

Gouvernement du Québec

O.C. 1048-2001, 12 September 2001

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

**Amalgamation of Municipalité de Montcerf and Canton
de Lytton**

WHEREAS each of the municipal councils of Municipalité de Montcerf and Canton de Lytton adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objection to the application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of Municipalité de Montcerf and Canton de Lytton, on the following conditions:

1. The name of the new municipality shall be “Municipalité de Montcerf-Lytton”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 7 May 2001; that description is attached as a Schedule to this Order in Council.

3. The new town shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The territory of the municipality shall be part of the Municipalité régionale de la Vallée-de-la-Gatineau.

5. The new municipality shall be administered by a provisional council composed of all the members of the councils of the former municipalities in office at the time of the coming into force of this Order in Council. An additional vote on the provisional council shall be granted to the mayor or deputy mayor, as the case may

be, of the former municipality on whose council a seat is vacant at the time of the coming into force of this Order in Council, as well as for each seat on the provisional council that is occupied by a council member of that former municipality and becomes vacant after that coming into force.

6. The mayor of the former Municipalité de Montcerf and that of the former Canton de Lytton shall act respectively as mayor and deputy mayor of the new municipality as of the coming into force of this Order in Council until the last day of the month of that coming into force, then their roles shall be reversed for the following month, and so forth in that alternating manner until the mayor elected in the first general election takes office.

Notwithstanding the alternation provided for in the first paragraph, the mayor of the former Municipalité de Montcerf shall remain qualified to act as the warden of the Municipalité régionale de comté de la Vallée-de-la-Gatineau.

A majority of the provisional council's members in office at any time shall constitute the required quorum.

The members of the provisional council shall receive the remuneration and expense allowance to which they were entitled before the amalgamation and both mayors shall receive the remuneration and expense allowance to which they were entitled as mayors of the former municipalities.

7. The first sitting of the provisional council shall be held at 18, rue Principale Nord, on the territory of the former Municipalité de Montcerf.

8. The first general election shall be held on the fourth day of November 2001. The second general election shall be held in 2005.

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

9. For the first two general elections and any partial election held before the second general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Municipalité de Montcerf, shall be eligible for seats 1, 3 and 5; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Canton de Lytton shall be eligible for seats 2, 4 and 6.

10. Liliane Crytes, secretary-treasurer of the former Municipalité de Montcerf, shall be the secretary-treasurer of the new municipality. Manon Guilbaut, secretary-treasurer of the former Canton de Lytton, shall act as the deputy secretary-treasurer of the new municipality.

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

(1) that budget shall remain applicable;

(2) the expenditures and revenues of the new municipality, for the rest of the fiscal year in which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if no amalgamation had taken place; and

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

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

13. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality to carry out works in the sector, to reduce taxes for all the taxable immovables in the sector or to repay any debt referred to in section 18.

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

15. The special tax intended to repay a loan contracted before the coming into force of this Order in Council shall be charged only on the immovables referred to in the taxation clause of that by-law before the

coming into force of this Order in Council and, should the council of the new municipality decide to amend that tax, it may be charged only on immovables located in the sector made up of the territory of the former municipality whose council has adopted the by-law.

Notwithstanding the preceding paragraph, the balance in principal and interest of the loan contracted by the former Municipalité de Montcerf under by-law 112 remains charged to the users of the water supply system in the sector made up of the territory of that former municipality in accordance with the taxation clauses of that by-law.

16. Any subsidy granted for local roads by the Gouvernement du Québec, for the first four years following the coming into force of this Order in Council, for the sector made up of the territory of either of the former municipalities, shall be used only for works on the roads of that sector in the following proportion:

— the subsidy paid for the sector made up of the territory of the former Municipalité de Montcerf shall be used up to 75%;

— the subsidy paid for the sector made up of the territory of the former Canton de Lytton shall be used up to 75%;

— any unused balance shall be paid into the general fund of the new municipality.

17. The new municipality shall undertake to use a portion of the subsidy, up to \$25 0000, paid to it under the Programme d'aide financière au regroupement municipal (PAFREM) for capital expenditures, within 12 months following the coming into force of this Order in Council.

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

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

20. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable to its territory

by, respectively, a new zoning and subdivision by-law applicable to the entire territory of the new municipality, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE MONTCERF-LYTTON, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA VALLÉE-DE-LA-GATINEAU

The current territory of Canton de Lytton and of Municipalité de Montcerf, in the Municipalité régionale de comté de la Vallée-de-la-Gatineau, comprising in reference to the cadastre of the townships of Egan, Lytton and Mitchell, the lots or parts of lots, blocks of parts of blocks and their present and future subdivisions, as well as the roads, routes, streets, islands, lakes, watercourses of parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the dividing line between ranges 4 and 3 of the cadastre of Canton de Lytton with the northern line of the said cadastre; thence, successively, the following lines and demarcations: southerly, the dividing line between ranges 4 and 3, that line crossing Route 117 and extended across a secondary road that it meets; westerly, part of the dividing line between the cadastres of the townships of Lytton and Egan to the dividing line between ranges 3 and 2 of the cadastres of Canton d'Egan; in reference to that cadastre, southerly, part of the dividing line between the said ranges to the southern line of lot 33 of Rang 3, that line extended across Chemin Bois-Franc-Montcerf that it meets; westerly, successively, the southern line of lot 33 of ranges 3 and 4, that line extended across Chemin de Montcerf that it meets, then part of the southern line of lot 33 of Rang 5 extended to the right bank of Rivière Désert; in a general southerly direction, the right bank of the said river to the mouth of Rivière de l'Aigle; in a general southwesterly direction, the left bank of Rivière de l'Aigle to its meeting point with the western line of the said cadastre; northerly, successively, the western line of the cadastres of the townships of Egan and Lytton; easterly, part of the northern line of the cadastre of Canton de Lytton to

the dividing line between ranges V and IV of Canton de Mitchell; in the latter township, northerly, the dividing line between the said ranges over a length of 3 969.85 metres, that line crossing Route 117 that it meets; in a direction due east, a straight line up to the shore of Baie Mercier of Réservoir Baskatong; easterly, an irregular line passing through the middle of the said bay, the middle of a channel between two strips of land and continuing into Réservoir Bastakong up to the centre line of the former course of Rivière Gatineau; in a general southeasterly direction, the centre line of the former course of the said river to the northern extension of the dividing line between ranges 4 and 3 of the cadastre of Canton de Lytton; finally, southerly the said extension to the starting point, that line crossing Chemin du Barrage-Mercier that it meets.

The said limits define the territory of Municipalité de Montcerf-Lytton, in Municipalité régionale de comté de la Vallée-de-la-Gatineau.

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

Charlesbourg, 7 May 2001

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