

Saint-Jérôme, the railroad, Boulevard des Hauteurs, Avenue Forget, its eastern extension to Rue Pierre-Audette, that street, Côte Saint-André to the municipal limit.

#### **Electoral district 9**

(2868 electors)

Clockwise, from the intersection between the north-eastern municipal limit and the former municipal limit between the towns of Lafontaine and Saint-Jérôme; the municipal limit, the northwestern extension of Rue Gabrielle-Roy, Boulevard Saint-Antoine, Rue des Pélicans, Avenue des Hirondelles, Rue du Ruisseau, Avenue du Parc, the former municipal limit between the towns of Lafontaine and Saint-Jérôme to the municipal limit.

#### **Electoral district 10**

(2833 electors)

Clockwise, from the intersection of Rue du Ruisseau with Avenue des Hirondelles; that avenue, Rue des Pélicans, Boulevard Saint-Antoine, the northwestern extension of Rue Gabrielle-Roy, the municipal limit, the railroad, Boulevard Lachapelle, Rue du Ruisseau to Avenue des Hirondelles.

#### **Electoral district 11**

(2800 electors)

Clockwise, from the intersection of Avenue du Parc with Rue du Ruisseau; that street, Boulevard Lachapelle, the railroad, the municipal limit, the former municipal limit between the towns of Saint-Antoine and Saint-Jérôme, Avenue du Parc to Rue du Ruisseau.

#### **Electoral district 12**

(3066 electors)

Clockwise, from the intersection of Boulevard de La Salette with the former municipal limit between the towns of Bellefeuille and Saint-Jérôme; that limit, the municipal limit, the limit of the back lots of the original cadastre dividing the properties of Rue Lamontagne and that of the south part of Rue des Lacs, the high voltage power line, Boulevard de la Salette to the former municipal limit between the towns of Bellefeuille and Saint-Jérôme.

#### **Electoral district 13**

(3385 electors)

Clockwise, from the intersection of Guénette and Roy streets; the latter street, Rue de l'Union, Rue du Relais, Boulevard de la Salette, the high voltage power line, the limit of the back lots of the original cadastre dividing the

properties of Rue Lamontagne and that of the south part of Rue des Lacs, the municipal limit, the limit of the back lots of the original cadastre dividing the properties of Montée Sainte-Thérèse and that of the north part of Rue des Lacs, Rue Jeanne-d'Arc, a straight line starting from the intersection of Rue Jeanne-d'Arc with Boulevard Jérobelle and extending to the intersection between the two high voltage power line that meet behind the properties located to the northwest of Rue Dupéré, both high voltage power lines, the west and faraway extension of Rue Rossignol, that street, Rue Châteauneuf, Rue Guénette to Rue Roy.

#### **Electoral district 14**

(3614 electors)

Clockwise, from the intersection of Autoroute des Laurentides with the northern municipal limit; that limit, the former municipal limit between the towns of Bellefeuille and Lafontaine, the former municipal limit between the towns of Bellefeuille and Saint-Jérôme, Boulevard de la Salette, Rue du Relais, Rue de l'Union, Rue Roy, Rue Guénette, Rue Châteauneuf, Rue Rossignol, its west and faraway extension, both high voltage power lines, a straight line starting from the intersection between both high voltage power lines that meet behind the properties located to the northwest of Rue Dupéré and extending to the intersection between Boulevard Jérobelle and Rue Jeanne-d'Arc, that street, the limit of the back lots of the original cadastre dividing the properties of Montée Sainte-Thérèse and that of the north part of Rue des Lacs, the municipal limit to Autoroute des Laurentides.

4550

Gouvernement du Québec

### **O.C. 1045-2001, 12 September 2001**

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

Amalgamation of Ville de Matane, of the municipalities of Petit-Matane and Saint-Luc-de-Matane and Paroisse de Saint-Jérôme-de-Matane

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

WHEREAS municipal restructuring has started in the metropolitan regions of Montréal, Québec, the Outaouais, Saguenay, Sherbrooke and Trois-Rivières;

WHEREAS Ville de Matane, the municipalities of Petit-Matane and Saint-Luc-de-Matane and Paroisse de Saint-Jérôme-de-Matane form part of the census conurbation area of Matane;

WHEREAS, on 17 July 2001, the Minister required that these municipalities file a joint application for amalgamation at the latest on 15 August 2001 and appointed a conciliator, Gilles Julien, to assist them;

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

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, 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 under the name "Ville de Matane".

2. The description of the territory of the city shall be the description drawn up by the Minister of Natural Resources on 29 August 2001; that description is attached as Schedule A.

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

4. The territory of Municipalité régionale de comté de Matane includes the territory of the new city.

## **CHAPTER II** SPECIAL FIELDS OF JURISDICTION OF THE CITY

5. The city has special jurisdiction in social housing.

6. 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.

## **CHAPTER III** SPECIAL FINANCIAL AND FISCAL PROVISIONS

### **DIVISION I** FISCAL PROVISIONS

#### *§1. Interpretation and general provisions*

7. For the purposes of this Division, the territory of each local municipality shall constitute a sector.

8. 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.

Notwithstanding the preceding, the city may derogate from these rules only if required to do so for the purposes of one of the provisions of this Chapter.

#### *§2. Ceiling on any increase in the tax burden*

9. The city must avail itself of the power conferred on it under section 10 and, if it imposes a business tax, of the power conferred under section 11, or of the power conferred under section 14.

10. 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 38 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.

11. 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.

12. If the city avails itself of one of the powers provided for in sections 10 and 11, it may replace the maximum percentage increase provided for in those sections by another, which must be the same for all the sectors in question and be less than 5%.

13. In the event that the increase referred to in section 10 or 11 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.

14. If the city avails itself of one of the powers provided for in section 10 or 11, 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 10, 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.

15. For the purposes of determining the percentage of increase referred to in section 10 for the first fiscal year for which the new city adopts a budget in respect of all its territory, where a former municipality whose territory 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, 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 shall be included in the fiscal burden of all the units of assessment located in the sector for the 2001 fiscal year.

16. 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 10 and sections 11 to 15 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 groups of units or establishments.

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

17. 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 single percentage that the city shall set for all the sectors.

The second and third paragraphs of section 10, the third paragraph of section 14 and section 15 shall apply, adapted as required, for the purposes of the reduction ceiling provided for in the first paragraph.

18. 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 single 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.

19. If the city does not avail itself of the power provided for in section 17 or 18, 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 10, the third paragraph of section 14 and section 15 shall apply to a unit of assessment, and the second paragraph of section 18 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 groups of units or establishments.

#### §4. *Miscellaneous*

20. 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 according to the sectors.

21. 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 last two property assessment rolls of that of the former municipalities whose population in 2001 was the largest.

22. 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 planned 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 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.

23. Where a former municipality 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 such roll be extended for that fiscal year and for the sector concerned.

24. Sections 7 to 23 shall apply for the first five fiscal years for which the new city adopted a budget in respect of all its territory.

## **DIVISION II**

### **FINANCIAL PROVISIONS**

25. Any expenditure recognized by the council as resulting from the amalgamation shall be charged to the sector formed of the territory of a former municipality in the following proportions:

- 80% for Ville de Matane;
- 7% for Paroisse de Saint-Jérôme-de-Matane;
- 8% for Municipalité de Petit-Matane; and
- 5% for Municipalité de Saint-Luc-de-Matane.

26. The subsidy paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) for the first year following the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and directly financed by that portion of the subsidy, shall be credited to the ratepayers of the new city.

27. For the purposes of the first fiscal year for which the new city adopted a budget in respect of all its territory, a working fund of the new city shall be constituted out of a contribution from the former municipalities according to the following:

- the contribution of the former Paroisse de Saint-Jérôme-de-Matane is \$35 000;
- the contribution of the former Municipalité de Petit-Matane is \$40 000;

— the contribution of the former Municipalité de Saint-Luc-de-Matane is \$25 0000;

— the contribution of the former Ville de Matane is \$400 000.

Those contributions shall be taken directly from the amounts available in the working funds of the former municipalities, which are abolished.

Notwithstanding the preceding, the amounts of the loans to the working fund of a former municipality shall be reimbursed to the working fund of the new city which is increased accordingly.

If a former municipality does not have the required amount in its working fund or does not have any to make its contribution, the missing amounts shall be taken directly from the surplus accumulated on behalf of that former municipality.

Should the surplus of that former municipality be insufficient, the new city may make up the difference by imposing a special tax on immovables in the sector formed of the territory of that former municipality.

28. If any amounts are available after the constitution of the working fund of the new city provided for in section 27, the surplus accumulated on behalf of a former municipality, where applicable, shall be used for the benefit of the sector formed of the territory of the former municipality that accumulated it. It may be used to carry out public works in the sector, to reduce taxes or to repay debts.

29. Any deficit accumulated on behalf of a former municipality, where applicable, shall continue to burden all the taxable immovables in the sector formed of the territory of the former municipality that accumulated it.

30. Amounts accumulated in a special fund constituted by a former municipality to create parks, playgrounds and natural areas, under the Act respecting land use planning and development (R.S.Q., c. A-19.1), shall be paid into a special fund constituted for those purposes by the new city and accounted for separately to be used for the benefit of the sector formed of the territory of that former municipality.

31. For the first five fiscal years for which the new city adopted a budget in respect of all its territory, the latter shall secure loans contracted by the Club de golf de Matane inc. and Loisirs Mont-Castor inc. insofar as its budget can afford it.

32. Any debt or gain that may result from legal proceedings and any fees incurred for such proceedings, for an act performed by a former municipality, shall be charged or credited to all the taxable immovables in the sector formed of the territory of that former municipality.

33. For the first five fiscal years for which the new city adopted a budget in respect of all its territory, a distinct special tax shall be imposed on the taxable immovables of the sector formed of the territory of a former municipality. The rate of that tax shall be determined, for each sector, by dividing the following amounts by the total of the taxable assessment amount of the sector according to the assessment roll in effect each year:

(1) Former Ville de Matane

2002: \$105 093  
 2003: \$ 91 343  
 2004: \$101 499  
 2005: \$113 063  
 2006: \$124 128

(2) Former Municipalité de Saint-Luc-de-Matane

2002: \$11 466  
 2003: \$18 588  
 2004: \$17 136  
 2005: \$15 369  
 2006: \$13 837

(3) Former Municipalité de Petit-Matane:

2002: \$74 816  
 2003: \$60 585  
 2004: \$63 538  
 2005: \$67 011  
 2006: \$70 308

(4) Former Paroisse de Saint-Jérôme-de-Matane

2002: \$41 743  
 2003: \$49 346  
 2004: \$55 098  
 2005: \$61 421  
 2006: \$67 656.

34. For the first five fiscal years for which the new city adopted a budget in respect of all its territory, the excess of the revenues of tariffing on the expenses with respect to the waterworks systems in the sector formed of the territory of the former Municipalité de Saint-Luc-de-Matane shall constitute a reserve for the waterworks to be carried out in that sector.

35. For the first five fiscal years for which the new city adopted a budget in respect of all its territory, the excess of the expenditures on revenues with respect to public health facilities of the place for the sector formed of the territory of the former Municipalité de Petit-Matane and of the former Ville de Matane shall be compensated for each of the sectors by imposing a special tax charged to the sector formed of the territory of the former municipality covered by the excess.

36. From the first fiscal year for which the new city adopted a budget in respect of all its territory, the new city shall harmonize the rate of the tax imposed on the non-residential immovables of the sectors formed of the territory of the former Paroisse de Saint-Jérôme-de-Matane and of the former municipalities of Petit-Matane and Saint-Luc-de-Matane according to the rate in effect in the former Ville de Matane.

37. Sections 33 to 36 shall apply subject to sections 7 to 23 as to the ceiling on an increase in the tax burden.

#### CHAPTER IV PROVISIONAL COUNCIL

38. Until the term of the majority of candidates elected in the first general election begins, the new city shall be governed by a provisional council composed of four members, that is, the mayor of each of the former municipalities.

39. The mayor of the former Ville de Matane shall be the mayor of the new city until the mayor elected in the first general election begins his term.

The mayor of each of the other municipalities that are a party to the amalgamation shall act respectively as deputy mayor for the third of the period to run between the coming into force of the amalgamation order and polling day of the first general election, from which time the role is performed alternately by the mayor of another municipality according to the order determined in a drawing of lots that must be made while the first meeting of the provisional council is held.

The last person to perform that role shall perform it until the term of the mayor elected in the first general election begins.

40. If the office of mayor of a former municipality is vacant, a councillor from the council of the former municipality where the mayor's office is vacant shall replace him as mayor of the provisional council. That councillor shall be chosen by and from among the councillors of the former municipality that the mayor represented.

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

42. The first meeting of the provisional council shall be held at the former city hall located in the sector formed of the territory of the former Ville de Matane.

43. For the term of the provisional council, the mayors of the former municipalities shall continue to be qualified to act within the council of Municipalité régionale de comté de Matane and they shall have the same number of votes as before the coming into force of the amalgamation order.

44. The by-law respecting the remuneration of elected officers of the former Ville de Matane shall apply to the members of the provisional council.

45. Any member of the council of one of the former municipalities whose term ends for the sole reason that the municipality ceased to exist may receive compensation and maintain membership in the pension plan for elected municipal officers in accordance with sections 46 to 50.

Any entitlement referred to in the first paragraph shall cease to apply to a person in a period in which, from the date of the coming into force of this Order in Council, that person held the office of member of the council of a municipality in the territory of Québec.

46. The amount of the compensation referred to in section 45 shall be based on the remuneration set on the day before the coming into force of this Order in Council under the Act respecting the remuneration of elected municipal officers in respect of the position that the person referred to in the first paragraph of section 45 held on that day to which applies, if applicable, any indexing of the remuneration provided for by a by-law of the council of one of the former municipalities.

The amount of the compensation shall also be based on the remuneration that the person referred to in the first paragraph of section 45 received on the day before the coming into force of this Order in Council 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 determined in accordance with the first and second paragraphs, except for the part referred to in the fourth paragraph, may not, on an annual basis, be greater than 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 45.

47. The compensation shall be paid by the city by bi-monthly instalments during the period starting on date of the coming into force of this Order in Council and ending on the date on which the first general election following the expiry of the term under way would have been held.

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.

48. 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 45 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 (R.S.Q., c. T-11.001), 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.

49. 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 in the sector formed of the territory of the former municipality, referred to in the first paragraph of section 45, and of which the eligible person was a council member.

50. Any person referred to in section 45, who, on the date of the coming into force of this Order in Council, 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 48. 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 the date of coming into force of this Order in Council.

The eligible earnings for the person who continues to participate in the plan in accordance with section 45 shall correspond to the amount of the compensation paid during the period referred to in the first paragraph of section 47, less the amount of the compensation payable 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.

51. In accordance with the Police Act (2000, c. 12), the council shall file with the Minister of Public Security an application authorizing him to abolish the municipal police department of the former Ville de Matane for the benefit of services provided by the Sûreté du Québec.

52. All the savings carried out, where applicable, by abolishing the municipal police force of the former Ville de Matane within the scope of police reform shall be credited to the ratepayers of the sector formed of the territory of the former Ville de Matane for the first eight fiscal years of the new city.

## **CHAPTER V SUCCESSION**

53. If a budget was adopted by a former municipality for the fiscal year during which the amalgamation order comes into force,

- (1) that budget shall remain applicable;
- (2) the expenditures and revenues of the new city, for the remainder of the fiscal year during which the amalgamation order comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;
- (3) an expenditure recognized by the council of the new city as resulting from the amalgamation shall be charged on behalf of each of the former municipalities in the proportions established in section 25.

54. If the council of the new city decides to dispose of movable or immovable property whose acquisition was financed, in full or in part, by a loan by-law adopted by any of the former municipalities, the proceeds of the sale shall then be used to provide for payment of the balance in principal and interest of the amount of the loan authorized by the by-law. If excess sums are available after the sale of the property, those sums shall be used in the sector formed of the territory of the former owner municipality.

55. 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 city in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new municipality, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new city.

56. The amounts required from the date of coming into force of this Order in Council, 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 to which a former municipality was a party or to the amortization of any unfunded actuarial liability of any such plan shall continue to burden the taxable immovables of the sector formed of the territory of that former municipality. The contributions paid from the date of coming into force of this Order in Council, with respect to the commitments arising from a pension plan not subject to the Supplemental Pension Plans Act to which a former municipality was a party, for the years of service before the coming into force of this Order in Council shall continue to burden the taxable immovables of the sector formed of the territory of that former 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 the date of coming into force of this Order in Council. 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 first paragraph.

57. The revenues or costs in relation to legal proceedings or a dispute to which a former municipality or, as the case may be, the city is a party in respect of an event prior to the coming into force of this Order in Council 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 of the territory of that former municipality.

58. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Matane".

That municipal bureau shall succeed to the municipal housing bureaus of the former Ville de Matane and Municipalité de Saint-Luc-de-Matane, 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) amended by section 273 of chapter 40 of the Statutes of 1999 shall apply to the new 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 seven members. Three members shall be appointed by the council of Ville de Matane, 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 representative socio-economic groups of the bureau's territory.

Until the city appoints the first directors it shall appoint in accordance with the third paragraph, their duties shall be carried out by the members of the municipal bureau of the former Ville de Matane and Municipalité de Saint-Luc-de-Matane; should the city council fail to appoint them as provided for in the third paragraph before 1 July 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 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 Act respecting the Société d'habitation du Québec, the regulations made under that Act and the directives issued by the Société, adopt any by-law deemed necessary or useful for the internal 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 administrator.

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 VI FINAL PROVISIONS

59. If the date of coming into force of this Order in Council is prior to 7 October 2001, the first general election shall be held on 25 November 2001. Otherwise, the second general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. The second general election shall be held in 2005.

60. For the first general election, the territory of the new city shall be divided into eight electoral districts the description of which appears in Schedule B.

61. Until the council decides otherwise, the following municipal officers shall be appointed:

— Michel Barriault, current secretary-treasurer of Municipalité régionale de comté de Matane, shall act as director general of the new city;

— André Lavoie, clerk of Ville de Matane, shall act as clerk of the new city; and

— René Rioux, treasurer of Ville de Matane, shall act as treasurer of the new city.

The provisional council may not avail itself of the first paragraph.

62. The specific provisions governing one of the former municipalities, 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 coming into force of this Order in Council.

63. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec* in accordance with the Act.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## SCHEDULE A

### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE MATANE, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MATANE

The current territory of the municipalities of Petit-Matane and Saint-Luc-de-Matane, Paroisse de Saint-Jérôme-de-Matane and Ville de Matane, in Municipalité régionale de comté de Matane, comprising, in reference to the cadastres of the townships of Matane and Tessier and of the parishes of Saint-Ulric, Saint-Jérôme-de-Matane and Sainte-Félicité, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the

apex of the northern angle of Lot 10 of the cadastre of Paroisse de Sainte-Félicité; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the northeastern angle of the said lot, that line crossing Route 132 that it meets; northeasterly, part of the northwestern line of Lot 49 to the apex of its northern angle; southeasterly, the line bordering to the northeast lots 49 and 48, that line crossing 2<sup>e</sup> Rang Normand that it meets; southwesterly, successively, the southeastern line of lots 48, 50, 51 and 52 then part of the southeastern line of Lot 53 to the apex of the northern angle of Lot 65, that line crossing Route de Sainte-Adelme that it meets; southeasterly, part of the northeastern line of Lot 65 to a point 117 metres northwest of the apex of the eastern angle of the said lot, distance measured following the northeastern line of the said lot; southerly, a straight line to the meeting point of the centre line of Lot 131 with its northwestern line; southeasterly, the centre line of the said lot; southwesterly, successively, part of the southeastern line of the said lot, the southeastern line of lots 132 to 136 then part of the dividing line between the cadastres of the parishes of Saint-Jérôme-de-Matane and Sainte-Félicité to the dividing line between the cadastres of Canton de Tessier and Paroisse de Sainte-Félicité; southeasterly, part of the dividing line between the latter cadastres to the dividing line between ranges 5 and 6 of the cadastre of Canton de Tessier; southwesterly, the dividing line between the said ranges to the dividing line between the cadastres of the townships of Tessier and Matane, that first line crossing Route de la Boucanerie, Route 195 and Rivière Matane that it meets; northwesterly, part of the dividing line between the cadastres of the said townships, crossing Rivière Matane and Route 195 that it meets, to the dividing line between Rang Rivière Matane and Rang 12 of the cadastre of Canton de Matane; in reference to that cadastre, southwesterly, the dividing line between the said ranges, that line crossing Route 195, Rivière Matane, Route Richard and Chemin de la Coulée-Carrier that it meets; northwesterly, the southwestern line of lots 18, 17, 16, 15, 14 and 13 of Rang Rivière Matane; southwesterly, part of the southeastern line of Lot 12 of the said range to the apex of its southern angle; northwesterly, the southwestern line of lots 12 in declining order to 1 of Rang Rivière Matane; northeasterly, part of the northwestern line of Lot 1 of the said range to the southwestern line of Lot 2C of Rang 8; in a general northwesterly direction, the broken line bordering to the southwest lots 2C, 2B and 2A of Rang 8 of the said cadastre and Lot 2C of Rang 7 of the cadastre of Paroisse de Saint-Ulric; northeasterly, part of the dividing line between ranges 7 and 6 of the cadastre of the said parish to the dividing line between the cadastres of the parishes of Saint-Jérôme-de-Matane and Saint-Ulric;

northwesterly, part of the dividing line between the cadastres of the said parishes and its extension in the St. Lawrence River to its meeting with a line parallel to and 3.22 kilometres (2 miles) from the right shore of the said river; in a general northeasterly direction, the said parallel line to its meeting with the northwesterly extension of the southwestern line of Lot 60 of the cadastre of Paroisse de Saint-Jérôme-de-Matane; southeasterly, the said extension to the right shore of the St. Lawrence River; lastly, in a general northeasterly direction, the right shore of the said river to the starting point.

The said limits define the territory of the new Ville de Matane, in Municipalité régionale de comté de Matane.

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

Charlesbourg, 29 August 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

M-263/1

## SCHEDULE B

PROVINCE OF QUÉBEC  
VILLE DE MATANE

23 April 2001

### District 1

(1 761 electors)

Starting from a point situated in the middle of the two piers of the boardwalk wharf near Galeries du Vieux-Port and thence, upstream the centre of Rivière Matane up to the long-term centre of Matane on the right bank, thence between the two Government buildings (Canada Post and the long-term centre of Matane) to the northwestern rear boundary of the residential lots of Avenue Henri-Dunant, following that boundary to the bottom of Côte Henri-Dunant and in a northeasterly direction following the bottom of the said hill to the St. Lawrence River, that river to the starting point.

### District 2

(1 670 electors)

Starting from a point situated at the meeting point of the northeastern boundary of Lot 1209 with the St. Lawrence River and thence, the said northeastern boundary of Lot 1209, Boulevard Dion to the rear line of the lots situated on the northwest side of Rue Fournier and then

southwesterly, the northwestern rear line of Rue Fournier and the northwestern and southwestern rear lines of Rue Goyer, the southwestern rear line of Rue de la Ronde, the southeastern rear line of Rue Saint-Jean to the bottom of Côte Saint-Jean and in a northwesterly direction following the bottom of the hill to the St. Lawrence River, that river to the starting point.

### District 3

(1 508 electors)

Starting from a point situated at the meeting point of the northwesterly extension of the axis of Route Athanase and thence, the St. Lawrence River to the northeastern boundary of Lot 1209, the said northeastern boundary of Lot 1209, Boulevard Dion to the rear line of the lots situated on the northwest side of Rue Fournier, then southwesterly, the northwestern rear line of Rue Fournier and the northwestern and southwestern rear lines of Rue Goyer, the southwestern rear line of Rue de la Ronde, the southeastern rear line of Rue Saint-Jean to the bottom of Côte Saint-Jean and in a southeasterly direction following the bottom of the hill to the rear boundary of the lots situated on the northwest side of Avenue Henri-Dunant, following that boundary to Avenue Saint-Jérôme, then between the two Government buildings (Canada Post and the long-term centre of Matane) to the central axis of Rivière Matane, then upstream the said river to the extension of the northeastern line of Lot 318, the said extension, the northeastern line of Lot 318, the rear line of lots 318 to 361 to the northeastern boundary of Lot 3C of Rang 1 of Canton de Tessier, the said northeastern boundary of Lot 3C, the northeastern boundaries of Lot 3B of Rang 2 and Lot 3 of ranges 3, 4 and 5, the southeastern boundary of Ville de Matane of Lot 3 of Rang 5 of Canton de Matane and successively the southwestern, southeastern and northwestern boundaries of Ville de Matane to the starting point.

### District 4

(1 421 electors)

Starting from a point situated at the meeting point of the extension of the southwestern boundary of Lot 317 with the central axis of Rivière Matane, then downstream on the left bank of the said river to the extension of the northeastern boundary of Lot 4751, the said northeastern boundary of Lot 4751, Avenue D'Amours, the southwestern boundary of the adult professional centre (École D'Amours), the apex of the cliff, the said cliff, the extension of the said cliff to Rue Saint-Joseph, the said Rue Saint-Joseph, the extension of Rue Saint-Joseph to Lot 409, the front of lots 409 to 392 of the extension of Rue Saint-Joseph to the southwestern boundary of Lot 317 and the southwestern boundary of Lot 317 to the starting point.

**District 5**

(1 413 electors)

Starting from a point situated at the meeting point of the extension of the cliff with Rue Saint-Joseph and thence, the said extension of the apex of the cliff, the said cliff, the extension of the axis of the rear boundary of the lots situated on the northeast side of Rue Dionne, the rear line of the lots situated to the northeast of Rue Dionne, Avenue Jacques-Cartier to the southwestern boundary of Rue René-Tremblay, the southwestern boundary of Rue René-Tremblay, the rear line of the lots situated to the northeast of Rue Boucher extended to Boulevard Père-Lamarche, Boulevard Père-Lamarche and Rue Saint-Joseph to the starting point.

**District 6**

(1 636 electors)

Starting from a point situated in the middle of the two piers of the boardwalk wharf near Galeries du Vieux-Port and thence, the St. Lawrence River to the northeastern boundary of Lot 58, the said northeastern boundary of Lot 58 to the northeasterly extension of the southeastern boundary of Lot 666 (C.E.G.E.P. de Matane), the said extension, the northeastern and northwestern boundaries of Lot 666 (C.E.G.E.P. de Matane) to the southeasterly extension of the rear line of the lots situated to the northeast of Rue Boucher, the said extension, the rear line of the lots situated to the northeast of Rue Boucher, the southwestern boundary of Rue René-Tremblay, Avenue Jacques-Cartier to the rear line of the lots situated to the northeast of Rue Dionne, the rear line of the lots situated to the northeast of Rue Dionne, the extension of the rear line of the lots situated to the northeast of Rue Dionne, the apex of the cliff, the said cliff, the southwestern boundary of the adult professional centre (École D'Amours), Avenue D'Amours, the northeastern boundary of Lot 4751, the extension of the northeastern boundary of Lot 4751 to the central axis of Rivière Matane, then downstream the river to the starting point.

**District 7**

(1 151 electors)

Starting from a point situated at the meeting point of the southwestern line of Lot 57 with the St. Lawrence River and thence, the St. Lawrence River to the northeastern boundary of Ville de Matane, the northern part of the said northeastern boundary of Ville de Matane, the southeastern boundary of Ville de Matane to the southwestern line of Lot 594, the said southwestern boundary of Lot 594, the northern boundary of lots 500 to 517, the southwestern boundary of Lot 517, the northern boundary of lots 517 to 511 to the southwestern boundary of Lot 430, the said southwestern boundary of Lot 430, the southwestern boundary of Lot 52 to the

northeasterly extension of the southeastern boundary of Lot 666 (C.E.G.E.P. de Matane), the said extension of the southeastern boundary of Lot 666 (C.E.G.E.P. de Matane) of the southwestern line of Lot 52 to the southwestern boundary of Lot 57, the said southwestern boundary of Lot 57 to the starting point.

**District 8**

(1 092 electors)

Starting from a point situated at the meeting point of Boulevard Père-Lamarche with Rue Saint-Joseph and thence, the said Boulevard Père-Lamarche to the southeasterly extension of the rear line of the lots situated to the northeast of Rue Boucher, the said extension of the lots situated to the northeast of Rue Boucher to the northwestern boundary of Lot 666 (C.E.G.E.P. de Matane), the northwestern and northeastern boundaries of Lot 666 (C.E.G.E.P. de Matane), the northeasterly extension of the southeastern boundary of Lot 666 (C.E.G.E.P. de Matane) to the northeastern boundary of Lot 53, the said northeastern boundary of Lot 53, the northeastern boundary of Lot 429, the southern boundary of lots 429 to 425 to the northeastern boundary of Lot 518, the said northeastern boundary of Lot 518, the northern boundary of lots 576 to 593, the northeastern boundary of Lot 593, the southeastern boundary of lots 593 and 592 to the southern part of the northeastern boundary of Ville de Matane, the said southern part of the northeastern boundary of Ville de Matane, the southeastern boundary of Ville de Matane to Lot 4 of Rang 5 of Canton de Tessier, the southwestern boundaries of Lot 4 of Rang 5, Lot 4 of Rang 4, Lot 4A of Rang 3, Lot 4 of Rang 2 and lots 4A and 4D of Rang 1 of Canton de Tessier, the northern boundary of Rang 1 of Canton de Tessier of Lot 4D to Lac Bernier, the front of lots 362 to 409 to the southeasterly extension of Rue Saint-Joseph, the said southeasterly extension of Rue Saint-Joseph, Rue Saint-Joseph to the starting point.

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Gouvernement du Québec

**O.C. 1046-2001, 12 September 2001**

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

Amalgamation of Ville de Saint-Georges, Paroisse de Saint-Georges-Est, Municipalité d'Aubert-Gallion and Paroisse de Saint-Jean-de-la-Lande

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