first month.

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 remuneration of elected municipal officers shall be that provided for in By-law 03-88 of the former Village de Saint-Basile-Sud, increased by 10 %.

Throughout the term of the provisional council, the mayors of the former municipalities shall remain eligible to sit on the council of Municipalité régionale de comté de Portneuf.

6. The first sitting of the provisional council shall be held in the municipal building, at 40, avenue Garnier, on the territory of the former Village de Saint-Basile-Sud.

7. The first general election shall be held on the first Sunday of the sixth month following the month of the coming into force of this Order in Council. If that date falls on the first Sunday of July or August, the first general election shall be postponed to the second Sunday of September. The second general election shall be held on the first Sunday of November in the fourth year following the year of the coming into force of this Order in Council.

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

8. For the first two general elections, the territory of the new municipality shall be divided into six electoral districts as described in Schedule B to this Order in Council.

9. Roger Proulx, secretary-treasurer of the former Paroisse de Saint-Basile, will act as the first secretary-treasurer of the new town until the council formed of elected members decides otherwise.

Paulin Leclerc, secretary-treasurer of the former Village de Saint-Basile-Sud, will act as the director general of the new town until the council formed of elected members decides otherwise.

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 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 property value, established in accordance with the Regulation respecting the equalization scheme, made by Order in Council 1087-92 dated 22 July 1992 and 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. Any subsidy that is paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) shall be used for the benefit of the taxable immovables of the new town.

12. The terms and conditions for apportioning the cost of 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.

13. All or part of the 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 paid into the general fund of the new town up to an amount of \$25 000.

The amount from the surplus accumulated on behalf of each former municipality shall be determined as follows:

— \$16 498 for the former Village de Saint-Basile-Sud;

— \$8 502 for the former Paroisse de Saint-Basile.

Any balance of the 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 the ratepayers of the former municipality on whose behalf it was accumulated. It may be used to carry out public works in the sector made up of that former municipality or to repay debts charged to that sector.

14. 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 of the sector made up of the territory of that former municipality.

15. A working fund of \$100 000 shall be constituted for the new town with contributions taken from the working fund of each of the former municipalities. The contribution of the former Village de Saint-Basile-Sud shall be \$65 990 and that of the former Paroisse de Saint-Basile shall be \$34 010.

Any balance of the working fund of each of the former municipalities and the amounts repaid over those borrowed from the working fund shall be used in accordance with the last paragraph of section 13.

16. At the end of the last fiscal year for which the municipalities adopted separate budgets and subject to sections 17 and 18, the annual repayment of the instalments in principal and interest of all the loan by-laws adopted by a former municipality shall remain charged to the taxable immovables located in the sector made up of the territory of that former municipality in accordance with the taxation clauses of those by-laws.

17. Any tax imposed under By-law 14-88 of the former Village de Saint-Basile-Sud and By-law 02-88 of the former Paroisse de Saint-Basile shall be replaced by a tax imposed on all the taxable immovables in the territory 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.

18. The annual repayment of the instalments in principal and interest of loan by-laws 04-94 and 05-94 of the former Paroisse de Saint-Basile and loan by-laws 02-94 and 13-94 of the former Village de Saint-Basile-Sud shall be charged to the users of the water and sewer system of the sector made up of the territory of each of the former municipalities and shall be determined by the compensation rate fixed yearly by the council of the new town in accordance with By-law 24-94 of the former Village de Saint-Basile-Sud.

19. The share payable to the Société québécoise d'assainissement des eaux by the former Village de Saint-Basile-Sud under the agreement signed on 31 August 1989 shall be charged to the users of the water and sewer system of the sector made up of the territory of that former municipality and shall be repaid according to a compensation rate fixed yearly by the council of the new town in accordance with By-law 24-94 of that former municipality.

20. The available balance of any loan by-law shall be used to make 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 for the annual instalments, the rate of tax imposed to make them shall be reduced so that the revenues from the tax are equal to the due, less the available balance used.

21. For the first three full fiscal years following the coming into force of this Order in Council, a tax credit of \$0.1966 per \$100 of assessment shall be granted for all the taxable immovables located in the sector made up of the territory of the former Paroisse de Saint-Basile. For the three following fiscal years, the credit shall be \$0.1648 per \$100 of assessment; for the seventh fiscal year, it shall be \$0.1574 per \$100 of assessment; for the eighth, it shall be \$0.1415 per \$100 of assessment; for the ninth, it shall be \$0.0979 per \$100 of assessment and for the tenth, it shall be \$0.0968 per \$100 of assessment.

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

23. Any debt or gain that may result from legal proceedings or a transaction 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. 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 town, provided that such a by-law comes into force within 24 months of the coming into force of this Order in Council.

25. By-law No. 04-93 governing the urban planning advisory committee of the former Village de Saint-Basile-Sud shall become that of the new town. Notwithstanding the foregoing, section 4.4 of that by-law shall be amended by substituting the words "le comité peut être chargé d'arrêter un devis d'exécution" for the words "le comité est chargé d'arrêter un devis d'exécution".

Furthermore, notwithstanding section 8 of the by-law, the council of the new town may appoint the members it chooses to finish any uncompleted mandates on the date of the coming into force of this Order in Council.

26. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Saint-Basile".

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

The two municipal representatives appointed by the council of the former Village de Saint-Basile-Sud shall continue to sit as members of the office until the first general election.

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 VILLE DE SAINT-BASILE IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE PORTNEUF

The current territory of Paroisse de Saint-Basile and of Village de Saint-Basile-Sud, in Municipalité régionale de comté de Portneuf, comprising in reference to the cadastre of Paroisse de Saint-Basile, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereinafter, namely: starting from the apex of the northern angle of lot 140; thence, successively, the following lines and demarcations: in a general southeasterly direction, part of the broken dividing line between the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuville and its extension to the centre line of the Rivière Blanche; in a general southwesterly direction, successively, the centre line of the said river downstream then the centre line of the Rivière Portneuf downstream to its meeting point with the southeasterly extension of the southwestern line of lot 188 of the cadastre of Paroisse de Saint-Basile; northwesterly, the said extension and the southwestern line of the said lot; in a general southwesterly direction, part of the broken dividing line between the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuville to the apex of the northern angle of lot 139 of that first cadastre; in a general southeasterly direction, part of the broken dividing line between the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuville, passing by the centre line of the Rivière Portneuf, to the apex of the eastern angle of lot 138 of that first cadastre, that line crossing Chemin Rang Saint-Jacques and the Rivière Saint-Jacques that it meets; in a general southwesterly direction, part of the broken dividing line between the cadastres of the parishes of Saint-Basile and Sainte-Jeanne-de-Neuville to the northeastern line of lot 1 of that first cadastre; south-easterly, part of the said line bordering the cadastres to the dividing line between the cadastres of the parishes of Saint-Basile and Cap-Santé, that line crossing the right-of-way of a railroad (lot 547 of the cadastre of Paroisse de Saint-Basile) and Route Terrebonne that it meets; southwesterly, part of the latter line bordering the cadastres to the apex of the southern angle of lot 56 of the cadastre of Paroisse de Saint-Basile, that line following partially the southeast side of the right-of-way of Route Terrebonne, the northeast side of the right-of-way of Route Delage bordering on the northeast lot 20 of the cadastre of Paroisse de Saint-Basile and for another part the north side of the right-of-way of a public road shown on the original (Rang Saint-François-Ouest) and crossing the right-of-way of a railroad (lots 547 and 548 of the cadastre of Paroisse de Saint-Basile) that it meets; in

a general northwesterly direction, part of the dividing line between the cadastres of the parishes of Saint-Basile and Notre-Dame-de-Portneuf, passing by the centre line of the Rivière Portneuf, to the apex of the western angle of lot 491 of the cadastre of Paroisse de Saint-Basile; that line following partially the north side of the right-of-way of Rang Saint-Eustache and crossing the right-of-way of a railroad (lot 548 of the cadastre of Paroisse de Saint-Basile), a public road and Chemin Rang Saint-Paul that it meets; in reference to that latter cadastre, northeasterly, successively, the northwestern line of the said lot and its extension to the northeast side of the right-of-way of a public road shown on the original (Rang Saint-Joseph); northwesterly, the northeast side of the right-of-way of the said road to the apex of the northwestern angle of lot 378; successively easterly and northerly, the northern line of lot 378 and the western line of lot 341, those two lines linked together by a straight line crossing Chemin Rang Sainte-Anne; finally, successively southeasterly and northeasterly, part of the broken dividing line between the cadastres of the parishes of Saint-Basile and Saint-Raymond to the starting point, that line crossing Route 365 and the Rivière Portneuf that it meets in its second segment.

The said limits define the territory of Ville de Saint-Basile.

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

Charlesbourg, 16 September 1999

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

B-230/1

SCHEDULE B

DIVISION INTO ELECTORAL DISTRICTS

The territory of Municipalité de Saint-Basile formed of the sectors made up of the territories of the former municipalities of Saint-Basile Paroisse and Saint-Basile Sud is divided into six electoral districts, as described below:

Electoral district No. 1 (approximately 385 voters)

Starting from a point located at the limit of lots 138, 331 and Rang Sainte-Angélique, the dividing line between Rang Saint-Jacques and Rang Sainte-Angélique,

the dividing line between lots 130 and 123, the Rivière Portneuf, the dividing line between lots 101, 99 and 100, the line dividing ranges Saint-Anne and Saint-Joseph from ranges Coteau des Roches and Saint-Paul, the west, south and east municipal limit to the starting point.

Electoral district No. 2

(approximately 342 voters)

Electoral district No. 2 comprises the concessions of ranges Sainte-Anne nord-est (lots 288 to 341 inclusively), Sainte-Anne sud-ouest (lots 378 to 431 inclusively), and Saint-Joseph (lots 432 to 491 inclusively) of the former territory of Municipalité de Saint-Basile Paroisse, plus lots 60-1, 60, 61, 62-1 and 62.

Electoral district No. 3

(approximately 469 voters)

Electoral district No. 3 comprises the concessions of ranges Sainte-Madeleine (lots 140 to 166 inclusively), Saint-Charles (lots 167 to 187 inclusively), Sainte-Marie (lots 188 to 214 inclusively), Saint-Jean (lots 215 to 235 inclusively) and Sainte-Angélique (lots 236 to 265 inclusively) of the former territory of Municipalité de Saint-Basile Paroisse, plus lot 555.

Electoral district No. 4

(approximately 356 voters)

Starting from a point located at the limit of lots 265, 268 and 286, the former municipal limit of the village and Paroisse de Saint-Basile to the Rivière Portneuf, the Rivière Portneuf to the limit of lots 111 and 122, from that point to the intersection of Avenue Dumoulin and thence, Rue de l'Église, the even and odd-numbered sides to the intersection of Avenue Garnier, thence, Rue de l'Église, the even-numbered side to the starting point.

Electoral district No. 5

(approximately 317 voters)

Starting from a point located at the limit of lots 265, 268 and 286, Rue de l'Église, odd-numbered side to the intersection of Avenue Garnier, thence the limit of district No. 4 to Avenue Saint-Georges, Avenue Saint-Georges, the even-numbered side to Rue Rivard, Rue Rivard, the even-numbered side to the intersection of Avenue du Centre Nature, thence a straight line to the west, lot 108 to the limit of lots 104 and 430, from that point, the former municipal limit of the village and Paroisse de Saint-Basile to the starting point.

Electoral district No. 6

(approximately 227 voters)

Starting from a point located at the limit of lots 111, 122 and the Rivière Portneuf, the Rivière Portneuf, the dividing line between lots 99, 100 and 101, the former municipal limit of the village and Paroisse de Saint-Basile to the dividing line between lots 104 and 108, from that point up to the continuation in a straight line of Avenue Centre Nature, Rue Rivard, the odd-numbered side to Avenue Saint-Georges, Avenue Saint-Georges, the odd-numbered side to the limit of District No. 4, thence a straight line to the south to the starting point.

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Gouvernement du Québec

O.C. 129-2000, 16 February 2000

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

Amalgamation of Ville de Saint-Pascal and Municipalité de Saint-Pascal

WHEREAS each of the municipal councils of Ville de Saint-Pascal and Municipalité de Saint-Pascal 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 applicant municipalities' councils;

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