

Municipal Affairs

Gouvernement du Québec

O.C. 850-2001, 4 July 2001

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

Amalgamation of Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville, the municipalities of Ascot and Deauville

WHEREAS the Minister of Municipal Affairs and Greater Montréal published on 25 April 2000 the White Paper entitled *Municipal Reorganization: Changing Ours Ways to Better Serve the Public*;

WHEREAS municipal restructuring has started in the metropolitan regions of Montréal, Québec and the Outaouais with the passage of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS Ville de Sherbrooke, Ville de Rock Forest, Ville de Lennoxville, Ville de Fleurimont and Ville de Bromptonville and the municipalities of Ascot and Deauville form part of the Sherbrooke census metropolitan area;

WHEREAS Pierre Gauthier produced on 1 February 2001 a report on municipal reform in the Sherbrooke census metropolitan area as mandated by the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, on 13 March 2001, the Minister required that these municipalities file a joint application for amalgamation at the latest on 13 April 2001 and appointed a conciliator, Pierre Gauthier, to assist them in this endeavour;

WHEREAS the Minister did not receive within the prescribed time limit the joint application for amalgamation;

WHEREAS the Minister received the conciliation report;

WHEREAS it is expedient to include part of the territory of Municipalité de Saint-Élie-d'Orford, Municipalité de Stoke and Paroisse de Saint-Denis-de-Brompton in the city;

WHEREAS the Government may, under the Act respecting municipal territorial organization (R.S.Q., c. O-9), order the constitution of local municipalities resulting from amalgamations, in particular as a means of achieving greater fiscal equity and of providing citizens with services at lower cost or better services at the same cost;

WHEREAS, under section 125.11 of that Act, enacted by section 1 of chapter 27 of the Statutes of 2000, it is expedient to order the constitution of a local municipality;

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

CHAPTER I CONSTITUTION OF THE MUNICIPALITY

1. A local municipality shall be constituted on 1 January 2002 under the name "Ville de Sherbrooke".

2. The description of the territory of the city is the description drawn up by the Minister of Natural Resources on 3 July 2001; that description is attached as Schedule A to this Order in Council.

The description includes part of the territory of the municipalities of Saint-Élie-d'Orford and Stoke.

It excludes part of the territory of Ville de Bromptonville, that part of the territory being included in Municipalité de Stoke.

It excludes part of the territory of Municipalité de Saint-Élie-d'Orford, that part of the territory being included in the territories of Canton d'Orford and of Paroisse de Saint-Denis-de-Brompton.

3. The city shall be governed by the Cities and Towns Act (R.S.Q., c. C-19).

4. In this Order in Council, the “municipalities subject to this amalgamation” are the cities of Sherbrooke, Rock Forest, Lennoxville, Fleurimont and Bromptonville and the municipalities of Ascot, Deauville and Saint-Élie-d’Orford.

CHAPTER II ORGANIZATION OF THE MUNICIPALITY

DIVISION I DIVISION OF THE TERRITORY

5. The territory of the city is, for the exercise of certain of its fields of jurisdiction, divided into six boroughs described in Schedule B.

6. Borough 3 is deemed to be recognized in accordance with section 29.1 of the Charter of the French language (R.S.Q., c. C-11), amended by section 6 of chapter 57 of the Statutes of 2000.

The borough shall retain that recognition until, at its request, the recognition is withdrawn by the Government pursuant to section 29.1 of the Charter.

Officers or employees of the city who exercise their functions or perform work in connection with the powers of the borough are, for the purposes of sections 20 and 26 of the Charter, deemed to be officers or employees of that borough.

DIVISION II CITY COUNCIL AND BOROUGH COUNCILS

7. The affairs of the city shall be administered, in accordance with the apportionment of the powers and fields of jurisdiction provided by this Order in Council, by the city council or, as the case may be, by each borough council.

8. The borough council is, as regards the exercise of its fields of jurisdiction, subject to the rules provided for in the Cities and Towns Act (R.S.Q., c. C-19) with respect to a municipal council, in particular, the rules pertaining to the public nature of the council’s meetings.

§1. City council

9. The city council is composed of the mayor and 19 councillors.

10. The mayor is elected by the electors of all the boroughs.

11. The councillors are elected by the electors of the borough they represent. Each borough is represented on the city council by the number of city councillors prescribed by section 13 in its regard.

§2. Borough council

12. A borough council is made up of the city councillors who represent the borough on the city council and, as required, of borough councillors.

13. A borough council is made up of a minimum of three members.

Each borough is made up of the following number of city councillors:

Borough	Number of city councillors
1	1
2	5
3	1
4	4
5	4
6	4
Total	19

14. If fewer than three city councillors are to be elected by a borough, the electors of the borough shall elect, to sit only on the borough council, the number of borough councillors required so that the borough council is made up of three members.

A borough councillor is an elected municipal officer.

15. The borough council shall designate a borough chair from among its members.

If a borough is represented on the city council by only one city councillor, that councillor is *ex-officio* the chair of the borough.

16. If the members of a borough council are unable to designate the chair at the latest at the first regular meeting of the borough council following a general election, the city council shall make that designation. As long as the city council has not designated the chair of the borough, the members of the borough council may do so.

The person designated to act as the chair of the borough shall hold office until the end of the person’s term of office as councillor in effect at the time of the designation.

17. The city council may, by by-law, grant additional remuneration to the borough chair. The additional remuneration may be fixed according to the population of the borough, by classes established by the council or proportionally.

The second paragraph of section 2 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001) is deemed to apply to the additional remuneration referred to in the first paragraph.

DIVISION III EXECUTIVE COMMITTEE

18. The executive committee of the city is composed of the mayor and four council members designated by the mayor.

The mayor may replace a member of the executive committee at any time.

19. The mayor of the city is the chair of the executive committee. The mayor shall designate the vice-chair from among the members of the committee.

20. Any designated member of the executive committee may resign from the executive committee by sending a written notice to that effect, signed by the member, to the clerk. The resignation takes effect on the date the clerk receives the notice, or on any later date specified in the notice.

21. The regular meetings of the executive committee are held at the place, on the days and at the times fixed in the internal management by-laws adopted by the council.

The special meetings of the executive committee are held at the place, on the days and at the times fixed by the chair.

22. The chair of the executive committee shall convene and preside at meetings of the executive committee and ensure that they are properly conducted.

23. The vice-chair replaces the chair where the latter is unable to act or where the office of chair is vacant. The vice-chair may also preside at a meeting of the executive committee at the request of the chair.

24. The city clerk is the secretary of the executive committee. In his absence, the deputy clerk performs that duty.

The minutes of votes and deliberations of the committee are drawn up and entered in a book to be kept for

that purpose by the secretary of the committee, and after being approved at the following sitting, are signed by the said secretary and by the chair of the committee.

25. Any member of the executive committee who is not present at the place where a meeting is held may take part in the meeting by means of electronic communications equipment.

However, the communications equipment must enable every person participating in or attending the meeting, whether by means of the equipment or in person, to hear clearly everything that is said by another person in an audible and intelligible voice.

Every member participating in such manner in a meeting is deemed to be present at the meeting.

26. The meetings of the executive committee are closed to the public.

However, the executive committee sits in public

(a) in the cases provided for in the internal management by-laws of the city; and

(b) for all or part of a meeting if the executive committee so decides.

27. A majority of members constitutes a quorum at meetings of the executive committee.

28. Each member of the executive committee present at a meeting has one vote.

29. Each decision is made by a simple majority vote.

30. The executive committee exercises the responsibilities as provided in section 70.8 of the Cities and Towns Act and acts for the city in all cases in which a provision of the internal management by-laws assigns the power to perform the act to the executive committee. The executive committee may grant any contract involving an expenditure that does not exceed \$100 000.

The executive committee shall give the council its opinion on any matter, where required to do so under a provision of the by-laws, at the request of the council or on its own initiative.

The opinion of the executive committee does not bind the council. Failure to submit an opinion required under the internal management by-laws or requested by the council does not limit the council's power to consider and vote on the matter.

31. The council may, in the internal management by-laws, determine any act within its jurisdiction which it has the power or the duty to perform, or which it delegates to the executive committee, and may prescribe the terms and conditions of the delegation.

However, the following powers may not be delegated :

(1) the power to adopt a budget, a three-year program of capital expenditures or a document required under the Act respecting land use planning and development (R.S.Q., c. A-19.1), Chapter IV of the Cultural Property Act (R.S.Q., c. B-4), the Act respecting municipal courts (R.S.Q., c. C-72.01), the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) or the Act respecting municipal territorial organization (R.S.Q., c. O-9);

(2) the power to designate a person to a position that may only be held by a member of the council ;

(3) the power to appoint the director general, the clerk, the treasurer and their assistants ;

(4) the power to create the various departments within the city, determine the scope of their activities and appoint the department heads and assistant heads ; and

(5) the power to dismiss, suspend without pay or reduce the salary of an officer or employee referred to in the second and third paragraphs of section 71 of the Cities and Towns Act (R.S.Q., c. C19).

The council may also, in the internal management by-laws, determine any matter on which the executive committee must give its opinion to the council, and prescribe the terms and conditions of consultation. The internal management by-laws may also prescribe the manner in which a member of the council may request the executive committee to report to the council on any matter within the jurisdiction of the executive committee.

32. The executive committee may adopt an internal management by-law concerning its meetings and the conduct of its affairs. The by-law may also, if permitted by the internal management by-laws of the city, provide for the delegation of any power of the executive committee to any officer or employee of the city and determine the terms and conditions under which such power may be exercised.

33. A decision by the council to delegate a power to or withdraw a power from the executive committee must be supported by a majority of two-thirds of the votes of the members of the council.

DIVISION IV **PROVISIONS CONCERNING ELECTIONS**

34. Subject to this Order in Council, the Act respecting elections and referendums in municipalities, adapted as required, shall apply to the office and election of the mayor and any councillor of the city.

35. Every borough shall be divided into districts. There must be one district per councillor.

Every borough whose council is composed of one city councillor and of two borough councillors must be divided into districts for the purposes of the two offices of borough councillor. In such a borough, the city councillor shall be elected by all the electors of the borough.

36. For the purposes of section 47 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), the domicile of a person, the immovable of which the person is the owner or the business establishment of which the person is the occupant must be situated within the territory of the borough where the person exercises his or her right to vote.

37. For the purposes of section 57 of the Act respecting elections and referendums in municipalities, the list formed by the lists of electors of all the boroughs constitutes the list of electors of the city.

38. A person is eligible for office as mayor or as a member of the city council if the person is entitled to have his or her name entered on the list of electors of any borough and has resided continuously or not in the territory of the city for at least 12 months on 1 September of the calendar year in which a regular election is to be held.

A person is eligible for office as a borough councillor if the person is entitled to have his or her name entered on the list of electors of the borough and has resided continuously or not in the territory of the city for at least 12 months on 1 September of the calendar year in which a regular election is to be held.

DIVISION V **SALARY, ALLOWANCE AND PENSION PLAN OF** **BOROUGH COUNCILLORS**

39. The city council shall fix the remuneration and allowance of borough councillors in accordance with the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001).

40. For the purposes of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), borough councillors are deemed to be members of the city council.

DIVISION VI OFFICERS AND EMPLOYEES

41. The city is the employer of all its officers and employees, whether they exercise their functions or perform work in connection with responsibilities under the authority of the city or in connection with responsibilities under the authority of a borough council, and decisions relating to their hiring and dismissal, and negotiation of their conditions of employment are within the authority of the city council.

42. The city council shall determine the staff required for the management of each borough.

Subject to the third paragraph, the city council shall define the staffing methods used to fill positions and fix the procedures for the identification, placing on reserve and assignment of officers having permanent tenure who are surplus to the requirements of a borough.

Borough staffing and recall to work must be effected giving priority to the employees in the borough among those who meet the reassignment requirements or, as the case may be, the selection criteria negotiated and agreed upon by the parties to a collective agreement.

CHAPTER III JURISDICTION

DIVISION I GENERAL

43. The city has jurisdiction in all matters within the jurisdiction of a local municipality, and shall exercise its powers and fulfil its obligations in respect thereof.

The city shall be considered to be a regional county municipality for the purposes of the following acts, adapted as required:

- (1) the Fire Safety Act (2000, c. 20);
 - (2) the Forest Act (R.S.Q., c. F-4.1);
 - (3) the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);
 - (4) the Environment Quality Act (R.S.Q., c. Q-2);
- and

(5) the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1).

The city shall act through its council if the apportionment of fields of jurisdiction provided for by this Order in Council does not implicitly or explicitly enable a determination to be made as to whether the power to act lies with the city council or with the borough council.

Only the city council may submit, within the scope of section 517 of the Act respecting elections and referendums in municipalities, any question within the jurisdiction of the city or of the borough to the qualified voters of the entire territory of the city or a part thereof.

44. The city council may, by a by-law adopted by two-thirds of the votes of its members, order that it has jurisdiction in all or part of a field within the authority of the borough councils.

The city council may, by a by-law adopted by two-thirds of the votes of its members, delegate to the borough councils its jurisdiction in all or part of a field within its jurisdiction, other than the power to borrow and the power to levy taxes.

45. The city council may, subject to the conditions it determines, provide a borough council with a service related to a jurisdiction of the borough council; the resolution of the city council shall take effect on passage by the borough council of a resolution accepting the provision of services.

A borough council may, subject to the conditions it determines, provide the city council with a service related to a jurisdiction of the city council; the resolution of the borough council shall take effect on passage by the city council of a resolution accepting the provision of services.

Every decision under the first or second paragraph shall be made by a two-thirds majority of the votes cast.

46. In the event of incompatibility between a provision of a by-law of the city council and a provision of a by-law of the borough council, the former shall prevail.

DIVISION II SPECIAL FIELDS OF JURISDICTION OF THE CITY

§1. General provisions

47. The city has special jurisdiction, obligations and powers in the following fields:

- (1) land use planning and development;
- (2) community, economic, social and cultural development;
- (3) culture, recreation and parks;
- (4) social housing;
- (5) the road networks;
- (6) tourist promotion and hospitality; and
- (7) the municipal court.

§2. *Land use planning and development*

48. For the purposes of paragraph 7 of section 119 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the city shall assign to each borough an officer responsible for the issuing of permits and certificates.

The city shall be subject to both the provisions of that Act that concern regional county municipalities and the provisions concerning local municipalities, adapted as required. The powers and responsibilities conferred by that Act on the warden, the council and the secretary-treasurer of a regional county municipality shall be exercised, respectively, by the mayor, the city council and the clerk.

However, for the purposes of examining the conformity of the planning program or a planning by-law with the development plan, sections 59.5 to 59.9 and 137.10 to 137.14 of the said Act shall apply, adapted as required, as a substitute for sections 109.6 to 110 as regards the planning program and sections 137.2 to 137.8 as regards by-laws.

The development plan of the city shall be the part of the development plan of municipalité régionale de comté de La Région-Sherbrookoise that is applicable to the city's territory and that is in force on 31 December 2001; the planning program and the planning by-laws of the city shall be the aggregate of the programs and by-laws in force on that date in the municipalities subject to this amalgamation.

§3. *Community, economic, social and cultural development*

49. The city shall prepare a plan relating to the development of its territory.

The plan shall include the objectives pursued by the city as regards community, economic and social development and may establish rules relating to the financial support a borough council may grant to a body carrying on its activities in the borough and whose mission is local economic, community, social and cultural development.

§4. *Culture, recreation and parks*

50. The city shall, by by-law, identify the parks and cultural or recreational facilities to be managed by the city council or by borough councils.

51. The city may, by by-law, determine the location of a park, whether or not the city is the owner of the land.

Such a by-law is without effect as regards third persons as long as the city is not the owner of the land or has not entered into an agreement allowing it to operate the park with the owner or, in the case of land in the domain of the State, with the person having authority over the land.

52. From the coming into force of the by-law provided for in section 51, the city may make an agreement with any person holding the right of ownership or any other right in respect of an immovable situated in the park in question.

Such an agreement may provide

- (1) that the person retains the right for a certain period of time or with certain restrictions;
- (2) that the person grants the city a right of pre-emption;
- (3) that the person agrees not to make improvements or changes to the immovable except with the consent of the city; and
- (4) that the person agrees, in case of total or partial expropriation of the right, not to claim any indemnity by reason of an increase in value of the immovable or right that could result from the establishment of the park or from improvements or changes made to the immovable.

The agreement may also contain any other condition relating to the use of the immovable or right.

53. The city may, by by-law, in respect of a park,

(1) establish rules governing the protection and preservation of the natural environment and its elements;

(2) determine the extent to which and the purposes for which the public is to be admitted;

(3) prescribe the conditions on which a person may stay, travel or engage in an activity in the park;

(4) prohibit or regulate the carrying and transport of firearms;

(5) prohibit or regulate the use or parking of vehicles;

(6) prohibit the transport and possession of animals or prescribe the conditions with which a person having custody of an animal must comply;

(7) prohibit or regulate posting;

(8) establish rules for maintaining order and for ensuring the cleanliness of the premises and the well-being and tranquillity of users;

(9) prohibit certain recreational activities or prescribe conditions governing participation in such activities;

(10) prohibit or regulate the operation of businesses;

(11) determine cases where a person may be kept out or expelled; and

(12) determine the powers and obligations of employees.

54. The city may operate accommodation, restaurant or commercial establishments, or parking lots, in a park for the benefit of users, or cause such establishments or parking lots to be operated.

55. The city, a regional county municipality or a local municipality may enter into an agreement with respect to parks in accordance with the provisions of Division XXV of Chapter II of Title XIV of the Municipal Code of Québec (R.S.Q., c. C-27.1).

56. For the purposes of sections 50 to 55, a natural area or a corridor developed for recreational and sports activities is considered to be a park.

§5. Social housing

57. The city shall establish a social housing development fund.

The city shall pay into the fund annually an amount at least equal to the basic contribution required to build the housing allocated to its territory by the Société d'habitation du Québec.

The Société shall provide the city with the information necessary to determine the amount to be paid into the fund.

§6. Road networks

58. The city shall identify, from among the streets and roads under the management of the city pursuant to section 467.16 of the Cities and Towns Act, those which form its road network and those which form the network under the responsibility of the borough councils.

It shall also establish minimum standards for the management of those networks.

59. The city council shall, in respect of the city's road network, exercise the jurisdiction of the city as regards roadwork, traffic signs and signals and the control of traffic and parking; the city council may prescribe standards for the harmonization of the rules governing roadwork, traffic signs and signals and the control of traffic and parking in respect of all the networks referred to in the first paragraph of section 58.

§7. Tourist promotion and hospitality

60. The city has jurisdiction to promote tourism and provide for tourist hospitality on its territory.

The city may enter into an agreement with any person or body pursuant to which it entrusts to or shares with such person or body the exercise of the field of jurisdiction provided for in the first paragraph or of any aspect thereof. Where the person or body has jurisdiction on a territory other than that of the city, the latter may, in carrying out the agreement, also promote tourism and tourist provide for hospitality on that other territory.

DIVISION III JURISDICTION OF THE BOROUGH COUNCIL

§1. General provisions

61. The borough council may submit opinions and make recommendations to the city council on the budget, the establishment of budgetary priorities, the preparation or amendment of the planning program, amendments to planning by-laws, or any other subject submitted to it by the city council.

The borough council shall prepare an action plan for nearby services and have it approved by the city council.

62. The borough council may, subject to the conditions it determines, provide another borough council with a service related to a field of jurisdiction of the borough council. The resolution for the provision of service shall take effect on passage of a resolution accepting the provision of services.

Every decision under the first paragraph shall be made by a two-thirds majority of the votes cast.

63. The borough council has, for the borough, jurisdiction, powers and obligations in the following fields:

- (1) urban planning;
- (2) the prevention aspect of fire safety;
- (3) culture, recreation and borough parks;
- (4) local roads; and
- (5) local economic, community, social and cultural development.

The borough council has, in the exercise of such jurisdiction, and adapted as required, all the powers and is subject to all the obligations assigned to or imposed on a local municipality by the Cities and Towns Act or any other Act, other than the power to borrow and the power to levy taxes.

The borough may, in an internal management by-law, delegate to any officer or employee hired by the city for the borough any power related to the exercise of its jurisdiction in the approval of expenditures, the making of contracts and personnel management and may determine the terms and conditions of the exercise of the delegated power.

The borough council shall maintain a borough office, for the purposes of issuing permits and affording the population access to all information on matters within the authority of the city council or of the borough council.

§2. Urban planning

64. For the purposes of sections 123 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1),

(1) a public consultation meeting shall be held in each borough referred to in the draft by-law;

(2) the date, time and place of any meeting shall be fixed by the council of any borough in which a meeting is to be held under paragraph 1;

(3) every public consultation meeting shall be presided by the chair of the borough council;

(4) the notice required by section 126 of that Act shall be posted not only at the office of the city but also at the office of each borough referred to in the draft by-law, and shall state that a copy of the draft by-law is available for consultation both at the office of the city and at the office of each such borough;

(5) the summary referred to in section 129 of that Act may be obtained at the office of the borough; and

(6) a notice under section 132 of that Act shall be issued separately for each borough and shall deal only with the provisions of the second draft by-law that affect the borough referred to in the notice.

65. The borough council may, in accordance with Chapter V of Title I of the Act respecting land use planning and development (R.S.Q., c. A-19.1), adapted as required, establish an advisory land use planning committee.

66. A borough council having an advisory land use planning committee may adopt a by-law concerning minor exemptions from the planning by-laws of the city.

Division VI of Chapter IV of Title I of the Act respecting land use planning and development applies (R.S.Q., c. A-19.1), adapted as required. In particular, the notice referred to in section 145.6 of that Act shall be published in accordance with the Cities and Towns Act (R.S.Q., c. C-19) and be posted at the office of the borough.

§3. Prevention aspect of fire safety

67. The borough council shall participate, by its recommendations, in the preparation of the city's fire safety plan and its amendments and revisions, and promote the implementation in the borough of the measures contained in it.

§4. Culture, recreation and borough parks

68. The borough council is responsible for the management of the parks and the cultural and recreational facilities under its jurisdiction pursuant to the by-law under section 50, except for the power referred to in section 55.

The borough council is also responsible for the organization of recreational sports and sociocultural activities. It may, in particular, for that purpose provide financial support to bodies whose goal is to organize and foster physical or cultural activity.

§5. Local roads

69. The borough council shall exercise the city's jurisdiction over roadworks, traffic signs and signals and the control of traffic and parking in respect of the streets and roads under its jurisdiction pursuant to the by-law adopted by the city council under section 58, in a manner consistent with the rules established under the second paragraph of that section and section 59.

§6. Local economic, community, social and cultural development

70. Notwithstanding the Municipal Aid Prohibition Act (R.S.Q., c. I-15), the borough council may, in accordance with the rules established in the development plan prepared by the city pursuant to section 49, provide financial support to a body carrying on its activities in the borough and whose mission is local economic, community or social development.

CHAPTER IV SPECIAL FINANCIAL AND FISCAL PROVISIONS

DIVISION I FINANCIAL PROVISIONS

71. The city shall determine the annual allotment to be made to each borough council according to a formula it determines that establishes, among other things, elements of equalization among the boroughs.

72. The borough council is responsible for the management of its budget.

It must, however, administer its allotment in conformity with the minimum standards fixed by by-law of the city council regarding the level of services to be offered by each borough council.

73. The only mode of tariffing which may be used by the borough council to finance all or part of its property, services or activities is a tariff involving a fixed amount charged on an *ad hoc* basis, in the form of a subscription or under terms similar to those of a subscription, for the use of a property or service or in respect of a benefit derived from an activity.

No borough council may require the inhabitants and ratepayers of the other city boroughs to pay an amount

greater than the amount required from the inhabitants and ratepayers of the borough.

Revenues generated by the application by the borough council of a mode of tariffing referred to in the first paragraph are for the exclusive use of the borough council.

74. The borough council may request the city to grant it an additional amount with a view to increasing the level of its services.

Where the city grants the borough council's request, the city shall, to finance such additional amount, either require compensation from the owners or occupants of immovables situated in the borough, or levy a tax on all or part of the taxable immovables situated in the borough.

75. Every agreement entailing commitment of the city's credit by a borough council for a period extending beyond the fiscal year in which the agreement is made must be authorized by the city council.

The city council may, by by-law, provide for exceptions to the rule set out in the first paragraph.

76. A loan by-law need not be submitted for approval to the qualified voters if the subject of the by-law is the carrying out of permanent work on waste water purification works, drinking water supply systems, underground conduits, road surfacing, curbs, sidewalks, lighting and traffic signs and signals, the acquisition by mutual agreement or expropriation of land or servitudes and work respecting the supply of electricity required for the carrying out of such work.

DIVISION II FISCAL PROVISIONS

§1. Interpretation and general provisions

77. For the purposes of this Division, the parts of territory of Municipalité de Saint-Élie-d'Orford, Municipalité de Stoke and Paroisse de Saint-Denis-de-Brompton that are included in the description appearing in Schedule A and the territory of each municipality named in section 4 shall constitute distinct sectors.

78. The city is subject to the rules provided for by law with respect to local municipalities, particularly the rules that prohibit the setting of different rates for the general property tax for different parts of the municipal territory and the rules that provide for the use of specific sources of revenue to finance debt-related expenses.

The city may derogate from these rules only if required to do so for the purposes of one of the provisions of this Division or of section 147.

§2. Ceiling on any increase in the tax burden

79. The city must avail itself of the power conferred on it under section 80 and, if it imposes a business tax, of the power conferred under section 81, or of the power conferred under section 86.

80. The city may, for a fiscal year, set any rate for the general property tax so that, with respect to the previous fiscal year, the increase in the tax burden for all the units of assessment located in a sector to which part of the rate or the full rate applies, is limited to 5%.

The following shall constitute the tax burden :

(1) revenues from the general property tax as a result of applying the full rate or a part thereof;

(2) revenues from other taxes, including the taxes based on the rental value of immovables or compensation deemed to be taxes under the law, particularly those used to finance services such as drinking water supply, waste water purification, snow removal, garbage removal and the recycling of waste materials;

(3) revenues from sums payable in lieu of taxes for immovables, either by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), or by the Government, in accordance with section 254 and the first paragraph of section 255 of the Act, or by the Crown in right of Canada or one of its mandataries;

(4) revenues from which the city was deprived by granting a credit, with respect to any source of revenue referred to in subparagraphs 1 to 3, for the purposes of applying section 140 concerning the use of a surplus.

However, the revenues referred to in the second paragraph used to finance debt-related expenses are not included in the tax burden.

81. The city may, for a fiscal year, set the business tax rate so that, with respect to the previous fiscal year, the increase in revenues arising from the tax for all the business establishments located in a sector is limited to 5%.

These revenues include any sums in lieu of the tax business payable by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), or the second

paragraph of section 254 and the first paragraph of section 255 of the Act.

82. If the city avails itself of one of the powers provided for in sections 80 and 81, it may replace the maximum increase provided for in those sections by another, which must be the same for all the sectors in question and be less than 5%.

83. In the event that the increase referred to in section 80 or 81 does not result solely from the constitution of the city, the maximum shall apply only with respect to the portion of the increase that is a result of its constitution.

84. If the city avails itself of one of the powers provided for in section 80 or 81, it must, subject to any by-law made under the second paragraph, establish the rules that will enable a determination to be made as to whether the increase referred to in that section is a result solely of the constitution of the city, and enable the establishment of the portion of the increase that is a result thereof if it is not.

The Government may, by regulation, provide for cases where the increase is not deemed a result of the constitution of the city.

If the city does not avail itself of the power provided for in section 244.29 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) and imposes a surtax or a tax on non-residential immovables or the surtax on vacant land, it must, if it is to avail itself of the power provided for in section 80, establish the necessary measures of concordance to obtain the same results, for the purposes of this section, as if the city were to impose a general property tax with rates specific to the categories that include the units of assessment subject to each tax or surtax imposed.

85. For the purposes of determining the percentage of increase referred to in section 80 for the 2002 fiscal year, where the local municipality the territory of which constitutes the sector referred to has appropriated as revenue for the 2001 fiscal year all or a portion of the surplus from previous fiscal years, for an amount that exceeds the average amount so appropriated for the 1996 to 2000 fiscal years, shall be included in the fiscal burden of all the units of assessment located in the sector, for the 2001 fiscal year, the difference obtained by subtracting from the excess amount the sum that the municipality did not have to pay as a result of the application of sections 90 to 96 of chapter 54 of the Statutes of 2000, for the special fund for the financing of local activities.

86. The city may establish the rules enabling it to grant an abatement for a fiscal year, with respect to the previous fiscal year, in order to limit to 5% the increase in the tax burden for a unit of assessment or a business establishment.

The second and third paragraphs of section 80 and sections 81 to 85 shall apply, adapted as required, for the purposes of the increase ceiling provided for in the first paragraph.

If the city avails itself of the power provided for in this paragraph, it shall establish rules enabling it to adapt to each individual unit of assessment or business establishment the provisions of the second paragraph, which take into account all the units or establishments.

§3. *Ceiling on any reduction in the tax burden*

87. The city may, for a fiscal year, set any rate for the general property tax so that, with respect to the previous fiscal year, the reduction in the tax burden for all the units of assessment located in a sector and to which all or a portion of the rate applies shall not exceed the percentage that the city shall set for all the sectors.

The second and third paragraphs of section 80, the third paragraph of section 84 and section 85 shall apply, adapted as required, for the purposes of the reduction ceiling provided for in the first paragraph.

88. The city may, for a fiscal year, set the rate for the business tax so that, with respect to the previous fiscal year, the reduction in revenues from that tax for all the business establishments located in a sector shall not exceed the percentage that the city shall set for all the sectors.

These revenues include revenues from sums payable in lieu of the business tax that shall be paid by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), or the second paragraph of section 254 and the first paragraph of section 255 of the Act.

89. If the city does not avail itself of the power provided for in section 87 or 88, it may establish rules enabling it to require a supplement for a fiscal year so that, with respect to the previous fiscal year, the reduction in the tax burden for a unit of assessment or business establishment does not exceed the percentage that the city shall set for the entire territory.

The second and third paragraphs of section 80, the third paragraph of section 84 and section 85 shall apply to a unit of assessment, and the second paragraph of

section 88 to a business establishment, adapted as required, for the purposes of the reduction ceiling provided for in the first paragraph.

If the city avails itself of the power provided for in this paragraph, it shall establish rules enabling it to adapt to each individual unit of assessment or business establishment the provisions of the second paragraph, which take into account all the units or establishments.

§4. *Miscellaneous*

90. The city may avail itself of the powers provided for in Division III.1 of Chapter XVIII of the Act respecting municipal taxation (R.S.Q., c. F-2.1) with respect to one sector and not to another or vary their exercise in different sectors.

91. Where, for a fiscal year prior to the year in which the first assessment roll drawn up specifically for the city comes into force, the city sets, under section 244.29 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), a rate for the general property tax that is specific to one of the categories provided for in sections 244.34 and 244.35 of the Act, the coefficient referred to in sections 244.44 and 244.47 of the Act shall be the coefficient that is established on the basis of the comparison of the two last property assessment rolls of the municipality subject to this amalgamation whose population in 2001 was the highest.

92. For the 2002 fiscal year, the city shall impose a business tax on the sector where the tax was imposed for the 2001 fiscal year and shall not impose it on any other sector.

For the following fiscal years, if the city does not impose the business tax on its entire territory, it may impose the tax on a sector where the tax was imposed for the 2001 and 2002 fiscal years.

For the purposes of the first two paragraphs, the roll of rental values in effect in the sector for the 2001 fiscal year shall continue to apply until the end of the first fiscal year for which it was drawn up. The city may, if required for these purposes, have a roll of rental values drawn up, in accordance with the Act respecting municipal taxation (R.S.Q., c. F-2.1), for one sector rather than the entire territory.

93. The city may establish a program under which it may grant, in the circumstances provided for in the second paragraph, a credit applicable to the amount of the general property tax that is imposed, for any fiscal year from the one referred to in subparagraph 1 of that paragraph, on any unit of assessment that is located in a sector and belongs to

the group provided for in section 244.31 of the Act respecting municipal taxation (R.S.Q., c. F-2.1).

The credit may be granted where all the following conditions have been met:

(1) for a given fiscal year, the business tax is not imposed on the sector, neither distinctly nor within the entire territory of the city, or, if it is, the revenues provided for the sector are less than those of the previous fiscal year;

(2) the business tax has been imposed on the sector, for the fiscal year preceding that referred to in subparagraph 1, without it having been imposed on the entire territory of the city;

(3) the revenues of the general property tax for the sector for the fiscal year referred to in subparagraph 1, which are a product of the application in whole or in part of one of the specific rates for the categories specified in sections 244.33 and 244.34 of the Act respecting municipal taxation, exceed the revenues which would have been produced had there been no loss or reduction in revenues from the business tax.

The credit shall reduce the amount payable in general property tax imposed on any unit of assessment referred to in the first paragraph and in respect of which applies in whole or in part the rate referred to in subparagraph 3 of the second paragraph. The amount of credit shall be determined according to the rules of the program.

The cost of the aggregate of the credits granted for the units of assessment located in the sector is payable by all the units located in that sector and that belong to the group referred to in the first paragraph.

If the city does not avail itself of the power provided for in section 244.29 of the Act respecting municipal taxation and imposes a surtax or a tax on non-residential immovables, it must, if it avails itself of the power provided for in the first paragraph, establish the necessary rules of concordance to obtain the same results, for the purposes of the first four paragraphs, as if the city were to impose a general property tax with rates specific to the categories that include the units of assessment subject to the surtax or tax imposed on non-residential immovables.

94. Where a municipality subject to this amalgamation has availed itself, with respect to its assessment roll in effect on 1 January 2001, of the power provided for in section 253.27 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the city may, no later than the date on which the budget for the 2002 fiscal year is adopted,

provide that the averaging of the variation in the taxable values resulting from the coming into force of a roll be extended for that fiscal year and for the sector concerned.

CHAPTER V EFFECTS OF AN AMALGAMATION ON LABOUR RELATIONS

95. Subject to this section, sections 176.1 to 176.22 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the third paragraph of section 176.23, and sections 176.24 to 176.26 apply, adapted as required, to the amalgamations and transfers provided for in paragraph 1 in accordance with the rules set out in paragraphs 2 to 12:

(1) to the amalgamation and to the transfer of employees and officers from any municipal or supramunicipal body to the city;

(2) for the purposes of sections 176.1, 176.2, 176.10, 176.25 and 176.26, the expression "a municipality that ceased to exist on amalgamation" means "a municipality that will cease to exist on the constitution of the city";

(3) the agreement provided for in section 176.2 and the decision rendered by a labour commissioner under sections 176.5 and 176.9 shall not operate to define the bargaining units with reference to one or more boroughs;

(4) the labour commissioner's decision must, in the cases provided for in sections 176.5 and 176.9, be rendered no later than 29 June 2002;

(5) the period for making an agreement under section 176.2 ends on 14 February 2002;

(6) the reference date for the purposes of the second paragraph of section 176.5 is 1 January 2002;

(7) the period for filing an application under sections 176.6 and 176.7 begins on 15 February 2002 and ends on 16 March 2002;

(8) the provisions of the first paragraph of section 176.10 become effective on 1 January 2002;

(9) the suspension of the application of paragraph *a* of section 22 of the Labour Code (R.S.Q., c. C-27), provided for in subparagraph 3 of the first paragraph of section 176.10, begins on 1 January 2002 and terminates on 17 March 2002; as regards the suspension of the other provisions of section 22, the suspension begins on 1 January 2002 and terminates on 1 September 2003;

(10) the exercise of the right to strike of the employees of the municipalities subject to this amalgamation is suspended from 1 January 2002 to 31 March 2003;

(11) every collective agreement binding a municipality subject to this amalgamation expires on the date provided for its expiry or on 1 January 2003, whichever is earlier; and

(12) the notice of negotiation referred to in section 176.14 shall be given no later than 1 January 2003.

CHAPTER VI

TRANSITION COMMITTEE

DIVISION I

COMPOSITION AND ORGANIZATION OF THE TRANSITION COMMITTEE

96. A transition committee composed of the members designated by the Minister of Municipal Affairs and Greater Montréal is hereby constituted, effective on the date of coming into force of this Order in Council. The number of members of the committee shall not be fewer than three nor more than seven.

The Minister of Municipal Affairs and Greater Montréal shall designate a chair from among the committee members.

97. No person who is a member of the council of a municipality amalgamated under this amalgamation may sit as a member of the transition committee. In addition, a person who has acted as a member of the committee is ineligible for office as a member of the city council in the city's first general election; no such person may be employed by the city to hold a position referred to in the second paragraph of section 71 of the Cities and Towns Act until the expiry of a period of two years from the end of the person's term as member of the committee.

98. The transition committee is a legal person and a mandatary of the State.

The property of the transition committee forms part of the domain of the State, but the execution of the obligations of the agency may be levied against its property.

The transition committee binds only itself when it acts in its own name.

The transition committee has its head office at the place determined by the Minister of Municipal Affairs and Greater Montréal. Notice of the location and of any

change of location of the head office must be published in the *Gazette officielle du Québec* and in a newspaper circulated in the territory described in section 2.

99. Every member of the transition committee shall be paid the remuneration and allowances determined by the Minister of Municipal Affairs and Greater Montréal. The Minister may determine any other condition of employment of a member, in particular with respect to the reimbursement of expenses in the performance of a member's duties.

100. No deed, document or writing binds the transition committee unless it is signed by the chair or, to the extent determined in the internal by-laws of the transition committee, by a member of the committee's personnel.

The committee may allow, subject to the conditions and on the documents it determines in an internal management by-law, that a signature be affixed by means of an automatic device or that a facsimile of a signature be engraved, lithographed or printed. The facsimile has the same force as the signature itself only if the document is countersigned by a person authorized by the chair.

101. The minutes of a meeting of the transition committee, approved by the committee and certified by the chair or any other member of the personnel so authorized by the internal management by-laws, are authentic, as are documents and copies emanating from the committee or forming part of its records if signed or certified by any such person.

102. The transition committee shall appoint an acting clerk as secretary of the transition committee and as acting clerk of the city. The transition committee shall determine the secretary's remuneration and other conditions of employment.

The secretary shall attend the meetings of the committee. The secretary shall keep the registers and have custody of the records and documents of the committee. The secretary shall exercise any other responsibility that the committee determines.

The secretary is responsible for access to the committee's documents.

If the secretary is unable to act, the committee may replace the secretary temporarily by appointing another person to that function. One of the members of the committee may also act in the place of the secretary if the secretary is unable to act.

The transition committee shall appoint an acting treasurer as treasurer of the transition committee and as acting treasurer of the city. The transition committee shall determine the secretary's remuneration and other conditions of employment.

103. The transition committee may hire the employees required for the exercise of its responsibilities and determine their conditions of employment. The transition committee may also obtain the expert services it considers necessary.

104. No judicial proceedings may be brought against the members of the transition committee or the committee's employees and representatives by reason of an official act done in good faith in the exercise of their functions. Sections 604.6 to 604.10 of the Cities and Towns Act (R.S.Q., c. C-19) apply, adapted as required, in respect of the committee members and employees.

Any liability that may be connected with the protection of the members and employees of the committee under the first paragraph is assumed by the Government.

105. The Minister of Municipal Affairs and Greater Montréal may, under the conditions and on the terms the Minister determines, grant the transition committee any sum considered necessary by the Minister for its operation.

The Minister of Municipal Affairs and Greater Montréal shall approve any decision to contract a loan taken by the transition committee. The loan shall be contracted, if applicable, at the rate of interest and on the other conditions set out in the approval.

106. The transition committee is a municipal body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1).

107. Unless otherwise provided in an order of the Minister of Municipal Affairs and Greater Montréal, the mandate of the transition committee ends on the date of constitution of the city. The committee shall then be dissolved and its assets and liabilities transferred to the city.

The Minister may however authorize the transition committee to finalize a mandate the Minister specifies to the transition committee.

DIVISION II

MISSION OF THE TRANSITION COMMITTEE

108. The mission of the transition committee is to participate, together with the administrators and employees of the municipalities subject to this amalgamation, and of any body thereof, in the establishment of the conditions most conducive to facilitating the transition, for the citizens of the city, from the existing administrations to the city.

DIVISION III

OPERATION, POWERS AND RESPONSIBILITIES OF THE TRANSITION COMMITTEE

§1. Operation and powers of the committee

109. The decisions of the transition committee shall be made at meetings of the committee.

The quorum at meetings of the committee is the majority of its members.

110. Subject to the second paragraph of section 116, the transition committee shall, during its term, provide the citizens of the municipalities subject to this amalgamation with any information it considers relevant to keep them informed on the carrying out of its mission.

The Minister of Municipal Affairs and Greater Montréal may issue directives to the committee in that respect.

111. The transition committee may adopt internal management by-laws establishing its rules of operation.

112. The transition committee may form any sub-committee for the examination of particular matters, determine its mode of operation and designate the members, including the person who is to chair the sub-committee.

A person who is not a member of the committee may also be designated as a member of a sub-committee.

113. The chair of the transition committee may entrust to one or more members of the committee or, where applicable, of a sub-committee the exercise of certain functions or the examination of any matter the chair indicates.

114. The transition committee may require any municipality subject to this amalgamation, or a body thereof to furnish information, records or documents belonging to the municipality or the body and which the transition committee considers necessary to consult.

The first paragraph also applies with respect to information, records or documents relating to the pension plan referred to in section 140, held by any administrator of such plan or any public body that holds such responsibility for such plan under the law.

115. The transition committee may require any municipality subject to this amalgamation or a body thereof to submit a report on a decision or matter relating to the municipality or the body and that is within and relevant to the committee's functions, concerning the financial situation of the municipality or body or the staff or any person in its employment.

116. Sections 114 and 115 apply notwithstanding the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1).

The members of the transition committee or of any sub-committee and the committee employees are required to ensure the confidentiality of the information obtained under sections 114 and 115.

117. The transition committee may, where it considers it necessary for the exercise of its responsibilities, use the services of an officer or employee of a municipality subject to this amalgamation or a body thereof. The committee may designate the employee whose services are necessary. The committee and the employer shall agree on the amount to be paid by the committee for the use of the services. The employer shall make the designated employee available to the committee from the time indicated by the committee, despite the absence of an agreement relating to the cost of the services.

Failing an agreement, the Minister of Municipal Affairs and Greater Montréal may designate a conciliator at the request of the committee or the employer to assist the parties in reaching an agreement. The conciliator shall act as if he or she were designated under section 468.53 of the Cities and Towns Act (R.S.Q., c. C-19), and section 469 of that Act applies in that case, adapted as required.

The officers and employees seconded to the committee remain in the employment of the municipality or the body, as the case may be, are remunerated by their employer, and are governed by the same conditions of employment during the secondment.

118. Every member of the council and every officer or employee of a municipality subject to this amalgamation or a body thereof must cooperate with the transition committee members, employees and representatives acting in the performance of their duties.

No municipality or body referred to in the first paragraph may prohibit or otherwise prevent its officers or employees from cooperating with the transition committee acting within the scope of its mission, nor take or threaten to take any disciplinary measure against them for having cooperated with the committee.

Section 123 of the Act respecting labour standards (R.S.Q., c. N-1.1) applies, adapted as required, to any officer or employee who believes he or she has been the victim of a practice prohibited by the second paragraph.

§2. *Responsibilities of the committee*

119. The transition committee shall, as soon as it is able to do so after the designation of all of its members, establish an advisory committee formed of the mayors of the municipalities subject to this amalgamation. The transition committee may submit to the advisory committee any matter on which it seeks the opinion of the mayors of the municipalities. The advisory committee may give the transition committee its opinion regarding any matter related to the mandate of the transition committee.

The transition committee shall hold at least one meeting every month with the advisory committee. A member of the advisory committee who is unable to act may be replaced by a member of the council of the municipality it designates.

The rules of operation of the advisory committee may be prescribed by the internal management by-laws of the transition committee.

120. Every decision by which a municipality subject to this amalgamation or a body thereof makes a financial commitment for a period extending beyond 31 December 2001 must be authorized by the transition committee if the decision is made on or after the date of coming into force of this Order in Council.

Every collective agreement or contract of employment entered into or amended as of after the coming into force of this Order in Council by a municipality subject to this amalgamation must be authorized by the transition committee if the effect of the agreement or contract is to increase the remuneration and fringe benefits of the officers and employees.

Until the transition committee is formed, an application must be made to the Minister of Municipal Affairs and Greater Montréal for every authorization required under this section.

The transition committee may, at any time, approve a decision, collective agreement or work contract for which authorization is required under the first, second or third paragraphs. The committee's approval is deemed to be appropriate authorization.

121. The transition committee shall hire and remunerate the election officers prescribed by the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) for the purposes of the city's first general election.

Subject to any other provision of this Order in Council, the transition committee shall in respect of the election, divide the territory of boroughs 1 and 3 into electoral districts and exercise the powers and assume the responsibilities assigned to the council of a municipality by the Act respecting elections and referendums in municipalities.

122. The transition committee may examine the circumstances of the hiring of officers and employees after the date of coming into force of this Order in Council and the situation of any intermunicipal board employee whose employment is not maintained under the intermunicipal agreement in one of the municipalities that is a party to the agreement when it expires.

The transition committee may make any recommendations to the Minister of Municipal Affairs and Greater Montréal in their regard.

123. The transition committee shall, on or before 30 September 2001, agree with all the certified associations within the meaning of the Labour Code (R.S.Q., c. C-27) representing the employees in the employment of the municipalities subject to this amalgamation on the procedure for the reassignment of those employees as members of the personnel of the city, and on the rights of and remedies available to an employee who believes he or she has been wronged as a consequence of the application of that procedure.

The parties may in addition agree on conditions of employment incidental to the reassignment of employees.

An agreement entered into under this section may not provide conditions of employment that entail higher costs than those entailed by the application of the applicable conditions of employment or increase the staff.

The provisions concerning the application of the reassignment process provided for in the applicable conditions of employment, or, where there is no such process, the provisions that allow employees to be assigned a position or a place of employment, constitute the employee reassignment procedure.

124. If an agreement has not been reached on all the matters referred to in the first and second paragraphs of section 123 within the time prescribed by that section, the Minister of Municipal Affairs and Greater Montréal shall so inform the Minister of Labour, and sections 125.16 to 125.23 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) shall apply, adapted as required.

However, the Minister of Labour may, if applicable and if deemed expedient, designate a mediator-arbitrator per dispute or group of disputes relating to the determination of the assignment procedure for a given employment category or group of employees.

125. The transition committee shall also prepare any plan for the reassignment of the officers and employees of the municipalities subject to this amalgamation who are not represented by a certified association, as well as the procedure relating to the rights of and remedies available to an employee who believes he or she has been wronged as a consequence of the application of the reassignment plan.

A plan prepared under the first paragraph applies to the city as of 31 December 2001.

Subject to sections 130 and 132, the transition committee shall draw up the plan prescribed in the first paragraph with respect to the employees of Municipalité régionale de comté de La Région-Sherbrookoise who will be transferred to the city.

126. The transition committee may appoint the director general, the clerk and the treasurer of the city to act until the city council decides otherwise.

It may create the various departments within the city, and determine the scope of their activities. The transition committee may appoint the department heads and assistant heads, as well as the other officers and employees not represented by a certified association, and define their functions.

127. The transition committee shall prepare the city's budget for the first fiscal year and determine a formula enabling it to fix the allotments of each borough council, by establishing, among other things, elements of equalization among the boroughs and taking into account the services provided in 2001 by each of the local municipalities subject to this amalgamation.

The transition committee shall prepare a draft with respect to any resolution, among those that the provisions of Division II of Chapter IV empower it to adopt, on which the draft budget is based.

128. The transition committee shall, within the scope of its mandate, list the organizations involved in economic development that have their head office or a business establishment on the territory of the city.

The object of the study shall be the mission or mandate of such organizations. The committees may make any recommendation to the Minister of Municipal Affairs and Greater Montréal in that regard.

129. In accordance with the Act respecting the municipal and intermunicipal transit authorities (R.S.Q., c. S-30.1), the transition committee must undertake steps with the Minister of Transport to change the status of the Corporation métropolitaine de transport de Sherbrooke into a public transit operating authority.

130. The transition committee shall conclude an agreement with Ville de Bromptonville and Municipalité de Stoke with respect to

(1) the transfer to Ville de Sherbrooke of part of the officers and employees of Municipalité de Stoke;

(2) the transfer to Municipalité de Stoke of part of the officers and employees of Ville de Bromptonville;

(3) the conditions of the transfers referred to in subparagraphs 1 and 2 and the apportionment of the assets and liabilities related thereto.

The agreement shall be concluded by 15 November 2001.

The Minister of Municipal Affairs and Greater Montréal may appoint a conciliator to help the parties reach an agreement, which must be approved by the Government.

The Minister of Municipal Affairs and Greater Montréal may grant a postponement upon request from the committee or a municipality referred to in the first paragraph.

Failing agreement, the Government shall impose the rules concerning the transfers and the apportionment of the assets and liabilities related thereto.

131. The transition committee shall examine the situation of the employees of an intermunicipal board made up of the municipalities named in section 4 and make in their respect any recommendation to the Minister of

Municipal Affairs and Greater Montréal relating to their reassignment as members of the personnel of the city.

132. The transition committee shall conclude an agreement with Canton d'Orford, Municipalité de Saint-Élie-d'Orford and Paroisse de Saint-Denis-de-Brompton with respect to

(1) the transfer to Canton d'Orford, Paroisse de Saint-Denis-de-Brompton and Ville de Sherbrooke of all or part of the officers and employees of Municipalité de Saint-Élie-d'Orford;

(2) the inclusion in the territory of Canton d'Orford and Paroisse de Saint-Denis-de-Brompton of the part of the territory of Municipalité de Saint-Élie-d'Orford that is contiguous to their territory and that is not included, under section 2 of this Order in Council, in the territory of Ville de Sherbrooke;

(3) the conditions of the transfers referred to in subparagraphs 1 and 2 and the apportionment of the assets and liabilities related thereto.

The agreement shall be concluded by 15 November 2001.

The Minister of Municipal Affairs and Greater Montréal may appoint a conciliator to help the parties reach an agreement, which must be approved by the Government.

The Minister may grant a postponement upon request from the committee or a municipality referred to in the first paragraph.

Failing an agreement, the Government shall impose the rules concerning the transfers and the apportionment of the assets and liabilities related thereto.

133. The transition committee shall examine any other matter or carry out any other mandate the Government may entrust to the committee in the pursuit of its mission.

134. The transition committee shall report to the Minister of Municipal Affairs and Greater Montréal on its activities at the end of its mandate at the request of the Minister.

In addition to the recommendations made pursuant to this Chapter, the committee's report may include any additional recommendation the committee considers necessary to bring to the attention of the Government and pertaining in particular to any special provisions the committee considers expedient to incorporate into the legal framework applicable to the city.

135. The transition committee shall also provide the Minister of Municipal Affairs and Greater Montréal with any information the Minister may require on its activities.

CHAPTER VII SUCCESSION

136. The city succeeds to the rights, obligations and charges of the municipalities subject to this amalgamation as they existed on 31 December 2001.

As provided for in the rules of transfer and apportionment of the assets and liabilities determined under sections 130 and 132, the city also succeeds to the rights, obligations and charges of Municipalité régionale de comté de La Région-Sherbrookoise and Municipalité de Saint-Élie-d'Orford. The city becomes, without continuance of suit, a party to every suit, in the place of every municipality to which it succeeds.

137. The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the municipalities subject to this amalgamation and of the regional county municipality with respect to the territory of the city that are consistent with the provisions of this Order in Council shall remain in force on the territory for which they were made until their purposes are fulfilled or until they are amended, replaced or repealed. They are deemed to be acts of the city or, according to the field of jurisdiction to which they relate, of the borough council within which that territory is located.

138. The by-laws, resolutions and other acts adopted by the municipalities of Saint-Élie-d'Orford and Stoke and by Paroisse de Saint-Denis-de-Brompton for the part of the territory included in the territory of the city shall continue to apply to the territory for which they were made until their purposes are fulfilled or until they are replaced or repealed.

139. The officers and employees of the municipalities and those of the regional county municipality shall become, without reduction in salary, officers and employees of the city, and shall retain their seniority and fringe benefits and, in particular, continue to be members of the pension plan of which they were members prior to the constitution of the city.

The officers and employees referred to in this section, other than officers and employees whose employment with one of the municipalities begins after the date of coming into force of this Order in Council, may not be laid off or dismissed solely by reason of the constitution of the city.

140. The debts and any category of surplus of each of the municipalities subject to this amalgamation shall continue to burden or be credited to the immovables that were taxable in their respect on 31 December 2001 and are located in the part of the territory of the city that corresponds to the territory of that municipality.

The amounts required after 31 December 2001, with respect to the amount determined pursuant to subparagraph 4 of the second paragraph of section 137 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1) with respect to a pension plan of a municipality subject to this amalgamation or to the amortization of any unfunded actuarial liability of any such plan shall continue to burden the immovables located in the part of the territory of the city that corresponds to the territory of that municipality. The contributions paid after 31 December 2001, with respect to the commitments arising from a pension plan not subject to the Supplemental Pension Plans Act to which a municipality referred to in the first paragraph was a party, for the years of service before 1 January 2002 shall continue to burden the immovables located in the part of the territory of the city that corresponds to the territory of that municipality.

The date of determination of the amount pursuant to subparagraph 4 of the second paragraph of section 137 of the Supplemental Pension Plans Act or to the unfunded actuarial liability referred to in the second paragraph must be prior to 21 June 2001. Furthermore, with respect to an unfunded actuarial liability amendment, the amendment must have been made before 1 January 2002. However, if a pension plan has such an amount or unfunded actuarial liability outstanding on the date of its division, its merger or cancellation, the contributions paid by the city for that purpose after that date shall be deemed paid with respect to any amount or the amortization of any liability referred to in the second paragraph.

The revenues or costs in relation to legal proceedings or a dispute to which a municipality subject to this amalgamation or, as the case may be, the city is a party in respect of an event prior to 1 January 2002 that concerns such a municipality shall continue to be credited to or to burden all or part of the taxable immovables of the sector formed by the territory of that municipality.

141. Any intermunicipal agreement that provides for the constitution of an intermunicipal board formed exclusively of municipalities subject to this amalgamation shall be terminated on 31 December 2001, notwithstanding any provision in the agreement that is inconsistent therewith.

Notwithstanding sections 468.48 and 468.49 of the Cities and Towns Act (R.S.Q., c. C-19), the intermunicipal board referred to in the first paragraph shall cease its activities and be dissolved on the date provided for in that paragraph.

142. The city succeeds to the rights, obligations and charges of the board referred to in section 141. In that respect, the last sentence of the second paragraph of section 136 and sections 137 and 140 shall apply, adapted as required, and with respect to section 140, in regard to debts, given the apportionment determined by the agreement constituting the board with respect to capital expenditures.

143. With respect to an intermunicipal agreement providing for the constitution of an intermunicipal board formed in part of municipalities subject to this amalgamation, the city may request that the Minister of Municipal Affairs and Greater Montréal approve the termination of the agreement on a date other than that provided for by the agreement, so as to allow for the dissolution of the board. If the Minister approves the request, sections 468.48 and 468.49 of the Cities and Towns Act (R.S.Q., c. C-19) shall apply, adapted as required, from the date that a copy of the Minister's approval is sent to the intermunicipal board and to the member municipalities.

Section 140 shall apply to the debts arising from the agreement referred to in the first paragraph given the apportionment established in the agreement constituting the board with respect to capital expenditures.

144. An intermunicipal agreement providing for an operating procedure other than an intermunicipal board and concluded exclusively by the municipalities subject to this amalgamation shall be terminated on 31 December 2001. Any such agreement concluded by one of those municipalities and another municipality shall be terminated on 31 December 2002.

145. The sums of money derived from the operation or rental of an industrial immovable by the city, after deduction of the administration and maintenance costs related thereto, or from the alienation of such immovable shall be used to discharge the commitments made in respect of that immovable by any municipality subject to this amalgamation.

If the immovable referred to in the first paragraph was the object of an agreement under section 13.1 of the Act respecting municipal industrial immovables (R.S.Q., c. I-0.1), which provided for terms and conditions for the apportionment of expenses between the municipalities, the discharge of any commitments referred to in the first paragraph must comply with those terms and conditions for the taxable immovables located in any part of

the territory of the city which corresponds to the territory of any such municipality.

146. The city may provide that the expenses related to debts incurred by any municipality subject to this amalgamation shall be financed, for one part, by the revenues derived exclusively from the territory of that municipality and, for the other part, by the revenues derived from the entire territory of the city.

The following expenses may not be subject to any such decision and shall continue to be financed as in the 2001 fiscal year, subject to any other provision, provided that, for that fiscal year

(1) they were not charged to the ratepayers of the municipality, namely because they were financed by the contributions derived from other public bodies or by subsidies;

(2) they are financed by revenues derived from

(a) a special tax imposed on the taxable immovables located in only one part of the territory of the municipality or imposed solely on the ratepayers of the territory to benefit from the work;

(b) a sum payable in lieu of taxes referred to in clause *a* either by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), or in accordance with the first paragraph of sections 254 and 255 of the Act, or by the Crown in right of Canada or one of its mandataries;

(c) a source of revenue that, under section 244.9 of the Act respecting municipal taxation, will serve specifically for that purpose.

To determine which portion of the expenses subject to the decision provided for in the first paragraph must be financed in one of the ways provided for in the fourth paragraph, the total revenue referred to in subparagraphs 1 to 4 of the fifth paragraph shall be divided by the total revenue of the municipality for the 2001 fiscal year referred to in that paragraph.

The product obtained by multiplying the expenses by the quotient established above shall constitute the portion of expenses to be financed by the use of any source of revenue specified for that purpose imposed on the part of the territory that corresponds to that of the municipality. The balance shall constitute the part of the expenses referred to which may be financed by the use of any source of revenue specified for that purpose imposed on the entire territory of the city or of all other revenues derived from it and not reserved for other purposes.

The revenues that will serve for the purposes of the division provided for in the third paragraph are

(1) the revenues derived from the general property tax, except for those not taken into consideration when establishing the global taxation rate of the municipality and those that the latter would have made from the surtax on vacant lands if it had imposed it rather than setting a general property tax rate specific to the category provided for in section 244.36 of the Act respecting municipal taxation;

(2) the revenues derived from any special tax imposed, based on their taxable value, on all the immovables of the municipality;

(3) the revenues derived from any sum payable in lieu of taxes referred to in subparagraphs 1 and 2, either by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation, or in accordance with the first paragraph of sections 254 and 255 of the Act, or by the Crown in right of Canada or one of its mandataries, except for the revenues that would be exempted under subparagraph 1 if they arose from the tax, where the sum is payable in lieu of the general property tax;

(4) the revenues derived from the source provided for in section 244.1 of the Act respecting municipal taxation, except for those that, under section 244.9 of the Act, will serve specifically to finance the expenses related to debts;

(5) the revenues derived from the surtax on vacant lands, the surtax or the tax on non-residential immovables, the business tax and any other tax imposed according to the rental value of an immovable;

(6) the revenues subject to the exception provided for either in subparagraph 1 or 3;

(7) the revenues derived from any sum payable in lieu of taxes, other than a sum referred to in subparagraph 3, either by the Government, in accordance with the second paragraph of section 210 of the Act respecting municipal taxation, or in accordance with sections 254 and 255 of that Act, or by the Crown in right of Canada or one of its mandataries, except for the revenues derived from such a sum payable as compensation for a specific municipal service;

(8) the revenues derived from any unconditional government transfer.

147. Ville de Sherbrooke shall succeed to the rights and obligations of Ville de Sherbrooke with respect to Hydro-Sherbrooke.

The debts of Ville de Sherbrooke with respect to Hydro-Sherbrooke shall be charged to the city on 1 January 2002.

The value of Hydro-Sherbrooke at 31 December 2001 shall be determined by a committee of experts selected by the transition committee and the value of the long-term debt shall be confirmed by a certified accountant selected by the committee.

Should Hydro-Sherbrooke be sold, the amount corresponding to the value determined under the third paragraph shall be used for the benefit of the taxable immovables of the sector formed of the territory of Ville de Sherbrooke as it existed on 31 December 2001.

From 1 January 2002, any investment in the distribution system or production of electrical power shall be charged to the city and the revenue in excess of the operating expenses for the new investments shall continue to be used for the benefit of the city.

148. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Sherbrooke." The name of the bureau may initially be changed by a simple resolution of the board of directors in the year following its constitution. A notice regarding the change of name shall be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

That municipal bureau shall succeed, on 1 January 2002, to the municipal housing bureaus of Ville de Sherbrooke, Ville de Fleurimont, Ville de Rock Forest, Ville de Bromptonville and Ville de Lennoxville, 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 as though it had been incorporated by letters patent under section 57 of that Act.

The bureau shall be administered by a board of directors formed of five members. Three members shall be appointed by the council of Ville de Sherbrooke, two elected by all the lessees of the bureau, in accordance with the Act respecting the Société d'habitation du Québec and two shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most typical socioeconomic groups of the bureau's territory.

Until the city designates the first directors in accordance with the third paragraph, their duties shall be carried out by persons designated by the Minister of Municipal Affairs and Greater Montréal; should the city council fail to designate them as provided for in the third paragraph before 1 June 2002, their term shall end on that date.

The directors shall elect from among themselves a chair, vice-chair and any other officer they deem necessary to appoint.

The term of the board of directors is for three years and is renewable. Despite the expiry of their term, the board members shall remain in office until reappointed or replaced.

The quorum shall be the majority of the members in office.

The directors may, from the coming into force of this Order in Council

- (1) secure loans on behalf of the bureau ;
- (2) issue debentures or other securities of the bureau and use them as a guarantee or dispose of them for the price and amount deemed appropriate ;
- (3) hypothecate or use as collateral the present or future immovables or movables of the bureau, to ensure the payment of such debentures or other securities, or give only part of the guarantees for those purposes ;
- (4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of surety, to ensure the payment of loans secured other than by the issue of debentures, as well as the payment or execution of other debts, contracts and commitments of the bureau ;
- (5) subject to the compliance with the Act respecting the Société d'habitation du Québec, the regulations made under that Act and the directives issued by the Société, pass any by-law deemed necessary or useful for the management of the bureau.

The employees of the bureaus that have been dissolved shall become without reduction in salary, employees of the bureau, and shall retain their seniority and fringe benefits.

Within fifteen days of their adoption, the bureau shall send to the Société d'habitation du Québec a certified true copy of the by-laws and resolutions appointing or dismissing a member or director.

The time limit provided for in section 37 of the Pay Equity Act (R.S.Q., c. E-12.001) shall no longer apply with respect to the bureaus constituted by the second paragraph. The time limit within which to comply with this section, for any succeeding bureau, shall be 36 months from the date of determination of the last bargaining unit.

CHAPTER VIII FINAL PROVISIONS

149. The first general election shall be held on 4 November 2001 and the second general election shall be held in 2005.

For the purposes of the first general election, the city shall be divided into 19 electoral districts the boundaries of which are defined in Schedule C.

150. A working fund shall be constituted for the city.

The following amounts shall constitute the working fund :

- (1) for the municipalities having the lowest accumulated surplus, half of that surplus ; and
- (2) for every other municipality, the part of its accumulated surplus corresponding, in terms of percentage, to the proportion that the amount referred to in subparagraph 1 represents in relation to the standardized property value of the municipality referred to in that subparagraph.

Notwithstanding the foregoing, the working fund thus established may not exceed \$5 000 000.

151. To determine whether a person is an eligible elector, candidate or a qualified voter at an election or referendum held on the territory of the city, any period during which the person, before the coming into force of section 1, resided continuously or not in the territory of one of the municipalities subject to this amalgamation or the part of the territory of the municipalities of Saint-Élie-d'Orford and Stoke and Paroisse de Saint-Denis-de-Brompton included in the city, or was the owner of an immovable or the occupant of a business establishment located within the territory is considered the same as if that time had been spent on the territory in which the person must be eligible.

152. At the first general election, a council member of one of the municipalities subject to this amalgamation may be a candidate, elected or appointed a member of the city council and hold both positions.

153. The officers or employees of the municipalities subject to this amalgamation and those of Municipalité de Saint-Élie-d'Orford and Municipalité régionale de comté de La Région-Sherbrookoise who were transferred to the city are not eligible to hold office as a member of the city council or borough council, with the exception of persons who provide occasional fire-fight-

ing services and are usually referred to as volunteer fire-fighters and of persons who are only deemed under the Act to be officers or employees of those municipalities.

An officer or employee referred to in the first paragraph, other than one who is not eligible under this paragraph, may not engage in partisan work with respect to the election of city council members or borough council members, as applicable.

That prohibition also covers any association representing the interests of these officers or employees.

154. In accordance with section 396 of the Act respecting elections and referendums in municipalities, any party may request an authorization upon the coming into force of this Order in Council.

155. Unless the leader requests its withdrawal, any authorization granted before the date of coming into force of this Order in Council by the chief electoral officer to a party carrying out its activities on the territory of one of the municipalities subject to this amalgamation shall be maintained and cover the entire territory of the city.

A party that wishes to change its name may have its leader make a written request to the chief electoral officer, to reserve a name for a period not exceeding six months. The second paragraph of section 398 of the Act respecting elections and referendums in municipalities shall apply, adapted as required, to the reservation.

156. For the purposes of the first general election, the chief electoral officer may authorize the merger of authorized parties that do not carry out their activities on the same territory provided that, except for the provisions of section 417 of the Act respecting elections and referendums in municipalities, they carry them out on the territory of a municipality to which the city will succeed and on the territory of the municipality where the merged party intends to carry out its activities and for which council that party will present candidates.

157. For the purposes of the provisions of the Act respecting elections and referendums in municipalities and of the first general election, which do not concern the elections, namely in matters of party financing, a “municipality” means all the municipalities subject to this amalgamation.

158. The returning officer for the first general election shall be Mtre. Pierre Huard, clerk of Ville de Sherbrooke. He shall also carry out, for the purposes of Chapter XIII of Title I of the Act respecting elections and referendums in municipalities and until 31 December 2001, the duties of treasurer within the meaning of section 364 of that Act.

159. The Minister of Municipal Affairs and Greater Montréal shall determine the time, place and date for the first meeting of the city council. If the meeting is not held, the Minister shall set another date.

The meeting may be set for a date earlier than 1 January 2002.

160. At the first meeting, the council shall adopt, with or without amendments, the city’s budget for the 2002 fiscal year as drawn up by the transition committee.

The city’s budget shall be sent to the Minister of Municipal Affairs and Greater Montréal within 30 days of its adoption by the council.

If, on 1 January 2002, the budget has not been adopted, one-twelfth of each of the credits provided for in the budget drawn up by the transition committee shall be deemed adopted. This shall also stand for the first day of each subsequent month, if on each of these dates, the budget has not been adopted.

161. The council of the city or of a borough, the mayor and the executive committee of the city may, from the time the majority of candidates elected at the first general election of 4 November 2001, to the office of councillor has taken the oath, take any decision, with respect to the organization and operation of the city, the borough or executive committee, to the sharing of powers by the city and the boroughs or to the delegation of any power to the executive committee or to officers, that comes under the responsibility or belongs to the field of jurisdiction of the council, mayor or executive committee, except for decisions, with respect to that responsibility or field of jurisdiction, that the law attributes to the transition committee as of 1 January 2002.

Unless they deal with the designation of any borough chair or any member of the executive committee, as the case may be, the decisions referred to in the first paragraph shall take effect on 1 January 2002.

162. The city council may, by virtue of the first by-law on remuneration that it passes under the Act respecting the remuneration of elected municipal officers, fix the remuneration of the mayor, chairs of the boroughs, the other members of the city council and borough councils that the city shall pay for the duties they will have performed between the date of the beginning of their term and 31 December 2001. The method for fixing the remuneration may differ, with respect to that period, from that applicable from the date of the constitution of the city.

The remuneration paid to an elected officer under the first paragraph shall be reduced by an amount equal to that of any remuneration received from another local municipality during the same period of time. For the purposes of the pension plan established under the Act respecting the Pension Plan of Elected Municipal Officers, only the part of the remuneration received for that elected officer from the municipality that was party to the pension plan may be considered admissible earnings.

163. Any member of the council of one of the local municipalities subject to this amalgamation and Municipalité de Saint-Élie-d'Orford whose term ends for the sole reason that the municipality ceased to exist on 31 December 2001, may receive compensation and maintain membership in the pension plan for elected municipal officers in accordance with sections 164 to 168.

Any entitlement referred to in the first paragraph shall cease to apply to a person in a period in which, from 1 January 2002, that person held the office of member of the council of a municipality on the territory of Québec.

164. The amount of the compensation referred to in section 163 shall be based on the remuneration in effect on the date of coming into force of this Order in Council in respect of the position that the person referred to in the first paragraph of section 163 held on 31 December 2001 to which applies, if applicable, any indexing of the remuneration provided for by a by-law of the council of a local municipality that is in effect on the date of coming into force of this Order in Council.

The amount of the compensation shall also be based on the remuneration that the person referred to in the first paragraph of section 163 received directly from a mandatory body of the municipality or a supramunicipal body within the meaning of sections 18 and 19 of the Act respecting the Pension Plan of Elected Municipal Officers.

The compensation established in accordance with the first, second and third paragraphs, except for the part referred to in the fourth paragraph, may not exceed annually the maximum referred to in section 21 of the Act respecting the remuneration of elected municipal officers.

The compensation shall, if applicable, also include any amount corresponding to the provisional contribution provided for in section 26 of the Act respecting the Pension Plan of Elected Municipal Officers that the local municipality, mandatory body or supramunicipal body would have paid with respect to the remuneration provided for in the first and second paragraphs for the person referred to in the first paragraph of section 163.

165. The compensation shall be paid by the city by bi-monthly instalments during the period commencing on 1 January 2002 and ending on the date on which would have been held the first general election following the expiry of the term under way on 31 December 2001.

A person who is eligible for the compensation may enter into an agreement with the city on any other mode of payment of the compensation.

166. The Government shall participate in the financing of one-half of the expenses that the payment of the portion of the compensation referred to in section 164 represents, based on the basic remuneration, or as the case may be, on the minimum annual remuneration, provided for by the Act respecting the remuneration of elected municipal officers, of the person eligible for the program and on the amount of the provisional contribution payable with respect to that part of the compensation.

The Government shall send the city, whose territory includes that of the former municipality of which the eligible person was a council member, any amount corresponding to the portion of the expenses to which it must contribute.

167. The balance of the expenses that the payment of compensation represents, including, if applicable, the provisional contribution, constitutes a debt charged to the taxable immovables located in the part of the territory of the city that corresponds to that of the local municipality referred to in the first paragraph of section 163, and of which the eligible person was a council member.

168. Any person referred to in section 163, who, on 31 December 2001, was a member of the pension plan for elected officers established under the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) shall continue to participate in the plan during the period referred to in the first paragraph of section 164. However, the participant may, before 15 February 2002, give notice to the city in which he states that he has decided to cease to participate in the plan. He must send, as soon as possible, to the Commission administrative des régimes de retraite et d'assurances a copy of that notice. The termination of membership in the plan shall take effect for that person on 1 January 2002.

The eligible earnings for the person who continues to participate in the plan in accordance with section 164 shall correspond to the amount of the compensation paid during the period referred to in the first paragraph of section 164, less the amount of the compensation pay-

able as a provisional contribution. In that case, the provisional contribution shall be paid by the city to the Commission administrative des régimes de retraite et d'assurances at the same time as the member's contribution that the city must withhold on each compensation payment.

A person who elects to terminate his participation in the pension plan referred to in the first paragraph shall be entitled to receive the portion of the compensation that concerns the provisional contribution.

169. No local municipality subject to this amalgamation may pass a by-law provided for in section 31 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001).

170. Sections 79 to 86 have effect until 31 December 2011.

171. Section 18 of Order in Council 1531-98 dated 16 December 1998 respecting the Amalgamation of Ville de Bromptonville and the Canton de Brompton, shall continue to apply, adapted as required.

172. The specific provisions governing the municipalities subject to this amalgamation, except for any provision whose object is, with respect to any such municipality, to validate or ratify a document or an act or to clarify a title of ownership or to confirm or grant the power to acquire or alienate a particular immovable, are repealed from the date of the constitution of Ville de Sherbrooke.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY OF THE NEW VILLE DE SHERBROOKE

The current territory of the municipalities of Ascot and Deauville and a part of Municipalité de Saint-Élie-d'Orford, Ville de Fleurimont, Ville de Lennoxville, Ville de Sherbrooke, Ville de Rock Forest and a part of Ville de Bromptonville, in Municipalité régionale de comté de La Région-Sherbrookoise and a part of Municipalité de Stoke, in Municipalité régionale de comté du Val-Saint-François, comprising in reference to the cadastres of the townships of Ascot, Brompton, Orford, Stoke, Windsor, to the cadastre of Québec and to the cadastre of Village de Lennoxville, the lots or parts of lots and their present and future subdivisions, the blocks or parts of blocks and the submerged shore lots, the lots of the cadastre of Québec and their successor lots, as well as the roads, routes, autoroutes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the

whole within the boundaries described hereafter, namely: starting from the meeting point of the dividing line between Rang 14 and Rang 13 of the cadastre of Canton de Windsor with the dividing line between the cadastres of the townships of Stoke and Windsor; thence, successively, the following lines and demarcations: northeasterly, part of the dividing line between the cadastres of the said townships to the southwest side of the right-of-way of Chemin 4^e Rang; in a general southeasterly direction, the southwest side of the right-of-way of the said road to the centre line of Chemin Desjardins; southwest-erly, the centre line of the said road to the dividing line between Rang 2 and Rang 3 of the cadastre of Canton de Stoke; in reference to that cadastre, southeasterly, part of the dividing line between the said ranges to the dividing line between lots 11D and 12A of Rang 2; southwest-erly, the dividing line between the said lots and its extension to the southwest side of the right-of-way of Chemin 2^e Rang; southeasterly, successively, the southwest side of the right-of-way of the said road then the dividing line between Rang 1 and Rang 2 to the southern line of the cadastre of Canton de Stoke, that first line extended across Chemin Talbot that it meets; easterly, part of the southern line of the cadastre of the said township to the dividing line between Rang 4 and Rang 3 of the cadastre of Canton d'Ascot, that line crossing Route 216 that it meets; in reference to that cadastre, southerly, part of the dividing line between the said ranges to the northern line of Lot 20B of Rang 3, that first line extended across Route 112 that it meets; easterly, successively, the northern line of the said lot, extended across Chemin Biron that it meets, then part of the northern line of Lot 20A of the said range, extended across the right-of-way of a railway (Lot 29 of the said cadastre) to the centre line of Rivière Saint-François; in a general southwest-erly direction, the centre line of the said river downstream and passing to the north and northwest of the islands met in the said river to its meeting point with the northerly extension of the dividing line between Rang 4 and Rang 3; southerly, successively, the said extension passing by the east shore of the islands met in Rivière Saint-François, part of the dividing line between Rang 4 and Rang 3 then the west side of the right-of-way of Chemin Spring and its extension to the southwest side of the right-of-way of Route 108; southeasterly, the southwest side of the right-of-way of the said route to the apex of the northeastern angle of Lot 12E of Rang 3; southerly, the line dividing lots 12E and 11D from lots 12D and 11C of the said Rang 3; westerly, the southern line of Lot 11D of Rang 3; southerly, part of the dividing line between Rang 4 and Rang 3 passing by the west side of the right-of-way of Chemin Bartlett and Chemin Bowers located on the dividing line between the said ranges, that line extended across Chemin Mitchell and the right-of-way of a railway (Lot 31 of the said cadastre) that it meets and to the centre line of Rivière aux Saumons; in a general north-westerly direction, the centre line of the said river down-

stream to its meeting point with the dividing line between the cadastres of Canton d'Ascot and Village de Lennoxville; successively westerly and northerly, part of the dividing broken line between the said cadastres to the dividing line between lots 10A and 11A of Rang 7 of the cadastre of Canton d'Ascot, that broken line crossing Route 143 in its first segment and Chemin Moulton Hill in its second segment; westerly, the northern line of lots 10A and 10B of Rang 7 and of Lot 10A of Rang 8 to the eastern line of Lot 11C of Rang 8, that first line crossing Rue Belvédère that it meets; northerly, part of the eastern line of Lot 11C of Rang 8 to a line parallel to and 121.92 metres north of the northern limit of the right-of-way of Chemin Bel-Horizon (shown on the original); westerly, in Lot 11C of Rang 8, the said parallel line to the dividing line between Rang 8 and Rang 9; southerly, part of the dividing line between the said ranges to the north side of the right-of-way of Chemin Bel-Horizon (shown on the original); westerly, the north side of the right-of-way of the said road to the eastern line of Lot 11B-1 of Rang 9; successively northerly, westerly and southerly, the eastern, northern and western lines of the said Lot 11B-1; westerly, the north side of the right-of-way of Chemin Bel-Horizon, that road bordering to the north lots 10B, 10C, 10D and 10E of Rang 9 and its extension to the northwest side of the right-of-way of Chemin Dunant; southwesterly, the northwest side of the right-of-way of the said road to the western line of Rang 9; southerly, part of the western line of the said range to the centre line of Chemin Dunant; southwesterly, the centre line of the said road to the easterly extension of the northern line of Lot 5F of Rang 10; westerly, the said extension and the northern line of the said lot; southerly, the western line of Rang 10 to the northern line of the cadastre of Canton de Hatley; westerly, successively, the northern line of the cadastre of the said township, that line crossing Chemin McFarland, Chemin de North Hatley, Chemin Beaudette and Route 216 that it meets, then its extension to the centre line of Lac Magog; in a general southwesterly direction, the centre line of the said lake to its meeting point with the easterly extension of the dividing line between the cadastres of the townships of Orford and Magog; westerly, the said extension and part of the dividing line between the cadastres of the said townships to the apex of the southwestern angle of Lot 679 of the cadastre of Canton d'Orford, that line crossing the right-of-way of a railway (Lot 1104), Route 112 (Boulevard Bourque), Autoroute Transquébécoise and other roads that it meets; in reference to that cadastre, northerly, the line bordering to the west lots 679, 678, 677, 676, 675, 674, 673-2, 673-1, 672-2, 672-1, 671-3, 671-2, 671-1, 670-2, 670-1, 669-3, 669-2, 669-1, 666-1 and 663-1, that line extended across Route 220 that it meets; northeasterly, the northwestern line of lots 663-1, 663-2, 664-1, 664-2, 665-1, 665-2 and its extension to the centre line of Route 249 (Chemin Rhéaume Nord), that

first line crossing Chemin du Lac-Montjoie that it meets; northerly, the centre line of the said route to its meeting point with the westerly extension of the northern line of Lot 629-1; easterly, the said extension and the northern line of lots 629-1, 629-2, 630-1, 630-2, 630-3, 631-1 and 631-2; northerly, successively, part of the western line of Lot 573-2, the western line of lots 572-2, 572-1, 571-2, 571-1, 570-2, 570-1, 569-3, 569-2, 569-1, 568-2, 568-1, 567-2, 567-1 and part of the western line of Lot 1780 to its meeting point with the westerly extension of the southern line of Lot 566-1; easterly, the said extension in Lot 1780 and part of the southern line of Lot 566-1 to its meeting point with the southerly extension of the western line of Lot 565-1; northerly, the said extension in Lot 566-1; easterly, the line bordering to the south lots 565-1, 434, 343, 342, 341, 246, 245, 180 and 181, that line crossing Laliberté Nord, Gendron, Hamel Nord and Dion roads that it meets; northerly, the eastern line of Lot 181; westerly, part of the northern line of Canton d'Orford to the southwestern limit of the right-of-way of Chemin 7^e Rang; northwesterly, the southwestern limit of the right-of-way of the said road to the northwestern line of Lot 19A of Rang 6; northeasterly, the northwestern line of Lot 19A in ranges 6, 5, 4 and 3 and of Lot 19B of Rang 3, those lot lines linked together by straight lines across secondary roads that they meet and crossing Autoroute Transquébécoise that it meets in Rang 3; in a general southerly direction, the west bank of Rivière Saint-François to its meeting point with the southwesterly extension of the northwestern line of Lot 973 of the cadastre of Canton de Windsor; in reference to that cadastre, northeasterly, the said extension and the northwestern line of the said lot to the southwestern limit of the right-of-way of Chemin 14^e Rang, that line extended across the right-of-way of a railway (Lot 983) and Route 143 that it meets; southeasterly, the southwestern limit of the right-of-way of the said road to its meeting point with the southwesterly extension of the northwestern line of Lot 955; northeasterly, the said extension and the northwestern line of the said lot; finally, southeasterly, part of the dividing line between Rang 14 and Rang 13 to the starting point.

The said boundaries define the territory of the new Ville de Sherbrooke.

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

Charlesbourg, 3 July 2001

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

S-164/1

SCHEDULE B

File: 3856
Minute: 1207

CANADA
PROVINCE OF QUÉBEC
MUNICIPALITÉ RÉGIONALE DE COMTÉ
DE SHERBROOKE

TECHNICAL DESCRIPTION

Technical description of the boundary of the municipal boroughs for the territory of the municipality of Ville de Sherbrooke, in municipalité régionale de comté de Sherbrooke,

Borough 1

Starting from the point of intersection of the southwestern line of the right-of-way of Chemin du 7^e Rang of Canton de Brompton with the southern line of Canton de Brompton; thence, starting northwesterly along the municipal boundary of Ville de Sherbrooke, to the southern line of the cadastre of Canton de Stoke; part of the said southern line of the cadastre, westerly, to the centre line of Chemin de Beauvoir Est; part of the centre line of Chemin de Beauvoir Est, southerly then southwesterly, to the centre line of Autoroute 10; part of the centre line of Autoroute 10, westerly, to the centre line of Chemin de la Vallée; part of the centre line of Chemin de la Vallée and its extension, southwesterly, to the centre line of Rivière Saint-François; part of the centre line of Rivière Saint-François, in a general northwesterly direction, to the centre line of Autoroute 10; part of the centre line of Autoroute 10, westerly, to the centre line of Autoroute 10-55; part of the centre line of Autoroute 10-55, southerly, to the easterly extension of the southern line of lots 1 512 134 and 2 338 872 to 2 338 877 of the cadastre of Québec; the said extension and the southern line of lots itself; the eastern line of lots 185 and 181 of Canton d'Orford; part of the southern line of Canton de Brompton, westerly, to the starting point.

Borough 2

Starting from the point of intersection of the centre line of Rivière Saint-François with the southwesterly extension of the centre line of Chemin de la Vallée; thence, the said extension and part of the centre line of Chemin de la Vallée, northwesterly, to the centre line of Autoroute 10; part of the centre line of Autoroute 10, easterly, to the centre line of Chemin de Beauvoir Est; part of the centre line of Chemin de Beauvoir Est, north-easterly then northerly, to the southern line of the cadas-

tre of Canton de Stoke; part of the said southern line of the cadastre, easterly, to the municipal boundary of Ville de Sherbrooke; continuing easterly to follow the said municipal boundary, to the easterly extension of the northern line of Lot 18C of Rang 3 of Canton d'Ascot; the said extension and the northern line of Lot 18C itself; part of the dividing line between Rang 3 and Rang 4 of the cadastre of Canton d'Ascot, southerly, to the southern line of Lot 18A of Rang 4 of Canton d'Ascot; the southern line of lots 18A and 18B of Rang 4 and 18A, 18B and 18C of Rang 5 of Canton d'Ascot; part of the western line of Rang 5 of the cadastre of Canton d'Ascot, southerly, to the northern line of Rue Bowen Sud; thence, a straight line to the intersection of the southern line of the railway (former Québec Central) with the eastern line of Chemin Saint-François; part of the eastern line of Chemin Saint-François, southerly, to the northern line of the cadastre of Village de Lennoxville; part of the northern line of the cadastre of Village de Lennoxville, westerly, to the western line of Lot 2-2 of Village de Lennoxville; part of the said western line of Lot 2-2, southerly, to its intersection with a line parallel to and 22.86 metres south of the northern boundary of the cadastre of Village de Lennoxville; the said parallel line, westerly and crossing Lot 2-13 of Village de Lennoxville, to its end in the western line of the said Lot 2-13; part of the western line of the said Lot 2-13, southerly, to the northwestern line of Lot 2-14 of Village de Lennoxville; the northwestern line of lots 2-14 to 2-16 and its extension, southwesterly, to the centre line of the junction of Rivière Saint-François located north of Île Marie; part of the centre line of Rivière Saint-François, in a general northwesterly direction and passing east of the islands met, to the starting point.

Borough 3

Starting from the point of intersection of the easterly extension of the northern line of Lot 18C of Rang 3 of Canton d'Ascot with the centre line of Rivière Saint-François; thence, starting southerly to follow the municipal boundary of Ville de Sherbrooke, to the intersection of the northern line of Lot 10A of Rang 7 of Canton d'Ascot with the western line of the cadastre of Village de Lennoxville; part of the dividing line between the cadastres of Canton d'Ascot and of Village de Lennoxville, northerly then westerly, to the dividing line between lots 14G-189 and 14G-190 of Rang 7 of Canton d'Ascot; thence, a straight line, northerly and crossing Lot 376 of Village de Lennoxville, to the apex of the southern angle of the right-of-way of the Québec Southern Railway (Canadian Pacific); the southwestern line of the said railway right-of-way measuring 45.72 metres, northwesterly, to the northwestern line of the said railway right-of-way; the said northwestern line of the

railway right-of-way, northeasterly and crossing the said Lot 376, to the southern line of Lot 1 030 789 Québec Southern Railway (Canadian Pacific) of the cadastre of Québec; the southern line of the said Lot 1 030 789, easterly, to the southwestern line of Lot 1 028 648 of the cadastre of Québec; part of the southwestern line of Lot 1 028 648 and the southwestern line of Lot 1 028 647 of the cadastre of Québec, southeasterly, to the southern line of the said Lot 1 028 647; the southern line of lots 1 028 647, 1 028 665 (Rue Wellington Sud), 1 028 606, 1 028 603 (St. Lawrence and Atlantic Railway) and 1 028 600 of the cadastre of Québec and its extension, easterly, to the centre line of Rivière Saint-François; part of the centre line of Rivière Saint-François, in a general easterly direction and passing north of Île Marie, to the southwesterly extension of the northwestern line of lots 2-14 to 2-16 of Village de Lennoxville; the said extension and the northwestern line of lots itself; part of the western line of Lot 2-13 of Village de Lennoxville, northerly, to its intersection with a line parallel to and 22.86 metres south of the northern line of the cadastre of Village de Lennoxville; the said parallel line, easterly and crossing the said Lot 2-13, to its end on the western line of Lot 2-2 of Village de Lennoxville; part of the said western line of Lot 2-2, northerly, to the northern line of the cadastre of Village de Lennoxville; part of the said northern line of the cadastre, easterly, to the eastern line of Chemin Saint-François; northerly, to the southern line of the railway right-of-way (former Québec Central); thence, a straight line, to the intersection of the northern line of Rue Bowen Sud with the western line of Rang 5 of the cadastre of Canton d'Ascot; part of the said western line of Rang 5, northerly, to the southern line of Lot 18C of Rang 5 of Canton d'Ascot; the southern line of lots 18A, 18B and 18C of Rang 5 and 18A and 18B of Rang 4 of Canton d'Ascot; part of the dividing line between Rang 3 and Rang 4 of the cadastre of Canton d'Ascot, northerly, to the northern line of Lot 18C of Rang 3 of Canton d'Ascot; the said northern line of Lot 18C and its extension, easterly, to the starting point.

Borough 4

Starting from the point of intersection of the centre line of Rivière Magog and Rivière Saint-François; thence, part of the centre line of Rivière Saint-François, in a general southerly direction and passing east of the islands met, to the easterly extension of the southern line of Lot 1 028 600 of the cadastre of Québec; the said extension and the southern line of lots 1 028 647, 1 028 655 (Rue Wellington Sud), 1 028 606, 1 028 603 (St. Lawrence and Atlantic Railway) and 1 028 600 of the cadastre of Québec; the southwestern line of Lot 1 028 647 and part of the southwestern line of Lot 1 028 648 of the cadastre of Québec, northwesterly,

to the southern line of Lot 1 030 789 (Québec Southern Railway (Canadian Pacific)) of the cadastre of Québec; the southern line of the said Lot 1 030 789; from the apex of the southwestern angle of the same Lot 1 030 789, the northwestern line of the right-of-way of the Québec Southern Railway (Canadian Pacific), southwesterly and crossing Lot 376 of Village de Lennoxville, to the southwestern line of the said railway right-of-way; the said southwestern line of the railway right-of-way measuring 45.72 metres, southeasterly, to the apex of the southern angle of the said railway right-of-way; thence, a straight line crossing the said Lot 376, to the dividing line between lots 14G-189 and 14G-190 of Rang 7 of Canton d'Ascot; part of the dividing line between the cadastres of Canton d'Ascot and Village de Lennoxville, easterly then southerly, to the municipal boundary of Ville de Sherbrooke; thence, starting westerly to follow the said municipal boundary, to the centre line of Rue Felton; the centre line of Rue Felton; the centre line of Rue Labbé and its extension, northerly, to the centre line of Rivière Magog; part of the centre line of Rivière Magog, in a general northeasterly direction, to the starting point.

Borough 5

Starting from the apex of the northeastern angle of Lot 185 of Canton d'Orford; thence, the eastern line of the said Lot 185; the southern line of lots 1 512 134 and 2 338 872 to 2 338 877 of the cadastre of Québec and its extension, easterly, to the centre line of Autoroute 10-55; part of the centre line of Autoroute 10-55, southwesterly, to the northerly extension of the centre line of the north-south segment of Chemin Labonté; the said extension and part of the centre line of Chemin Labonté, southerly, to the centre line of Route 220; part of the centre line of Route 220, easterly, to the northerly extension of the western line of Lot 211 of Canton d'Orford; the said extension, the western line of Lot 211 itself and its extension, southerly, crossing lots 213 and 214 passing by the northwestern line of lots 213-232, 213-234 and 213-236 and the southwestern line of lots 213-236 and 213-238 all of Canton d'Orford, to the apex of the northwestern angle of Lot 216-1 of Canton d'Orford; the western line of the said Lot 216-1 and of Lot 216 of Canton d'Orford; the southern line of lots 216-6, 216 and 216-5 of Canton d'Orford and lots 1 394 176 to 1 394 193, 1 394 195 to 1 394 198, 1 394 211, 1 394 213 to 1 394 217, 1 394 200, 1 511 568, 1 511 959 and 1 512 074 of the cadastre of Québec; the southwestern line of Lot 164-124-2 of Canton d'Orford; the south-eastern line of lots 164-124-2 and 164-124-1 of Canton d'Orford; the southern line of lots 1 511 570, 1 511 626, 1 511 664, 1 511 958, 1 512 056, 1 512 186, 1 979 813 and 1 979 814 of the cadastre of Québec and its extension, easterly, to the centre line of Rivière Magog; part of the centre line of Rivière Magog, in a general south-

erly direction, to the northerly extension of the centre line of Rue Labbé; the said extension and the centre line of Rue Labbé; the centre line of Rue Felton; part of the municipal boundary of Ville de Sherbrooke, starting southerly to follow the said municipal boundary, to the starting point.

Borough 6

Starting from the intersection of the centre line of Autoroute 10 and Autoroute 55; thence, part of the centre line of Autoroute 10, easterly, to the centre line of Rivière Saint-François; part of the centre line of Rivière Saint-François, in a general southerly direction, to the centre line of Rivière Magog; part of the centre line of Rivière Magog, in a general southwesterly direction, to the easterly extension of the southern line of Lot 1 512 186 of the cadastre of Québec; the said extension and the southern line of lots 1 511 570, 1 511 626, 1 511 664, 1 511 958, 1 512 056, 1 512 186, 1 979 813 and 1 979 814 of the cadastre of Québec; the southeastern line of lots 164-124-1 and 164-124-2 of Canton d'Orford; the southwestern line of Lot 164-124-2 of Canton d'Orford; the southern line of lots 1 394 176 to 1 394 193, 1 394 195 to 1 394 198, 1 394 211, 1 394 213 to 1 394 217, 1 394 200, 1 511 568, 1 511 959 and 1 512 074 of the cadastre of Québec and lots 216-5, 216 and 216-6 of Canton d'Orford; the western line of lots 216 and 216-1 of Canton d'Orford; from the apex of the northwestern angle of the said Lot 216-1, northerly, crossing lots 213 and 214 and passing by the southwestern line of lots 213-238 and 213-236 and the northwestern line of lots 213-236, 213-234 and 213-232 all of Canton d'Orford, to the apex of the southwestern angle of Lot 211 of Canton d'Orford; the western line of the said Lot 211 and its extension, northerly, to the centre line of Route 220; part of the centre line of Route 220, westerly, to the centre line of Chemin Labonté; the centre line of the north-south segment of Chemin Labonté and its extension, northerly, to the centre line of Autoroute 10-55; part of the centre line of Autoroute 10-55, north-easterly, to the starting point.

The whole as shown on a plan entitled "Schedule B-Boundary of the boroughs-new Ville de Sherbrooke" as prepared by the Division de la géomatique of Ville de Sherbrooke.

This technical description, bearing my minute 1207, was prepared for the purpose of delineating municipal boroughs and shall not be used for any other purpose without the written authorization of the undersigned.

Sherbrooke, 29 June 2001

MARIE PARENT,
Land surveyor

SCHEDULE C

File: 3856
Minute: 1208

CANADA
PROVINCE OF QUÉBEC
MUNICIPALITÉ RÉGIONALE DE COMTÉ
DE SHERBROOKE

TECHNICAL DESCRIPTION

Technical description of the boundary of the electoral districts for the territory of the municipality of Ville de Sherbrooke, in municipalité régionale de comté de Sherbrooke,

District 1

Corresponds to the boundary of municipal borough 1.

District 2.1

Starting from the point of intersection of the centre line of Rivière Saint-François with the southwesterly extension of the centre line of Chemin de la Vallée; thence, part of the boundary of municipal borough 2, starting northeasterly to follow the said boundary, to the centre line of Chemin des Pèlerins; part of the centre line of Chemin des Pèlerins, southerly, to the centre line of Rue du 24-Juin; part of the centre line of Rue du 24-Juin, easterly, to the centre line of 12^e Avenue Nord; part of the centre line of 12^e Avenue Nord, southerly, to the centre line of Rue Papineau; part of the centre line of Rue Papineau, southwesterly to the centre line of Rue King Est; part of the centre line of Rue King Est, southwesterly; to the boundary of municipal borough 2; part of the said boundary, northwesterly; to the starting point.

District 2.2

Starting from the point of intersection of the centre line of Rue Papineau with that of 12^e Avenue Nord; thence, part of the centre line of 12^e Avenue Nord, northerly, to the centre line of Rue du 24-Juin; part of the centre line of Rue du 24-Juin, westerly, to the centre line of Chemin des Pèlerins; part of the centre line of Chemin des Pèlerins, northerly, to the boundary of municipal borough 2, part of the boundary of municipal borough 2, starting northeasterly to follow the said boundary, to the centre line of Route 216; part of the centre line of route 216, southwesterly, to the centre line of Chemin Duplessis; part of the centre line of Chemin Duplessis, easterly then southerly, to the centre line of Rue Papineau; part of the centre line of Rue Papineau, westerly, to the starting point.

District 2.3

Starting from the point of intersection of the centre line of Rue Papineau with that of 12^e Avenue Nord; thence, part of the centre line of Rue Papineau, easterly, to the centre line of Chemin Duplessis; part of the centre line of Chemin Duplessis, northerly then westerly, to the centre line of Route 216; part of the centre line of Route 216, northeasterly, to the boundary of municipal borough 2; part of the boundary of municipal borough 2, starting easterly to follow the said boundary, to the southeasterly extension of the centre line of Chemin Galvin; the said extension and the centre line of Chemin Galvin, northwesterly then westerly, to the centre line of Rue Galt Est; part of the centre line of Rue Galt Est, northerly, to the centre line of Rue King Est; part of the centre line of Rue King Est, westerly, to the centre line of 12^e Avenue Nord; part of the centre line of 12^e Avenue Nord, northerly, to the starting point.

District 2.4

Starting from the point of intersection of the centre line of Chemin Galvin with that of Rue Galt Est; thence, the centre line of Chemin Galvin and its extension, easterly then southeasterly, to the boundary of municipal borough 2; part of the boundary of municipal borough 2, starting westerly to follow the said boundary, to the centre line of Rue Galt Est; part of the centre line of Rue Galt Est, easterly, to the centre line of Rue Bowen Sud; part of the centre line of Rue Bowen Sud, northerly, to the centre line of Rue Woodward; part of the centre line of Rue Woodward, easterly, to the centre line of 7^e Avenue Sud; part of the centre line of 7^e Avenue Sud, northerly, to the centre line of Rue Chalifoux; part of the centre line of Rue Chalifoux, easterly, to the centre line of Rue Galt Est; part of the centre line of Rue Galt Est, northerly, to the starting point.

District 2.5

Starting from the point of intersection of the centre line of Rue Papineau with that of 12^e Avenue Nord; thence, part of the centre line of 12^e Avenue Nord, southerly, to the centre line of Rue King Est; part of the centre line of Rue King Est, easterly, to the centre line of Rue Galt Est; part of the centre line of Rue Galt Est, southerly, to the centre line of Rue Chalifoux; part of the centre line of Rue Chalifoux, westerly, to the centre line of 7^e Avenue Sud; part of the centre line of 7^e Avenue Sud, southerly, to the centre line of Rue Woodward; part of the centre line of Rue Woodward, westerly, to the centre line of Rue Bowen Sud; part of the centre line of Rue Bowen Sud, southerly, to the centre line of Rue Galt Est; part of the centre line of Rue Galt Est, westerly, to the boundary of municipal borough 2; part of municipal

borough 2, northerly to follow the said boundary, to the centre line of Rue King Est; part of the centre line of Rue King Est, northeasterly, to the starting point.

District 3

Corresponds to the boundary of municipal borough 3.

District 4.1

Starting from the point of intersection of the centre line of Rivière Magog and Rivière Saint-François; thence, part of the boundary of municipal borough 4, starting southerly to follow the said boundary, to the easterly extension of the centre line of Rue Darche; the said extension and part of the centre line of Rue Darche, westerly, to the centre line of Rue Larocque; part of the centre line of Rue Larocque, northerly, to the centre line of Rue McManamy; part of the centre line of Rue McManamy, westerly, to the centre line of Rue Belvédère Sud; part of the centre line of Rue Belvédère Sud, northerly, to the centre line of Rue Minto; the extension of the centre line of Rue Minto, to the boundary of municipal borough 4; part of the boundary of municipal borough 4, starting northerly to follow the said boundary; to the starting point.

District 4.2

Starting from the point of intersection of the centre line of Montée d'Ascot with that of Rue Dunant; thence, part of the centre line of Rue Dunant, northeasterly, to the centre line of Rue Belvédère Sud; part of the centre line of Rue Belvédère Sud, southeasterly, to the centre line of Rue Picard; the centre line of Rue Picard, easterly, to the centre line of Rue Dorval; part of the centre line of Rue Dorval, southerly, to the centre line of Rue Darche; the centre line of Rue Darche and its extension, easterly, to the boundary of municipal borough 4; part of the boundary of municipal borough 4, starting southerly to follow the said boundary, to the centre line of Rue Dunant; part of the centre line of Rue Dunant, northeasterly, to the starting point.

District 4.3

Starting from the point of intersection of the centre line of Montée d'Ascot with that of Rue Dunant; thence, the centre line of Montée d'Ascot, northwesterly, to the centre line of Chemin de Sainte-Catherine, part of the centre line of Chemin de Sainte-Catherine, northerly, to the centre line of Boulevard de l'Université; part of the centre line of Boulevard de l'Université, northeasterly, to the centre line of Rue Galt Ouest; part of the centre line of Rue Galt Ouest, easterly, to the centre line of Rue Saint-Joseph; the centre line of Rue Saint-Joseph and its

extension, northerly, to the boundary of municipal borough 4; part of the boundary of municipal borough 4, starting northeasterly to follow the said boundary, to the westerly extension of the centre line of Rue Minto; the said extension, easterly, to the centre line of Rue Belvédère Sud; part of the centre line of Rue Belvédère Sud, southerly, to the centre line of Rue McManamy; part of the centre line of Rue McManamy, easterly, to the centre line of Rue Larocque; part of the centre line of Rue Larocque, southerly, to the centre line of Rue Darche; part of the centre line of Rue Darche, westerly, to the centre line of Rue Dorval; part of the centre line of Rue Dorval, northerly, to the centre line of Rue Picard; the centre line of Rue Picard, westerly, to the centre line of Rue Belvédère Sud; part of the centre line of Rue Belvédère Sud, northwesterly, to the centre line of Rue Dunant; part of the centre line of Rue Dunant, southwesterly to the starting point.

District 4.4

Starting from the point of intersection of the centre line of Montée d'Ascot with that of Rue Dunant; thence, part of the centre line of Rue Dunant, southwesterly, to the boundary of municipal borough 4; part of the boundary of municipal borough 4, starting southwesterly to follow the said boundary, to the northerly extension of the centre line of Rue Saint-Joseph; the said extension and the centre line of Rue Saint-Joseph, southerly, to the centre line of Rue Galt Ouest; part of the centre line of Rue Galt Ouest, westerly, to the centre line of Boulevard de l'Université; part of the centre line of Boulevard de l'Université, southwesterly, to the centre line of Chemin de Sainte-Catherine; part of the centre line of Chemin de Sainte-Catherine, southerly, to the centre line of Montée d'Ascot; the centre line of Montée d'Ascot, southeasterly, to the starting point.

District 5.1

Starting from the point of intersection of the centre line of Autoroute 10-55 with the northerly extension of the centre line of the north-south segment of Chemin Cayer; thence, the said extension and part of the centre line of Chemin Cayer, southerly then easterly, to the centre line of Rue Joyal; the centre line of Rue Joyal, southerly, to the centre line of Boulevard Bourque; part of the centre line of Boulevard Bourque, northeasterly, to the northerly extension of the eastern line of Lot 415 of Canton d'Orford; the said extension, the eastern line of lots 415, 417 and 419 of Canton d'Orford and its extension, southerly, to the centre line of Boulevard Bertrand-Fabi; part of the centre line of Boulevard Bertrand-Fabi, easterly, to the centre line of Chemin Saint-Roch Nord; the centre line of Chemin Saint-Roch Nord, easterly then southeasterly, to the centre line of

Rivière Magog; part of the centre line of Rivière Magog, in a general northeasterly direction, to the boundary of municipal borough 5; part of the boundary of municipal borough 5, starting southerly to follow the said boundary, to the northern line of Lot 674 of Canton d'Orford; the said northern line of Lot 674 and its extension, easterly, to the centre line of Route 249; part of the centre line of Route 249, northerly, to the westerly extension of the northern line of Lot 639 of Canton d'Orford; the said northern line of Lot 639; the western line of Lot 591 of Canton d'Orford; part of the northern line of the said Lot 591, easterly, to the centre line of Autoroute 10-55; part of the centre line of Autoroute 10-55, northeasterly, to the starting point.

District 5.2

Starting from the point of intersection of the centre line of Boulevard Bourque with the northerly extension of the eastern line of Lot 415 of Canton d'Orford; thence, part of the centre line of Boulevard Bourque, northeasterly, to the centre line of Boulevard des Vétérans; part of the centre line of Boulevard des Vétérans, easterly, to the centre line of Rue de Chambois; the centre line of Rue de Chambois and its extension, southerly, to the southern line of Lot 172 of Canton d'Orford; part of the said southern line of Lot 172 and its extension, easterly, to the centre line of Rivière Magog being in part the boundary of municipal borough 5; part of the centre line of Rivière Magog, in a general southwesterly direction, to the centre line of Chemin Saint-Roch Nord; the centre line of Chemin Saint-Roch Nord, northwesterly and westerly, to the centre line of Boulevard Bertrand-Fabi; part of the centre line of Boulevard Bertrand-Fabi, westerly, to the southerly extension of the eastern line of Lot 419 of Canton d'Orford; the said extension, the eastern line of lots 419, 417 and 415 of Canton d'Orford and its extension, northerly, to the starting point.

District 5.3

Starting from the point of intersection of the centre line of Autoroute 10-55 with the northerly extension of the centre line of the north-south segment of Chemin Cayer; thence, part of the centre line of Autoroute 10-55, northeasterly, to the boundary of municipal borough 5; part of the boundary of municipal borough 5, starting southerly to follow the said boundary, to the easterly extension of the southern line of Lot 172 of Canton d'Orford; the said extension and part of the said southern line of Lot 172, westerly, to the southerly extension of the centre line of Rue de Chambois; the said extension and the centre line of Rue de Chambois, northerly, to the centre line of Boulevard des Vétérans; part of the centre line of Boulevard des Vétérans, westerly, to the

centre line of Boulevard Bourque ; part of the centre line of Boulevard Bourque, southwesterly, to the centre line of Rue Joyal ; the centre line of Rue Joyal, northerly, to the centre line of Chemin Cayer ; part of the centre line of Chemin Cayer and the extension of its north-south segment, westerly then northerly, to the starting point.

District 5.4

Starting from the point of intersection of the centre line of Autoroute 10-55 with the northerly extension of the centre line of the north-south segment of Chemin Cayer ; thence, part of the centre line of Autoroute 10-55, southwesterly, to the northern line of Lot 591 of Canton d'Orford ; part of the said northern line of Lot 591, westerly, to the western line of the said Lot 591 ; part of the said western line of Lot 591, southerly, to the northern line of Lot 639 of Canton d'Orford ; the said northern line of Lot 639 and its extension, westerly, to the centre line of Route 249 ; part of the centre line of Route 249, southerly, to the easterly extension of the northern line of Lot 674 of Canton d'Orford ; the said extension and the northern line of the said Lot 674, westerly, to the boundary of municipal borough 5 ; part of the boundary of municipal borough 5, starting northerly to follow the said boundary, to the northerly extension of the centre line of the north-south segment of Chemin Labonté ; part of the centre line of Autoroute 10-55, southwesterly, to the starting point.

District 6.1

Starting from the intersection of the centre line of Autoroute 10 and Autoroute 55 ; thence, part of the boundary of municipal borough 6, starting easterly to follow the said boundary, to the easterly extension of the southern line of Lot 1 049 197 of the cadastre of Québec ; the said extension, the southern line of lots 1 049 197 and 1 049 322 and its extension, westerly, to the centre line of Rue de l'Ontario ; part of the centre line of Rue de l'Ontario, southerly, to the centre line of Rue Prospect ; part of the centre line of Rue Prospect, westerly, to the centre line of Boulevard Jacques-Cartier Nord ; part of the centre line of Boulevard Jacques-Cartier Nord, southerly, to the centre line of Boulevard de Portland ; part of the centre line of Boulevard de Portland, westerly, to the centre line of Rue Bouchette ; the centre line of Rue Bouchette, northerly, to the centre line of Rue Prospect ; part of the centre line of Rue Prospect and its extension, westerly, to the centre line of Rue Beaudry ; part of the centre line of Rue Beaudry and its extension, westerly, to the centre line of Boulevard Lionel-Groulx ; part of the centre line of Boulevard Lionel-Groulx and its extension, northerly, to the easterly extension of the southern line of Lot 1 511 823 of the cadastre of Québec ; the said extension, the southern line of lots 1 511 823 and 1 511 824 of the cadastre of Québec and its extension,

westerly, to the centre line of Autoroute 410 ; part of the centre line of Autoroute 410, northwesterly, to the boundary of municipal borough 6 ; part of the boundary of municipal borough 6, northeasterly, to the starting point.

District 6.2

Starting from the point of intersection of the centre line of Boulevard de Portland with that of Rue Wood ; thence, part of the centre line of Boulevard de Portland, easterly, to the centre line of Boulevard Jacques-Cartier Nord ; part of the centre line of Boulevard Jacques-Cartier Nord, northerly, to the centre line of Rue Prospect ; part of the centre line of Rue Prospect, easterly, to the centre line of Rue de l'Ontario ; part of the centre line of Rue de l'Ontario, northerly, to the westerly extension of the southern line of Lot 1 049 322 of the cadastre of Québec ; the said extension, the southern line of lots 1 049 322 and 1 049 097 of the cadastre of Québec and its extension, easterly, to the boundary of municipal borough 6 ; part of the boundary of municipal borough 6, starting southeasterly to follow the said boundary ; to the southerly extension of the western line of Lot 1 137 054 of the cadastre of Québec ; the said extension and the western line of lots 1 137 054, 1 137 045 and 1 139 393 of the cadastre of Québec, northerly, to the apex of the northwestern angle of the said Lot 1 139 393 ; thence, a straight line to the intersection of the centre line of Rue King Ouest and Rue Rioux ; part of the centre line of Rue Rioux, northerly, to the centre line of Rue Albert-Skinner ; part of the centre line of Rue Albert-Skinner, easterly, to the centre line of Rue Wood ; part of the centre line of Rue Wood, northerly, to the starting point.

District 6.3

Starting from the point of intersection of the centre line of Boulevard de Portland with that of Rue Wood ; thence, part of the centre line of Rue Wood, southerly, to the centre line of Rue Albert-Skinner ; part of the centre line of Rue Albert-Skinner, westerly, to the centre line of Rue Rioux ; part of the centre line of Rue Rioux, southerly, to the centre line of Rue King Ouest ; thence, a straight line to the apex of the northwestern angle of Lot 1 139 393 of the cadastre of Québec ; the western line of lots 1 139 393, 1 137 045 and 1 137 054 of the cadastre of Québec and its extension, southerly, to the boundary of municipal borough 6 ; part of the boundary of municipal borough 6, westerly, to the southerly extension of the centre line of Rue Don-Bosco Sud ; the said extension and the centre line of Rue Don-Bosco Sud then Rue Don-Bosco Nord, northwesterly, to the centre line of Rue des Chênes ; part of the centre line of Rue des Chênes, easterly, to the centre line of Rue des Érables ; part of the centre line of Rue des Érables, northerly, to

the centre line of Boulevard de Portland; part of the centre line of Boulevard de Portland, easterly, to the centre line of Boulevard Lionel-Groulx; part of the centre line of Boulevard Lionel-Groulx, northerly, to the westerly extension of the centre line of Rue Beaudry; the said extension and part of the centre line of Rue Beaudry, easterly, to the westerly extension of the centre line of Rue Prospect; the said extension and part of the centre line of Rue Prospect, easterly, to the centre line of Rue Bouchette; the centre line of Rue Bouchette, southerly, to the centre line of Boulevard de Portland; part of the centre line of Boulevard de Portland, easterly, to the starting point.

District 6.4

Starting from the point of intersection of the centre line of Autoroute 10-55 with that of Autoroute 410; thence, part of the centre line of Autoroute 410, south-easterly, to the westerly extension of the southern line of Lot 1 511 824 of the cadastre of Québec; the said extension, the southern line of lots 1 511 824 and 1 511 823 of the cadastre of Québec and its extension, easterly, to the northerly extension of the centre line of Boulevard Lionel-Groulx; the said extension and part of the centre line of Boulevard Lionel-Groulx, southerly, to the centre line of Boulevard de Portland; part of the centre line of Boulevard de Portland, westerly, to the centre line of Rue des Érables; part of the centre line of Rue des Érables, southerly, to the centre line of Rue des Chênes; part of the centre line of Rue des Chênes, westerly, to the centre line of Rue Don-Bosco Nord; the centre line of Rue Don-Bosco Nord then Rue Don-Bosco Sud and its extension, southeasterly, to the boundary of municipal borough 6; part of the boundary of municipal borough 6, starting southwesterly to follow the said boundary, to the starting point.

The whole as shown on a plan entitled "Schedule C-Boundary of electoral districts-new Ville de Sherbrooke" as prepared by the Division de la géomatique of Ville de Sherbrooke.

This technical description, bearing my minute 1175, was prepared for the purpose of delineating municipal electoral districts and shall not be used for any other purpose without the written authorization of the undersigned.

Sherbrooke, 7 May 2001

MARIE PARENT,
Land surveyor

4428

Gouvernement du Québec

O.C. 851-2001, 4 July 2001

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

Amalgamation of Ville de Trois-Rivières, Ville de Cap-de-la-Madeleine, Ville de Trois-Rivières-Ouest, Ville de Saint-Louis-de-France, Ville de Sainte-Marthe-du-Cap and Municipalité de Pointe-du-Lac

WHEREAS, on 25 April 2000, the Minister of Municipal Affairs and Greater Montréal published a White Paper entitled *Municipal Reorganization: Changing Ours Ways to Better Serve the Public*;

WHEREAS municipal restructuring has begun for the metropolitan regions of Montréal, Québec and the Outaouais with the passage of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS Ville de Trois-Rivières, Ville de Cap-de-la-Madeleine, Ville de Trois-Rivières-Ouest, Ville de Saint-Louis-de-France, Ville de Sainte-Marthe-du-Cap, and Municipalité de Pointe-du-Lac are part of the census metropolitan area of Trois-Rivières;

WHEREAS, on 1 June 2001, the Minister required those municipalities to file a joint application for amalgamation no later than 21 June 2001 and appointed Dennis Pakenham as a conciliator to assist the municipalities;

WHEREAS the Minister did not receive the joint application for amalgamation within the time prescribed;

WHEREAS the conciliator made a report on the situation to the Minister;

WHEREAS the Government may, under the Act respecting municipal territorial organization (R.S.Q., c. O-9), order the constitution of local municipalities resulting from amalgamations, in particular as a means of achieving greater fiscal equity and of providing citizens with services at lower cost or better services at the same cost;

WHEREAS it is expedient to order the constitution of a local municipality under section 125.11 of the said Act, enacted by section 1 of chapter 27 of the Statutes of 2000;