

application for amalgamation within the time prescribed by the Minister;

WHEREAS it is expedient to authorize the Minister to require Village de Sainte-Anne-du-Lac and Municipalité d'Adstock to file with the Minister a joint application for amalgamation;

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

THAT the Minister of Municipal Affairs and Greater Montréal be authorized to require Village de Sainte-Anne-du-Lac and Municipalité d'Adstock, in accordance with section 125.2 of the Act respecting municipal territorial organization, to file with the Minister a joint application for amalgamation.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 406-2001, 11 April 2001

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

Amalgamation of Village de Maskinongé and Paroisse de Saint-Joseph-de-Maskinongé

WHEREAS each of the municipal councils of Village de Maskinongé and Paroisse de Saint-Joseph-de-Maskinongé 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;

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 Village de Maskinongé and Paroisse de Saint-Joseph-de-Maskinongé, on the following conditions:

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

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 29 January 2001; that description appears 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 territory of Municipalité régionale de comté de Maskinongé comprises the territory of the new municipality.

5. Until the term of the majority of candidates elected in the first general election begins, the new municipality shall be governed by a provisional council made up of all the council members of the former municipalities in office at the time of the coming into force of this Order in Council. The quorum shall be half the number of members in office plus one. The mayors of the former municipalities shall alternate as mayor and deputy mayor at each sitting of the provisional council. The mayor of the former Village de Maskinongé shall act as mayor of the new municipality for the first sitting.

An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of the coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was previously occupied by a member of the council of that former municipality.

Throughout the term of the provisional council, the elected municipal officers shall receive the same remuneration as they were receiving before the coming into force of this Order in Council.

Throughout the term of the provisional council, the mayors of the former municipalities shall continue to sit on the council of Municipalité régionale de comté de Maskinongé and they shall have the same number of votes as they had before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held at the room of the Centre communautaire of the former Village de Maskinongé at 11, rue Marcel.

7. Voting for 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. The second general election shall be held in 2004.

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

For the first general election and for any by-election held before the second general election, the only persons eligible for seats 1, 2 and 3 shall be 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 members of the council of the former Village de Maskinongé and the only persons eligible for seats 4, 5 and 6 shall be the persons who would be eligible if such election were an election of the members of the council of the former Paroisse de Saint-Joseph-de-Maskinongé.

9. Gisèle Lemyre, secretary-treasurer of the former Paroisse de Saint-Joseph-de-Maskinongé, shall act as secretary-treasurer of the new municipality until the council, composed of the persons elected in the first general election, decides otherwise in accordance with the law.

Marie-Josée Cournoyer, secretary-treasurer of the former Village de Maskinongé, shall act as deputy secretary-treasurer of the new municipality until the council, composed of the persons elected in the first general election, decides otherwise in accordance with the law.

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 those 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 municipalities in proportion to their standardized property value as it appears in the financial statements of those municipalities for the fiscal year preceding the one during which this Order in Council comes into force.

11. Subject to section 21, the terms and conditions for apportioning the cost of shared services provided for in an intermunicipal agreement in effect before 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.

12. The working fund of the former Paroisse de Saint-Joseph-de-Maskinongé shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets and the amount uncommitted on that date shall be added to the surplus accumulated on behalf of the former municipality and dealt with in accordance with the provisions of section 13.

13. 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 for the benefit of the ratepayers of the former municipality on behalf of which it was accumulated; it may be used to carry out public works in the sector made up of the territory of the former municipality, to reduce taxes applicable to all the taxable immovables in the sector or to repay debts charged to all the 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 continue to be charged to all the taxable immovables of the sector made up of the territory of that former municipality.

15. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest of the loan contracted by the former Village de Maskinongé under By-law 01-97-249 shall become, in a proportion of 9.19%, charged to all the taxable immovables in the territory of the new municipality on the basis of their value as it appears on the assessment roll in effect each year and shall remain, in a proportion of 90.81%, charged to all the taxable immovables served by the works paid for by that by-law on the basis of their value as it appears on the assessment roll in effect each year.

The taxation clauses of this by-law shall be amended accordingly.

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

17. For the first five fiscal years following the last one for which separate budgets were adopted, the expenditures for the maintenance of roads and for landslides on the territory of the former Paroisse de Saint-Joseph-de-Maskinongé and the expenditures for any landslide that may occur on the territory of the former Village de Maskinongé shall be met by all the taxable immovables of the sector made up of the territory of the former municipality on the basis of their value as it

appears on the assessment roll in effect each year. Moreover, any amount paid by the Government or by one of its departments under a compensation program for assistance for taking charge of the local road system or any program replacing such program, and any other amount paid as a subsidy for the local road system, intended for the sector made up of the territory of the former Paroisse de Saint-Joseph-de-Maskinongé shall be used exclusively for the maintenance or improvement of the road network of that sector.

18. 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 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, by the qualified voters of the whole territory of the new municipality.

19. For the first five fiscal years following that during which separate budgets were adopted, a proportion of 38% of the amount granted under the neutrality program of the Ministère des Affaires municipales et de la Métropole shall be used to reduce the repayment in principal and annual interest on the loans contracted by the former Village de Maskinongé and a proportion of 62% of that amount shall be used to reduce the repayment in principal and annual interest on the loans contracted by the former Paroisse de Saint-Joseph-de-Maskinongé.

20. Subsidies granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall be affected, in a proportion of 50%, to the constitution of a reserve for the development of the industrial park. The other 50% of the amount shall be used to repay in principal and interest the loans contracted by the former municipalities according the following proportions:

- the former Village de Maskinongé: 38% ;
- the former Paroisse de Saint-Joseph-de-Maskinongé: 62%.

21. The terms and conditions for apportioning the costs of the intermunicipal agreement related to the

water supply and providing services to be rendered between the former Village de Maskinongé and the former Paroisse de Saint-Joseph-de-Maskinongé, signed on 12 March 1997, shall continue to apply for the first five fiscal years following the last one for which separate budgets were adopted.

22. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DE MASKINONGÉ, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MASKINONGÉ

The current territory of Paroisse de Saint-Joseph-de-Maskinongé and of Village de Maskinongé, in Municipalité régionale de comté de Maskinongé, comprising in reference to the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Antoine-de-la-Rivière-du-Loup, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, autoroutes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the centre line of Rivière Maskinongé with the westerly extension of the dividing line between lots 224 and 229 of the cadastre of Paroisse de Saint-Antoine-de-la-Rivière-du-Loup; thence, successively, the following lines and demarcations: in reference to that cadastre, easterly, the said extension and the line dividing lots 224 and 225 from lots 229, 228, 227 and 226, that line extended across Route Beauséjour that it meets; southeasterly, the line dividing lots 194 and 158 from lots 193 and 159, that line extended across the right-of-way of a railway (Lot 1053) and a public road shown on the original (Rang du Petit-Bois) and crossing Route 138 that it meets; southwesterly, the northwestern limit of the public road bordering to the southeast lots 158, 157, 155, 152, 151 and 150 to its meeting point with the northwesterly extension of the northeastern line of Lot 124; southeasterly, the said extension and the northeastern line of the said lot, that line crossing Autoroute Félix-Leclerc that it meets; southerly, the eastern line of lots 124 and 125; southeasterly, part of the northeastern line of Lot 126 to the northwestern line of Lot 20; successively northeasterly and southeasterly, part of the said northwestern line then the northeastern line of the said lot; in a general southwesterly direction, the northwest shore of Lac Saint-Pierre (St. Lawrence River) to the dividing line between the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Barthélemy; in

a general northwesterly direction, the broken dividing line between the cadastres of the said parishes to the apex of the western angle of Lot 1032 of the cadastre of Paroisse de Saint-Joseph-de-Maskinongé, that line passing by the centre line of the right-of-way of Route du Grand-Saint-Jacques (shown on the original) and crossing the right-of-way of a railway (Lot 1267) and the roads, routes and Autoroute Félix-Leclerc that it meets; successively northeasterly, northwesterly, again northeasterly and southeasterly, the broken dividing line between the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Justin to the centre line of Rivière Maskinongé, that broken line passing by the centre line of Rivière l'Ornière (bordering to the northeast Lot 991 of the cadastre of Paroisse de Saint-Joseph-de-Maskinongé) and crossing the roads, routes and other watercourses that it meets; finally, northeasterly, the centre line of Rivière Maskinongé upstream to the starting point, that latter line being also the dividing line between the cadastres of the parishes of Saint-Antoine-de-la-Rivière-du-Loup and Saint-Justin.

The said limits define the territory of Municipalité de Maskinongé, in Municipalité régionale de comté de Maskinongé.

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

Charlesbourg, 29 January 2001

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Gouvernement du Québec

O.C. 407-2001, 11 April 2001

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

Amalgamation of Village de Sawyerville and Canton d'Eaton

WHEREAS each of the municipal councils of Village de Sawyerville and Canton d'Eaton 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 objections were sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal which were approved by the applicant municipalities' councils;

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 Village de Sawyerville and Canton d'Eaton, on the following conditions:

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

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 Schedule A 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 territory of the new municipality shall be part of the territory of Municipalité régionale de comté du Haut-Saint-François.

5. Until the majority of candidates elected in the first general election begin their mandate, the new municipality shall be governed by a provisional council made up of all the members of the council of the former Canton d'Eaton and two members of the council of the former Village de Sawyerville, that is, the mayor of that village and the councillor in seat number 2. If one of those members is absent, the councillor in seat number 4 of that village shall sit on the provisional council as a replacement.

An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of coming into force of this Order in Council as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was previously occupied by a member of the council of that former municipality.