

Municipal Affairs

Gouvernement du Québec

O.C. 705-2001, 13 June 2001

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

Amalgamation of Ville de Chandler and the municipalities of Newport, Pabos, Pabos Mills and Saint-François-de-Pabos

WHEREAS each of the municipal councils of Ville de Chandler and the municipalities of Newport, Pabos, Pabos Mills and Saint-François-de-Pabos 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 Ville de Chandler and the municipalities of Newport, Pabos, Pabos Mills and Saint-François-de-Pabos on the following conditions:

1. The name of the new town shall be “Ville de Pabos”. Notwithstanding the foregoing, during the first general election, a consultation will be made with electors in order to determine the name of the new town. Thus, three names determined by the provisional council will be submitted during that consultation. At the end of that consultation, the council will apply for a change of name in accordance with the law.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 20 March 2001; 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 territory of Municipalité régionale de comté du Rocher-Percé comprises the territory of the new town.

5. Until the term of the majority of candidates elected in the first general election begins, the new town shall be governed by a provisional council composed of a mayor and a councillor of each council 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.

Before the first sitting of the provisional council begins, all the members of the council of the former municipalities in office on the day before the coming into force of this Order in Council shall elect through a secret ballot, from among the mayors, the mayor and deputy mayor of the provisional council. They shall also elect through a secret ballot the councillors of the provisional council and their substitute in anticipation of a seat becoming vacant.

Throughout the term of the provisional council, the mayors of the former municipalities shall continue to be qualified to sit on the council of Municipalité régionale de comté du Rocher-Percé.

Throughout the term of the provisional council, the remuneration of the members of the provisional council shall be the same as the remuneration to which they were entitled before the coming into force of this Order in Council.

A lump sum equivalent to one year of salary on the basis of the remuneration in effect in each former municipality shall be paid, in a single payment, to all the members of the council of the former municipalities in office on the day before the coming into force of this Order in Council when they cease to sit. For the members of the provisional council, that amount shall be paid when they cease to sit on the provisional council.

6. The first sitting of the provisional council shall be held where the council of Municipalité régionale de comté du Rocher-Percé sits.

7. The polling day for the first general election shall be the first Sunday of the fourth month following the month of the coming into force of this Order in Council, except if that Sunday falls on the first Sunday of January,

July or August, in which case the polling day shall be postponed to the first Sunday of the following month. The second general election shall be held in 2004.

8. For the first two general elections, the council of the new town shall be composed of seven members, that is, a mayor and six councillors.

9. For the first two general elections, the new town shall be divided into five electoral districts corresponding to the territory of the former municipalities and keeping the name of those former municipalities. Each district shall have one councillor except for the district of Chandler which shall have two councillors.

10. G. Walter Smith, secretary-treasurer of the former Municipalité de Newport, shall act as clerk of the new town.

11. 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 though those former municipalities continued to exist.

The amount paid annually under the Programme d'aide financière au regroupement municipal (PAFREM) shall be paid into the general fund of the new town.

12. Subject to section 26, 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 continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

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 in the sector made up of the territory of that former municipality, in particular for repaying the loans made by that municipality or for carrying out work in 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 be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

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

16. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the amounts available from the working fund of the former Ville de Chandler and the former municipalities of Pabos Mills and Newport shall become surpluses of those municipalities and shall be dealt with in accordance with section 13.

17. At the end of the last fiscal year for which the former municipalities adopted separate budgets, all the costs thus established related to the water and sewer systems of each former municipality shall be charged to the users of the water and sewer systems of each sector made up of the territory of the former municipality that made them.

18. The employees of Comité des loisirs de Newport inc. in office at the time of the coming into force of this Order in Council may avail themselves of the provisions of section 122 of the Act respecting municipal territorial organization for a twelve-year period following the coming into force of this Order in Council. The employees may not avail themselves of that condition if the committee puts an end to its operations or if the new town decides to close down the arena of the former Municipalité de Newport.

19. A municipal housing bureau shall be constituted under the name of "Office municipal d'habitation de la Ville de Pabos".

That municipal bureau shall succeed to the municipal housing bureaus of the former municipalities of Newport and Pabos and of the former Ville de Chandler, which are 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) shall apply to the municipal housing bureau of the new town as though it had been constituted by letters patent under section 57 of that Act.

20. Subject to sections 21 and 22, at the end of the last fiscal year for which the former municipalities adopted separate budgets, the annual repayment of instalments in principal and interest of loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council shall be charged to the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses of those by-laws.

21. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the annual repayment of instalments in principal and interest of loans made under by-law V-135-143 respecting the arena and by-law 98-V-370 respecting the emergency unit adopted by the former Ville de Chandler shall be

charged to all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in effect each year. The taxation clauses provided for in those by-laws shall be amended accordingly.

22. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance of the amounts owed as credit commitments respecting leases with an option to buy resulting from the resolution bearing number 97-10-416 of the former Ville de Chandler shall be charged to all the taxable immovables of the new town on the basis of their value as it appears on the assessment roll in effect each year.

23. 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 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 (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new town.

24. The business tax rate in effect on the territory of the former Ville de Chandler and the rate of the surtax on non-residential immovables in effect on the territories of the former municipalities of Newport and Pabos at the end of the last fiscal year for which the municipalities adopted separate budgets shall apply after the coming into force of this Order in Council on the territory of the new town for a period of three years.

Notwithstanding the foregoing, the rate of the surtax on non-residential immovables will be applied progressively in the sectors made up of the territories of the former municipalities of Pabos Mills and Saint-François-de-Pabos at the rate of one third of the rate for the first full fiscal year following the coming into force of this Order in Council and one third extra for the second fiscal year to 100% of the rate for the third fiscal year.

25. The Programme d'aide à la rénovation en milieu rural (RénoVillage) of the Société d'habitation du Québec shall apply to the new town in accordance with Order in Council 996-2000 made on 24 August 2000.

26. As soon as this Order in Council comes into force, the Régie d'assainissement des eaux usées of Chandler, Pabos and Pabos Mills shall cease to exist.

27. This Order in Council will come 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 VILLE DE PABOS, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DU ROCHER-PERCÉ

The current territory of Ville de Chandler and the municipalities of Newport, Pabos, Pabos Mills and Saint-François-de-Pabos, in Municipalité régionale de comté du Rocher-Percé, comprising, in reference to the cadastres of Canton de Newport and Municipalité de Pabos, the lots or parts of lots, blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 106 of the cadastre of Municipalité de Pabos; thence, successively, the following lines and demarcations: southeasterly, part of the dividing line between the cadastre of Municipalité de Pabos and the cadastres of Canton de Rameau and Municipalité de Grande-Rivière to the dividing line between ranges 2 and 3 of the cadastre of Municipalité de Pabos; in reference to that cadastre, southwesterly, part of the dividing line between the said ranges to the southwestern line of lot 13D-2 of Rang 2; southeasterly, the southwestern line of lots 13D-2 and 13D-1 then its extension in the right-of-way of Rue Saint-Pierre to the southern limit of that right-of-way; easterly, the southern limit of the right-of-way of the said street to the eastern line of lot 11A of Rang Est du Petit Pabos; southerly, the eastern line of the said lot, that line crossing Route de Petit-Pabos that it meets; in a general southeasterly direction, the northeast shore of Baie du Petit Pabos to the line dividing lot 1D-5 from lots 1C-3 and 1C-4 of Rang Est du Petit Pabos; southeasterly, successively, the dividing line between the said lots, its extension across the rights-of-way of a road (Rue du Bord-de-l'Eau) and of a railway (lot 110) then the dividing line between lots 1D-1 and 1C-1 of Rang Est du Petit Pabos; in a general southwesterly direction, the northwest shore of the Golfe du Saint-Laurent running along, in part, the southeastern line of lot 110 (railway) to the northeastern line of lot 67A-1 of Rang 1; in the said gulf, southeasterly, the extension of the northeastern line of the said lot its meeting point with a line parallel to the northwest

shore of the said gulf and 1.609 kilometres from that line; in a general southwesterly direction, the said parallel line to its meeting point with a straight line perpendicular to that line and whose origin is the meeting point of the dividing line between lots A-3 of Banc du Grand-Pabos and 110 (railway) with the northwest shore of the Golfe du Saint-Laurent; northwesterly, the said perpendicular line to its point of origin; in a general southwesterly direction, part of the southeastern line of lot 110 (railway) and the northwest shore of the said gulf to the dividing line between the cadastres of the townships of Newport and Port-Daniel; northwesterly, the dividing line between the cadastres of the said townships, that line crossing the railway right-of-way (lot 24 of the cadastre of Canton de Newport), Route 132 and Lac Pabos that it meets; northeasterly, the dividing line between the cadastres of the townships of Newport and Raudin, that line crossing Rivière du Grand Pabos Ouest, lakes Des Pins, Caché and Carrière and Rivière du Grand Pabos that it meets; northwesterly, part of the dividing line between the cadastres of Municipalité de Pabos and Canton de Raudin to the apex of the western angle of lot 106 of the first cadastre; lastly, northeasterly, the dividing line between the cadastre of Municipalité de Pabos and the cadastres of the townships of Pellegrin and Rameau to the starting point, that line corresponding to the northwestern line of lot 106 of the cadastre of Municipalité de Pabos.

The said limits define the territory of Ville de Pabos, in Municipalité régionale de comté du Rocher-Percé.

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

Charlesbourg, 20 March 2001

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P-212/1

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Gouvernement du Québec

O.C. 736-2001, 20 June 2001

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

Amalgamation of the towns of Lachenaie, La Plaine
and Terrebonne

WHEREAS each of the municipal councils of the towns of Lachenaie, La Plaine and Terrebonne 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 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 one 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 with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal, which were 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 the towns of Lachenaie, La Plaine and Terrebonne, on the following conditions:

1. The name of the new town shall be "Ville de Terrebonne".

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 5 June 2001; that description appears 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 territory of the Municipalité régionale de comté des Moulins shall include that of the new town.

5. Until the term of the majority of candidates elected in the first general election begins, the new town shall be governed by a provisional council made up of all the council members of the former towns in office at the time of the coming into force of this Order in Council. An additional vote shall be allotted, within the provisional council, to the mayor of the former town 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, up to that time, occupied by a member of the council of that former