

Municipal Affairs

Gouvernement du Québec

O.C. 69-2001, 31 January 2001

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

Amalgamation of Municipalité de Saint-Méthode-de-Frontenac and Partie-Sud of Paroisse de Sacré-Coeur-de-Marie

WHEREAS each of the municipal councils of Municipalité de Saint-Méthode-de-Frontenac and Partie-Sud of Paroisse de Sacré-Coeur-de-Marie 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;

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 Municipalité de Saint-Méthode-de-Frontenac and Partie-Sud of Paroisse de Sacré-Coeur-de-Marie, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Adstock".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 12 October 2000; 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 shall be part of Municipalité régionale de comté de L'Amiante.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of both councils in office when this Order in Council comes into force. The quorum shall be half the number of members in office plus one.

The mayor of the former Municipalité de Saint-Méthode-de-Frontenac and the mayor of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie shall respectively act as mayor and deputy mayor of the new municipality until the last day of the first half of the period between the coming into force of this Order in Council and the polling day of the first general election, at which time the roles will be reversed until the mayor elected in the first general election takes up office.

If a seat is vacant upon the coming into force of this Order in Council or becomes vacant during the term of the provisional council, an additional vote shall be granted to the mayor of the municipality of origin of the council member whose seat has become vacant.

For the term of the provisional council, the elected municipal officers shall continue to receive the same remuneration as before the coming into force of this Order in Council.

The mayor of the former Municipalité de Saint-Méthode-de-Frontenac and the mayor of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie shall both continue to sit on the council of Municipalité régionale de comté de L'Amiante until the mayor elected in the first general election takes up office; they shall have the same number of votes as before the coming into force of this Order in Council.

6. The first meeting of the provisional council shall be held in the public hall of the former Municipalité de Saint-Méthode-de-Frontenac.

7. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. If that date corresponds to the first Sunday of January or Easter Sunday, the first general election shall be postponed to

the first Sunday of the following month. If that date corresponds to the first Sunday of July, August or September, the first general election shall be postponed to the first Sunday of October. The second general election shall be held on the first Sunday of November 2005.

The council of the new municipality shall be made up of seven members, that is, a mayor and six council members. The councillors' seats shall be numbered from 1 to 6 starting with the first general election.

8. For the first two general elections and for any partial election held before the general election in November 2009, 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 Saint-Méthode-de-Frontenac*, shall be eligible for seats 1 and 3; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former *Partie-Sud of Paroisse de Sacré-Cœur-de-Marie* shall be eligible for seats 4 and 6.

9. Bernardin Hamann, secretary-treasurer of the former *Municipalité de Saint-Méthode-de-Frontenac*, shall be the first secretary-treasurer of the new municipality.

Jean-Rock Turgeon, secretary-treasurer of the former *Partie-Sud of Paroisse de Sacré-Coeur-de-Marie*, shall be the first deputy secretary-treasurer of the new municipality. Upon Bernardin Hamann's departure, Jean-Rock Turgeon shall become the secretary-treasurer of the new municipality.

10. Bertrand Perreault, municipal inspector for the former *Municipalité de Saint-Méthode-de-Frontenac*, shall be the first municipal inspector for the new municipality.

Sylvain Jacques, municipal inspector for the former *Partie-Sud of Paroisse de Sacré-Cœur-de-Marie*, shall be the first deputy municipal inspector for the new municipality.

11. Any budgets adopted by the former municipalities for the fiscal year in 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 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 of the former municipi-

palities in proportion to their standardized property 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 they appear on their financial statements for the fiscal year preceding the year in which this Order in Council comes 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) with respect to the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and financed directly by that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year for which the new municipality does not apply separate budgets.

13. Any surplus accumulated on behalf of the former *Municipalité de Saint-Méthode-de-Frontenac* at the end of the last fiscal year for which the former municipalities adopted separate budgets, shall be used as follows:

— \$300 000, or, if the accumulated surplus is less than that amount, the entire amount shall be reserved for the purposes of economic development or the development of tourism or recreational tourism in the new municipality. If the amount earmarked for those purposes is not entirely spent within the five years following the coming into force of this Order in Council, the balance shall be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality and for the following purposes:

— if there is a balance in the accumulated surplus, it shall be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality. It may be used to carry out public works in the sector, to reduce taxes for all the taxable immovables in the sector, to repay debts charged to the entire sector or to make repairs to municipal community or recreational centres.

14. Any surplus accumulated on behalf of the former *Partie-Sud of Paroisse de Sacré-Coeur-de-Marie*, 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 sector made up of the territory of the former municipality. It may be used to carry out public works in the sector, to reduce taxes for all the taxable immovables in the sector, to repay debts charged to the entire sector or to make repairs to municipal community or recreational centres.

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

16. The annual repayment of the instalments in principal and interest of the loans made under By-law 215 of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie shall be charged to all the taxable immovables of the new municipality based on their values as they appear on the assessment roll in effect each year.

The by-law taxation clauses shall be amended accordingly.

17. The annual repayment of the instalments in principal and interest of the loans made under by-laws 285, 290, 315 and 2000-317 of the former Municipalité de Saint-Méthode-de-Frontenac and the aliquot share payable to the Société québécoise d'assainissement des eaux by the former municipality under agreements signed on 12 June 1984 and 5 June 1991 shall be charged to all the taxable immovables of the new municipality, based on their values as they appear on the assessment roll in effect each year.

The by-law taxation clauses shall be amended accordingly.

18. The annual repayment of the instalments in principal and interest of all the loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 16 and 17 shall be charged to the sector made up of the territory of the former municipality that made them, in accordance with the by-law taxation clauses.

If the new municipality decides to amend the taxation clauses in accordance with the law, the amendments may only apply to the taxable immovables located in the sector made up of the territory of the former municipality.

19. Any available balance of any loan by-law shall be used to make the annual repayments in principal and interest on those loans, or if the securities were issued for a shorter term than originally set, to reduce the balance of the loans.

If the available balance is used to make the annual repayments of loans, the rate of tax imposed to make them shall be reduced so that the income from taxes is equal to the balance owed, once the available balance has been deducted.

20. Any debt or gain that may result from legal proceedings or transactions, for any act performed by a former municipality shall continue to be charged or credited to all the taxable immovables of the sector made up of the territory of that former municipality.

21. 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 municipality in order to replace all the zoning and subdivision by-laws applicable to its territory by, respectively, a new zoning and subdivision by-law applicable to the entire territory of the new municipality, provided that such a by-law comes into force within twenty-four months of the coming into force of this Order in Council.

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

22. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Municipalité d'Adstock".

This municipal bureau shall succeed to the municipal housing bureau of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie, 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 municipality as though it had been incorporated by letters patent under section 57 of that Act, also amended by section 273.

The members of the municipal housing bureau of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie shall constitute the new bureau. After the first general election, the number of bureau members shall be reduced to seven, that is, three representatives appointed by the municipal council, two representatives appointed by the tenants and two representatives from socioeconomic groups appointed by the Minister responsible for the Société d'habitation du Québec.

23. Notwithstanding section 119 of the Act respecting municipal territorial organization, amended by section 202 of chapter 40 of the Statutes of 1999, the new municipality shall use the values entered on the real estate assessment roll in effect for the 2001 fiscal year for each of the former municipalities, updated and ad-

justed from the date of coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered on the assessment roll of the former Partie-Sud of Paroisse de Sacré-Cœur-de-Marie shall be divided by the median proportion of the roll of the former Municipalité de Saint-Méthode-de-Frontenac; the median proportions shall be those established for the 2001 fiscal year.

The combination of the roll in effect in the former Municipalité de Saint-Méthode-de-Frontenac for the 2001 fiscal year with the amended roll of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie in accordance with the second paragraph of this section shall constitute the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the roll shall be those of the former Municipalité de Saint-Méthode-de-Frontenac. The first fiscal year of the new municipality shall be considered the first year in which the roll applies.

24. For a minimum term of ten years following the coming into force of this Order in Council, the new municipality shall maintain, in the sector made up of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie, a community centre and a municipal garage, including the equipment required for the sector's services.

25. For a minimum term covering the ten first full fiscal years of the new municipality, an amount of \$16 000 or 19% of the budget for recreation and culture, whichever is higher, shall be allocated to recreational activities for the sector made up of the territory of the former Partie-Sud of Paroisse de Sacré-Coeur-de-Marie.

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

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 MUNICIPALITÉ D'ADSTOCK, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'AMIANTE

The current territory of Municipalité de Saint-Méthode-de-Frontenac and of Partie-Sud of Paroisse de Sacré-Cœur-de-Marie, in Municipalité régionale de

comté de L'Amiante, including, in reference to the cadastres of the townships of Adstock, Broughton and Thetford and Paroisse de Saint-Éphrem-de-Tring, the lots or parts of lots and their present and future subdivisions as well as the roads, highways, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole enclosed between the two perimeters hereafter described, that is:

OUTSIDE PERIMETER:

Starting from the meeting point of the dividing line between ranges 7 and 6 of the cadastre of Canton de Thetford with the dividing line between the cadastres of the townships of Thetford and Broughton; thence, successively, the following lines and demarcations: south-easterly, part of the dividing line between the cadastres of the said townships to the apex of the western angle of Lot 17A of Rang 11 of the cadastre of Canton de Broughton, that line crossing the right-of-way of an abandoned railway (Lot 29 of the cadastre of Canton de Thetford) that it meets; in reference to the cadastre of Canton de Broughton, northeasterly, the northwestern line of Lot 17A of Rang 11 to the dividing line between ranges 11 and 10, that line crossing Rue Principale that it meets; southeasterly, part of the dividing line between the said ranges to the apex of the eastern angle of Lot 24D of Rang 11, that line crossing Chemin de L'Ancienne Route that it meets; southwesterly, part of the southeastern line of the said lot to the northeastern limit of the right-of-way of Chemin de la Grande-Ligne; in a general southeasterly direction, part of the northeastern limit of the right-of-way of the said road to the southeastern line of Lot 26B of Rang 11; southwesterly, part of the said southeastern line to the apex of the southern angle of the said lot, that line crossing Chemin de la Grande-Ligne that it meets; southeasterly, part of the dividing line between the cadastres of the townships of Thetford and Adstock and the cadastres of Canton de Broughton and Paroisse de Saint-Éphrem-de-Tring to the apex of the western angle of Lot 537 of the cadastre of the said parish; in reference to that cadastre, north-easterly, the northwestern line of the said lot; southeasterly, the northeastern line of lots 537, 536, 535, 534, 533, 532, 531, 530, 529A and 529; southwesterly, the southwestern line of Lot 529; southeasterly, part of the dividing line between the cadastres of Canton d'Adstock and Paroisse de Saint-Éphrem-de-Tring to the apex of the eastern angle of Lot 4 of Rang 13 of the cadastre of Canton d'Adstock; in reference to that cadastre, southwesterly, the southeastern line of Lot 4 in ranges 13 and 12, that line extended across Route 269 that it meets; southeasterly, part of the dividing line between ranges 11 and 12 to the dividing line between the cadastres of the townships of Adstock and Forsyth; southwesterly, part of the dividing line between the cadastres of the said

townships to the dividing line between ranges 10 and 9 of the cadastre of Canton d'Adstock; in reference to that cadastre, northwesterly, part of the dividing line between the said ranges to the centre line of a public road (Route des Hamann) located between lots 10 and 11A of Rang 9; southwesterly, successively, the centre line of the said road, the southeastern line of Lot 11A of Rang 8, then the southeastern line of Lot 11 in ranges 7, 6, 5 and 4; southeasterly, part of the dividing line between ranges 3 and 4 to the apex of the eastern angle of Lot 11 of Rang 3; southwesterly, the southeastern line of the said lot; successively northwesterly and southwesterly, part of the dividing line between the cadastres of the townships of Adstock and Lambton and its extension to the centre line of Lac Saint-François; in a general northwesterly direction, the centre line of the said lake to its meeting point with a straight line in a southerly direction the origin of which is located at the end of the centre line of Rivière de l'Or at its mouth in Lac Saint-François; in a general northerly direction, the said straight line and the centre line of the said river to the dividing line between the cadastres of the townships of Thetford and Adstock, the said centre line also being the dividing line between the cadastres of the townships of Adstock and Coleraine; northeasterly, part of the dividing line between the cadastres of the townships of Adstock and Thetford to the apex of the southern angle of Lot 20B of Rang 11 of the cadastre of Canton de Thetford; in reference to that cadastre, northwesterly, successively, the southwestern line of Lot 20B of Rang 11, the extension of the latter into Lac à la Truite, the southwestern line of Lot 20A of the said range and the line bordering Lot 20 of Rang 10, Lot 20B of Rang 9, Lot 20C of Rang 8, and Lot 20D of Rang 7 to the dividing line between ranges 7 and 6; finally, northeasterly, the part of the dividing line between the said ranges to the starting point.

INSIDE PERIMETER

Starting from the apex of the northern angle of Lot 14C of Rang 9 of the cadastre of Canton de Thetford; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, part of the northeastern line of the said lot over a distance of 457.2 metres (1500 feet); in Lot 14A of Rang 9, northeasterly, a line parallel to the dividing line between ranges 9 and 8 to the northeastern line of the said lot; southeasterly, part of the northeastern line of the said lot to its meeting point with the northeasterly extension of the southeastern line of Lot 14A-19 of Rang 9; southwesterly, the said extension and the southeastern line of lots 14A-19, 14A-18, 14A-14, 14A-13, 14A-10, 14A-9, 14A-6, 14A-5 and 14A-2; southeasterly, part of the northeastern line of Lot 14B of Rang 9 to the dividing line between ranges 9 and 10; southwesterly, part of the dividing line between the said ranges to the apex of the

northern angle of Lot 15 of Rang 10; southeasterly, part of the northeastern line of the said lot to a point located 731.52 metres (2400 feet) from the dividing line between ranges 10 and 11; in Lot 15 of Rang 10, southwesterly, a line parallel to the dividing line between ranges 10 and 11 to the northeastern line of Lot 16 of Rang 10; southeasterly, part of the northeastern line of the said lot to the dividing line between ranges 10 and 11; southwesterly, part of the dividing line between the said ranges to the southwestern limit of the right-of-way of Chemin du Lac; northwesterly, successively, the southwestern limit of the right-of-way of the said road, the southwestern limit of the former right-of-way of the said road to the apex of the southeastern angle of Lot 17C-1 of Rang 8 and the northeastern limit of the right-of-way of the said road which is the southwestern limit of lots 17C-1 and 17C-2 of Rang 8 to its meeting point with a line that is parallel and 914.4 metres (3000 feet) from the dividing line between ranges 7 and 8, the distance measured following the dividing line between lots 17B and 17C of Rang 8; northeasterly, the said parallel line to the northeastern line of Lot 15B of Rang 8; southeasterly, part of the northeastern line of the said lot to the dividing line between ranges 8 and 9; finally, northeasterly, part of the dividing line between the said ranges to the starting point.

The said limits define the territory of Municipalité d'Adstock, in Municipalité régionale de comté de L'Amiante.

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

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