

The said perimeters define the territory of Municipalité d'Éaton, in Municipalité régionale de comté du Haut-Saint-François.

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

Charlesbourg, 12 October 2000

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

E-115/1

4218

Gouvernement du Québec

O.C. 408-2001, 11 April 2001

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

Amalgamation of Village de Saint-Siméon and Paroisse de Saint-Siméon

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

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 Saint-Siméon and Paroisse de Saint-Siméon, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Saint-Siméon".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 11 July 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 territory of the new municipality shall be part of the territory of Municipalité régionale de comté de Charlevoix-Est.

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 council members of both former municipalities in office at the time of coming into force of this Order in Council. An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality on whose council 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 and that was previously occupied by a member of council of that former municipality.

The mayor of the former Village de Saint-Siméon shall act as mayor of the provisional council and the mayor of the former Paroisse de Saint-Siméon shall act as deputy mayor.

The majority of the members in office at any time shall constitute the quorum of the provisional council.

The by-law respecting the remuneration of the elected officers of the former Village de Saint-Siméon shall apply to the members of the provisional council and to those elected in the first general election until the council decides otherwise.

For the term of the provisional council, the mayors of the former municipalities shall remain qualified to sit on the council of Municipalité régionale de comté de Charlevoix-Est.

6. The first sitting of the provisional council shall be held at the Centre des loisirs de Saint-Siméon.

7. The first general election shall be held on the first Sunday of November 2001. The second general election shall be held in 2005.

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

8. For the first general election and for any partial election held before the second general election, the only persons eligible for seats 1, 3 and 5 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 an election were an election of the members of the council of the former Paroisse de Saint-Siméon, and the only persons eligible for seats 2, 4 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Village de Saint-Siméon.

In order to be a candidate for a councillor's seat, the person must have been domiciled for at least 12 months in the sector made up of the territory of the former municipality for which the seat is reserved.

The voters of the new municipality shall participate in the election of the mayor and six councillors in the first general election.

9. Sylvie Foster, secretary-treasurer of the former Village de Saint-Siméon, shall act as secretary-treasurer of the new municipality and Gérald Bouchard, secretary-treasurer of the former Paroisse de Saint-Siméon, shall act as deputy secretary.

10. If a budget was adopted by a former municipality for the fiscal year during which this Order in Council comes into force:

(1) the budget shall remain applicable;

(2) the expenditures and revenues of the new municipality, for the remaining part of the fiscal year during which this Order in Council for amalgamation comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be charged to each of the former municipalities in proportion, for each, to their standardized property value in relation to the total of those of the former municipalities as they appear in the financial statements of those municipalities for the fiscal year preceding that during which this Order in Council for amalgamation comes into force;

(4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly by that amount, shall constitute a reserve that is paid into the general fund of the new

municipality for the first fiscal year for which it adopts a budget with respect to all of its territory.

11. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect before the coming into force of this Order in Council shall apply until the end of the last fiscal year for which separate budgets were adopted.

12. The working fund of the former Village de Saint-Siméon shall be dissolved at the end of the last fiscal year for which separate budgets were adopted. Any amount in the fund that was not committed on that date shall be added to any surplus accumulated on behalf of that former municipality and shall be dealt with in accordance with the provisions of sections 13 and 16.

13. A working fund shall be constituted for the new municipality as of the first fiscal year for which it adopts a budget with respect to all of its territory. The fund shall be constituted from a sum of \$40 per capita taken from the surplus accumulated on behalf of each former municipality and from 25% of the amount of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM) for the fiscal year during which this Order in Council comes into force.

If the surplus accumulated on behalf of a former municipality is insufficient to pay that contribution, the new municipality shall, to make up the difference, impose a special tax on all the taxable immovables of the sector made up of the territory of that former municipality according to their value as it appears on the assessment roll in force. For each of the four fiscal years following that for which separate budgets were adopted, 25% of the amount of the subsidy paid each year under the Programme d'aide financière au regroupement municipal (PAFREM) shall be paid into the working fund.

For the purposes of this section, the population of each of the former municipalities shall be that indicated in the Order in Council adopted by the government for the year during which this Order in Council comes into force.

14. The balance of any amount of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council as resulting from the amalgamation, shall constitute an amount reserved on behalf of each of the former municipalities based on their respective populations as established by Order in Council of the government for the year during which this Order in Council comes into force. That amount shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay

loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

15. The excess of the amount taken from the surplus accumulated on behalf of the former Paroisse de Saint-Siméon under section 13 shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

16. The excess of the amount taken from the surplus accumulated on behalf of the former Village de Saint-Siméon under section 13 shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality, either to repay loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

17. The aliquot share payable to the Société québécoise d'assainissement des eaux under the agreement signed between the Gouvernement du Québec and the former Paroisse de Saint-Siméon on 28 May 1993 shall remain charged to those who are served by the sewer system of the sector made up of the territory of that former municipality and it shall be paid by means of a compensation rate that the council shall set annually.

The aliquot share payable to the Société québécoise d'assainissement des eaux under the agreement signed between the Gouvernement du Québec and the former Village de Saint-Siméon on 28 May 1993 shall remain charged to those who are served by the sewer system of the sector made up of the territory of that former municipality and it shall be paid by means of a compensation rate that the council shall set annually.

18. The annual repayment of instalments in principal and interest of loans made under the loan 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 of those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with law, those amendments may only affect the

taxable immovables located in the sector made up of the territory of that former municipality.

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

20. The amount of the future provisions entered in the books of account of each of the former municipalities on 1 January 2000, following the coming into force of the new accounting standards contained in the Manuel de la présentation de l'information financière municipale, shall remain charged or credited to all the taxable immovables in the sector made up of the territory of those former municipalities. They shall be amortized or apportioned in accordance with the new standards.

21. 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 located in the sector made up of the territory of that former municipality.

22. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité de Saint-Siméon".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Saint-Siméon, 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 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 Village de Saint-Siméon.

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

24. 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 SAINT-SIMÉON, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE CHARLEVOIX-EST

The current territory of Paroisse de Saint-Siméon and Village de Saint-Siméon, in Municipalité régionale de comté de Charlevoix-Est, comprising in reference to the cadastres of Paroisse de Saint-Siméon and Canton de Callières, the lots or parts of lots, the blocks or parts of blocks 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 within the limits described hereafter, namely: starting from the meeting point of the dividing line between the cadastres of the townships of Callières and Saguenay with the northwest shore of the St. Lawrence River; thence, successively, the following lines and demarcations: in a general southwesterly direction, the northwest shore of the St. Lawrence River to the dividing line between the cadastres of the parishes of Saint-Siméon and Saint-Fidèle; northwesterly, part of the dividing line between the said cadastres to the apex of the eastern angle of lot 2 of the cadastre of Paroisse de Saint-Fidèle; in reference to that cadastre, southwesterly, the southeastern line of lots 2 and 4; northwesterly, the southwestern line of lot 4, that line crossing Chemin de Port-au-Persil that it meets; northeasterly, the northwestern line of lots 4 and 2; northwesterly, part of the dividing line between the cadastres of the parishes of Saint-Siméon and Saint-Fidèle to the apex of the western angle of lot 164 of that first cadastre, that line crossing Route 138, Rivière Noire Sud-Ouest and Lac à Clément that it meets; northeasterly, the dividing line between the cadastres of Paroisse de Saint-Siméon and Canton de Callières and the cadastre of Canton de Chauveau, that line crossing Rivière Noire and Route 170 that it meets; finally, easterly, the dividing line between the cadastres of the townships of Callières and Saguenay to the starting point, that line crossing lakes du Pouce, aux Canards, du Petit-Hector and des Fosses, Petit lac Desbiens, Petit lac à la Truite, Route 138 and Deuxième lac du Séminaire that it meets.

The said limits define the territory of Municipalité de Saint-Siméon, in Municipalité régionale de comté de Charlevoix-Est.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 11 July 2000

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

S-163/1

4219

Gouvernement du Québec

O.C. 410-2001, 11 April 2001

An Act respecting land use planning and development
(R.S.Q., c. A-19.1)

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

Amendment to the letters patent establishing
Municipalité régionale de comté du Bas-Richelieu

WHEREAS under section 166 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the Government established by letters patent Municipalité régionale de comté du Bas-Richelieu on 1 January 1982;

WHEREAS under section 210.39 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), rendered applicable to that regional county municipality by section 109 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (1993, c. 65), the Government may, by order, amend the letters patent of Municipalité régionale de comté du Bas-Richelieu;

WHEREAS a request to amend those letters patent was made by the council of that regional county municipality by Resolution 2000-04-77 dated 12 April 2000;

WHEREAS it is expedient to amend the letters patent of Municipalité régionale de comté du Bas-Richelieu;

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

THAT the letters patent establishing Municipalité régionale de comté du Bas-Richelieu be amended by substituting the following for the third paragraph of the operative part:

“The representative of any municipality sitting on the council of Municipalité régionale de comté du Bas-Richelieu shall have one vote for the first block of 9 000 inhabitants or less in his municipality and one additional vote for each additional block of 9 000 inhabitants or less.”.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

4220