

Municipal Affairs

Gouvernement du Québec

O.C. 1043-2001, 12 September 2001

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

Amalgamation of the municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and Village de Cap-aux-Meules

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*;

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, on 1 June 2001, the Minister required that the municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and Village de Cap-aux-Meules file a joint application for amalgamation no later than 21 June 2001 and appointed a conciliator, Michel Gionest, 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;

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 is hereby constituted under the name "Municipalité des Îles-de-la-Madeleine", effective 1 January 2002.

2. The description of the territory of the municipality is the description drawn up by the Minister of Natural Resources on 11 July 2001, which appears in Schedule A.

3. The municipality 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 municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima, Grosse-Île and Village de Cap-aux-Meules.

CHAPTER II ORGANIZATION OF THE MUNICIPALITY

DIVISION I DIVISION OF THE TERRITORY

5. A borough is constituted within the territory of the municipality, under the name "Grosse-Île Borough", for the exercise of certain of its fields of jurisdiction; that borough, described in Schedule B, corresponds to the territory of the former Municipalité de Grosse-Île.

6. The borough is deemed to be recognized in accordance with section 29.1 of the Charter of the French language (R.S.Q., c. C-11). 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 municipality 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 **MUNICIPAL COUNCIL AND BOROUGH COUNCIL**

§1. General provisions

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

8. The borough council is, as regards the exercise of its 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.

§2. Municipal council

9. The municipal council shall be composed of the mayor, elected by the municipal electors, and of the municipal councillors, elected by the electors of each electoral district.

Every decision of the council shall be made by a majority of the votes cast representing the majority of the population of the municipality.

For the purposes of the second paragraph, the vote cast by a municipal councillor shall represent the population on 31 December 2001 of the territory of the former municipality that constitutes, under section 78, the electoral district in which he or she was elected.

From the fourth general election, it is necessary that, for the purposes of the third paragraph, the major part of the electoral district in which the municipal councillor was elected correspond to the territory of the former municipality as it existed on 31 December 2001.

§3. Borough council

10. The borough council is made up of the municipal councillor that represents the borough on the municipal council and of two borough councillors. The municipal councillor is the chair of the borough.

The offices of borough councillor must be numbered.

A borough councillor is an elected municipal officer.

DIVISION III **COMMITTEES**

11. Notwithstanding section 70.1 of the Cities and Towns Act (R.S.Q., c. C-19), the municipal council may create an executive committee made up of the mayor and two members designated by the mayor from among the council members.

The decision referred to in the first paragraph shall be made by a two-thirds majority of the votes cast representing two-thirds of the population of the municipality. The third and fourth paragraphs of section 9 shall apply, adapted as required.

12. The council may, by by-law, create a local advisory committee for each electoral district, made up of the councillor of the electoral district and four members recommended by the councillor from among residents of the district and appointed by the council.

The by-law referred to in the first paragraph shall determine the rules related to the establishment of the committees, their composition and their operation. Chapter III of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001) applies to members of a committee referred to in the first paragraph, whether or not they are council members of the municipality.

13. The local advisory committee's purpose is to examine any matter submitted by the council concerning municipal services provided to the electoral district. Its purpose is to also provide, on request of the Advisory planning committee provided for in the Act respecting land use planning and development (R.S.Q., c. A-19.1), any notice or comment on any matter related to the application of the land by-laws to the electoral district.

DIVISION IV **PROVISIONS CONCERNING ELECTIONS**

14. Subject to this Order in Council, the Act respecting elections and referendums in municipalities, (R.S.Q., c. E-2.2), shall apply, adapted as required, to the office and election of the mayor and any municipal or borough councillor.

15. Notwithstanding section 4 of the Act respecting elections and referendums in municipalities, the municipality is required, from the fourth general election, to divide its territory into electoral districts; the municipality may not exempt itself from that requirement under section 7 of the Act.

Every division into electoral districts shall provide that the borough constitutes one of the districts.

16. For the purposes of section 47 of the Act respecting elections and referendums in municipalities, 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 located within the territory of the borough for the purposes of the election of borough councillors.

DIVISION V SALARY, ALLOWANCE AND PENSION PLAN OF BOROUGH COUNCILLORS

17. The municipal 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).

18. 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 municipal council.

DIVISION VI OFFICERS AND EMPLOYEES

19. The municipality 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 municipality or in connection with responsibilities under the authority of the borough council, and decisions relating to their hiring and dismissal, and negotiation of their conditions of employment are within the authority of the municipal council.

20. The municipal council shall determine the staff required for the management of the borough.

Subject to the third paragraph, the municipal 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 the 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

21. The municipality 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 municipality 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 municipality shall act through its council if the apportionment 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 municipal council or with the borough council.

Only the municipal 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 municipal or of the borough council to the qualified voters of the entire territory of the municipality or a part thereof.

DIVISION II SPECIAL FIELDS OF JURISDICTION OF THE MUNICIPALITY

§1. General provisions

22. The municipal council shall, by by-law, determine the standards related to the minimum level of services, in particular regarding snow removal, that must be offered in different sectors of the territory of the municipality.

For the purposes of the first paragraph, the territories of each municipality named in section 4 and the territory of the former Municipalité de l'Île-d'Entrée as it existed prior to the coming into force of Order in Council 645-2000 dated 1 June 2000 shall constitute distinct sectors.

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

§2. *Land use planning and development*

24. The municipality shall be subject to both the provisions of the Act respecting land use planning and development (R.S.Q., c. A-19.1) 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 municipal council and the clerk.

However, the examination of the conformity of the planning program or of a planning by-law with the municipality's development plan shall be effected in accordance with sections 59.5 to 59.9 and 137.10 to 137.14, with the necessary modifications, rather than in accordance with sections 109.6 to 110 in the case of the planning program or sections 137.2 to 137.8 in the case of by-laws.

The planning program of the municipality shall be that of Municipalité régionale de comté des Îles-de-la-Madeleine, in force on 31 December 2001; the planning program and the planning by-laws of the municipality are all the programs and by-laws in force on that date in the municipalities subject to this amalgamation.

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

25. The municipality shall prepare a plan relating to the development of its territory.

The plan shall include the objectives pursued by the municipality as regards community, economic, social and cultural development and may establish rules relating to the financial support the 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. *Recovery and recycling of waste materials*

26. The municipality may establish, own and operate waste materials disposal sites and regulate their use.

27. The municipality may,

(a) establish, own and operate

i. a waste materials recovery and recycling establishment;

ii. premises for the disposal of waste from the operation of that establishment and waste owned by the municipality for purposes of recovery or recycling that cannot be used for such purposes;

iii. premises for the disposal of waste from the operation of a waste water treatment plant of the municipality;

iv. a site for burying sludge from septic installations;

(b) regulate the use of an establishment or premises referred to in paragraph a.

§5. *Culture, recreation and parks*

28. The municipal council shall, by by-law, identify the parks and cultural or recreational facilities to be managed by the municipal council and those to be managed by the borough council.

29. 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 municipality 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.

30. From the coming into force of the by-law provided for in section 29, the municipality may make an agreement with any person holding the right of ownership or any other right in respect of an immovable located in the park in question.

Such an agreement may provide

(a) that the person retains the right for a certain period of time or with certain restrictions;

(b) that the person grants the municipality a right of pre-emption;

(c) that the person agrees not to make improvements or changes to the immovable except with the consent of the municipality; and

(d) 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.

31. The municipality may, by by-law, in respect of a park,

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

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

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

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

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

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

(g) prohibit or regulate posting;

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

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

(j) prohibit or regulate the operation of businesses;

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

(l) determine powers and obligations of employees.

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

33. For the purposes of sections 29 to 32, a natural area or a corridor developed for recreational and sports activities is considered to be a park.

§6. Social housing

34. The municipality shall establish a social housing development fund.

The municipality 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 municipality with the information necessary to determine the amount to be paid into the fund.

§7. Tourist promotion and hospitality

35. The municipality has jurisdiction to promote tourism and provide for tourist hospitality on its territory.

The municipality 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 jurisdiction provided for in the first paragraph or of any aspect thereof.

DIVISION III JURISDICTION OF THE BOROUGH COUNCIL

§1. General provisions

36. The borough council shall exercise the powers provided for by this Division with respect to the part of the territory of the municipality that corresponds to the territory of the borough.

The borough council may submit opinions and make recommendations to the municipal 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 municipal council.

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

37. The borough council shall maintain a service and information centre in the borough, for the purposes of affording the population access to all information.

§2. *Urban planning*

38. 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 planning committee.

39. If the borough council has an advisory planning committee, it may adopt a by-law concerning minor exemptions from the planning by-laws of the municipality.

Division VI of Chapter IV of Title I of the Act respecting land use planning and development (R.S.Q., c. A-19.1) applies, adapted as required.

§3. *Local economic, community, social and cultural development*

40. 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 municipality pursuant to section 25, provide financial support to a body carrying on its activities in the borough and whose mission is local economic, community or social development.

§4. *Culture, recreation and borough parks*

41. The borough council shall exercise the powers of the municipality with respect to the parks and the cultural and recreational equipment under its jurisdiction, under a by-law made pursuant to section 28.

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

CHAPTER IV SPECIAL FINANCIAL PROVISIONS

42. The municipality shall determine the annual allotment to be made to Grosse-Île Borough according to a formula it determines.

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

44. 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.

The borough council shall not require other inhabitants and ratepayers of the municipality 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.

CHAPTER V EFFECTS OF AN AMALGAMATION ON LABOUR RELATIONS

45. 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 *a* in accordance with the rules set out in paragraphs *b* to *l*:

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

(b) 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” may, where applicable, mean “a municipality that will cease to exist on the constitution of the municipality”;

(c) 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 the borough;

(d) 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;

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

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

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

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

(i) 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;

(j) the exercise of the right to strike of the employees of the municipalities subject to this amalgamation is suspended from 1 January 2002 to 30 March 2003;

(k) 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

(l) the notice of negotiation referred to in section 176.14 shall not be given before 1 January 2003.

CHAPTER VI **TRANSITION COMMITTEE**

DIVISION I **COMPOSITION AND ORGANIZATION OF THE** **TRANSITION COMMITTEE**

46. A transition committee composed of the mayor of each of the municipalities subject to this amalgamation and the municipal councillor representing, on the council of the former Municipalité de L'Île-du-Havre-Aubert, the sector formed of the territory of the former Municipalité de L'Île-d'Entrée, is hereby constituted, effective on the date of coming into force of this Order in Council.

The quorum of the committee is a majority of the votes cast by members. The chair and vice-chair shall be designated by secret ballot at the beginning of the first meeting of the transition committee. The municipal council whose mayor is designated as chair of the transition committee shall designate a substitute to represent that municipality on the transition committee.

If the office becomes vacant, the deputy mayor of the former municipality in question at the time of the coming into force of the amalgamation shall sit on the transition committee to fill the vacancy.

The first meeting of the transition committee shall be held in the meeting hall of the former Village de Cap-aux-Meules.

47. Every member of the transition committee shall be paid the remuneration and allowances determined by the Minister of Municipal Affairs and Greater Montréal.

48. Jean-Yves Lebreux, secretary-treasurer and director general of Municipalité de L'Île-du-Havre-Aubert, is the secretary of the committee.

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.

49. 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.

50. 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.

Any decision taken by the transition committee to contract a loan must be approved by the Minister of Municipal Affairs and Greater Montréal. Any such loan shall be contracted at the rate of interest and on the other conditions set out in the approval.

51. The transition committee's term ends when the majority of persons elected in the first general election have taken oath. The committee shall then be dissolved and its responsibilities shall be exercised by the council elected in that second general election.

DIVISION II **MISSION OF THE TRANSITION COMMITTEE**

52. The mission of the transition committee is to participate, together with the administrators and em-

ployees 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 municipality, from the existing administrations to the municipality.

DIVISION III OPERATION, POWERS AND RESPONSIBILITIES OF THE TRANSITION COMMITTEE

§1. Operation and powers of the transition committee

53. 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.

54. The transition committee may require any municipality subject to this amalgamation, or a body thereof to provide 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 67, held by any administrator of such plan or any public body that holds such responsibility for such plan under the law.

55. 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.

56. 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 transition 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

57. 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 municipality's first general election.

58. 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 recommendation to the Minister of Municipal Affairs and Greater Montréal in their regard.

59. The transition committee shall, on or before 15 November, 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 municipality 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.

60. If an agreement has not been reached on all the matters referred to in the first and second paragraphs of section 59 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.

61. 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 municipality as of 31 December 2001.

62. The transition committee shall appoint the first director general and the first treasurer of the municipality to act until the municipal council decides otherwise.

It may create the various departments within the municipality, 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.

63. The transition committee shall prepare the municipality's budget for the first fiscal year and determine a formula enabling it to fix the allotments of the borough.

64. 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.

65. 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.

66. 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

67. 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 taxable in their respect on 31 December 2001 and that are situated in the part of the territory of the municipality which corresponds to the territory of that municipality.

The amounts required after 31 December 2001, in relation to a sum 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) in respect of a pension plan to which a municipality subject to this amalgamation was a party or to the amortization of any unfunded actuarial liability of such a plan, shall continue to burden the taxable immovables situated in the part of the territory of the municipality which corresponds to the territory of that municipality. The contributions paid after 31 December 2001, in relation to the obligations 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, in respect of years of past service before 1 January 2002 shall continue to burden the taxable immovables situated in the part of the territory of the municipality which corresponds to the territory of that municipality.

The date of determination of a sum pursuant to subparagraph 4 of the second paragraph of section 137 of the Supplemental Pension Plans Act or of an unfunded actuarial liability provided for in the second paragraph must be earlier than 21 June 2001. Furthermore, in the case of an improvement unfunded actuarial liability, the improvement must have been made before 1 January 2002. However, if a pension plan still has such a sum or unfunded actuarial liability on the date of its

division, merger or termination, the contributions paid by the municipality for that purpose after that date are deemed to be paid in respect of any sum or the amortization of any liability to which the second paragraph refers.

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 municipality 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.

68. On 31 December 2001, the costs related to the waterworks and sewer systems of each former municipality shall continue to burden the users of the waterworks and sewer system of each sector of the territory of the former municipality that made them, except and according to what is specifically provided for in By-law 162 of the former *Municipalité de L'Île-du-Havre-Aubert*, by-laws 253 and 283 of the former *Municipalité de Havre-aux-Maisons* and by-laws 179, 207, 223, 250 and 251 of the former *Municipalité de L'Étang-du-Nord*, that is, partially charged to all the ratepayers of the former municipality in question and partially charged to the users of the waterworks and sewer system of each sector of the former municipality in question. Where compensations in lieu of taxes are paid for government immovables benefiting from waterworks or sewer systems, the municipality shall allocate to the repayment of the debt of the former municipality or sector in question the portion of that compensation in lieu of taxes considered as tax or compensation required from other users of such system. All other debts related to other assets shall be charged to the entire population of the new municipality, except for the following debts that continue to burden the former municipality in question:

(1) Repayment of property taxes to Hydro-Québec by the former *Municipalité de L'Étang-du-Nord*, in accordance with the judgment of the Court of Appeal of Québec dated 19 December 1997, CA-200-09-000-348-943;

(2) The balance of the debt of the former *Municipalité de Fatima* relating to the drawing up of plans for a residential construction project unit for elderly persons suffering from a slight loss of autonomy.

69. A working fund shall be constituted out of the committed principal of the working funds of the municipalities of *Cap-aux-Meules* and *L'Île-du-Havre-Aubert* as they exist on 31 December 2001. The amounts thus borrowed shall be repaid into the working fund of the municipality in accordance with section 569 of the *Cities and Towns Act*.

The part not borrowed from the working fund of the municipalities referred to in the first paragraph shall be added to the surplus accumulated on behalf of those municipalities and dealt with in accordance with section 67.

70. Every intermunicipal agreement providing for the establishment of an intermunicipal management board composed exclusively of municipalities subject to this amalgamation shall terminate on 31 December 2001, notwithstanding any inconsistent provision mentioned in the agreement.

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

71. The municipality succeeds to the rights, obligations and charges of *Municipalité régionale de comté des Îles-de-la-Madeleine* and of a management board referred to in section 70. The second paragraph of section 114 and sections 115, 116 and 122 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) as well as section 67 of this Order in Council apply, adapted as required.

72. An intermunicipal agreement providing for a mode of operation other than an intermunicipal management board and entered into by the municipalities subject to this amalgamation shall terminate on 31 December 2001.

73. The sums derived from the operation or leasing by the municipality of an industrial immovable, after deduction of related administration and maintenance costs, or from the alienation of the immovable must be used to discharge the engagements made in respect of the immovable by any municipality subject to this amalgamation.

If the immovable referred to in the first paragraph was the subject 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 relating to the apportionment of expenditures among the municipalities, the discharge pursuant to the first paragraph of the engagements made must be consistent with those terms and conditions as regards the taxable immovables situated in any part of the territory of the municipality which corresponds to the territory of any such municipality.

74. All the property assessment rolls of the municipalities of *Grosse-Île* and *L'Île-du-Havre-Aubert* drawn up for the 2002, 2003 and 2004 fiscal years and the property assessment rolls of the municipalities of

L'Étang-du-Nord, Grande-Entrée and of Village de Cap-aux-Meules drawn up for the 2001, 2002 and 2003 fiscal years and the property assessment rolls of the municipalities of Fatima and Havre-aux-Maisons drawn up for the 2000, 2001 and 2002 fiscal years shall constitute the property assessment roll of Municipalité des Îles-de-la-Madeleine for the 2002, 2003 and 2004 fiscal years.

Section 119 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) shall apply, adapted as required.

With respect to an entry on the property assessment roll of Municipalité des Îles-de-la-Madeleine that precedes the first roll that the municipality shall cause to be drawn up under section 14 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), it is considered that for the purpose of establishing the actual value that is entered on the roll, the property market conditions as they existed on 1 July 2000 were taken into account. For the purposes of determining the property market conditions on that date, the information related to the transfer of property that occurred before and after that date may be taken into account.

The date referred to in the third paragraph shall appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or certificate of the assessor issued at the updating of the roll.

The median proportion and the comparative factor of the assessment roll of Municipalité des Îles-de-la-Madeleine for the 2002, 2003 and 2004 fiscal years that must appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or certificate of the assessor issued at the updating of the roll shall be those that will be established by the assessor of the former Municipalité de L'Étang-du-Nord for the 2002 fiscal year.

Municipalité des Îles-de-la-Madeleine shall cause its assessor to draw up the first property assessment roll, in accordance with section 14 of the Act respecting municipal taxation, for the 2005, 2006 and 2007 fiscal years.

75. The general property tax rate of the former Village de Cap-aux-Meules shall be progressively brought to the same rate as that of the new municipality over a three-year period, by means of tax credits, by one third of that rate for the first full fiscal year following the coming into force of this Order in Council and one third more for the second fiscal year to 100% of the rate of the third fiscal year. That rate shall be established from the property tax rate that appears in the tax account of the

ratepayers of that former village for 2001, corrected so as to exclude any credited surplus and any use of a portion of the property taxes to make up the difference between the expenses incurred for waterworks and sewer systems and the revenues of taxes imposed for both systems.

76. A municipal housing bureau shall be constituted under the name of "Office municipal d'habitation des Îles-de-la-Madeleine." 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, the municipal housing bureaus of the former municipalities of Grande-Entrée, Grosse-Île, Havre-aux-Maisons, Fatima, L'Étang-du-Nord, L'Île-du-Havre-Aubert and Village de Cap-aux-Meules, 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 new municipal housing bureau as though it had been constituted 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 Municipalité des Îles-de-la-Madeleine, 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 socioeconomic groups of the bureau's territory.

Until the municipality 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 municipal 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 at meetings 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, pass 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 constituted 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

77. The polling for the first general election shall take place on 25 November 2001 and for the second general election, in 2005.

78. For the purposes of the first three general elections and any by-election held before the fourth general election, the territory of the new municipality shall be divided into eight electoral districts corresponding to the territory of the former municipalities and to the territory of the former Municipalité de L'Île-d'Entrée as it existed prior to the coming into force of Order in Council 645-2000 dated 1 June 2000.

79. For the purpose of determining whether a person is qualified as an elector, a candidate or a person qualified to vote at an election or in a referendum poll in the territory of the municipality, any period, prior to the date of coming into force of section 1, during which the person was resident, continuously or not, in the territory of a municipality subject to this amalgamation or was the owner of an immovable or the occupant of a business establishment situated in that territory shall be counted as if the person had been a resident, owner or occupant from the beginning of that period in the territory in which he or she must qualify.

80. At the first general election, a member of the council of one of the municipalities subject to this amalgamation may be nominated and be, or be appointed as, a member of the municipal council, and hold both offices simultaneously.

81. The officers or employees of the municipalities subject to this amalgamation and those of Municipalité régionale de comté des Îles-de-la-Madeleine who were transferred to the municipality are not eligible to hold office as a member of the municipal council, with the exception of persons who provide occasional fire-fighting services and are usually referred to as volunteer fire-fighters and of persons who are 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 municipal council members.

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

82. The returning officer for the first general election shall be Jean-Yves Lebreux, secretary-treasurer and director general of Municipalité de L'Île-du-Havre-Aubert. 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.

83. Jean-Yves Lebreux, secretary-treasurer and director general of Municipalité de L'Île-du-Havre-Aubert, shall act as municipal clerk until the council decides otherwise.

84. The Minister of Municipal Affairs and Greater Montréal shall determine the place, date and time of the first meeting of the municipal 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.

85. At the first meeting, the council shall adopt, with or without amendment, the municipality's budget for the 2002 fiscal year as drawn up by the transition committee.

The municipality'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 appropriation provided for in the budget prepared by the transition committee is deemed to be adopted. The same rule applies at the beginning of each subsequent month if the budget has not been adopted at that time.

86. The municipal council may, from the time the majority of candidates elected at the first general election of 25 November 2001 to the office of councillor has taken the oath, take any decision, with respect to the organization and operation of the municipality or borough or to the delegation of any power to officers, that comes under the responsibility or belongs to the field of jurisdiction of the council, transition committee or mayor, as of 1 January 2002.

The decisions referred to in the first paragraph shall take effect on 1 January 2002.

87. The municipal council may, by virtue of the first by-law on remuneration that it adopts under the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001), fix the remuneration of the mayor and other members of the municipal council that the municipality 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 municipality.

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 (R.S.Q., c.R-9.3), 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.

88. Every member of the council of one of the local municipalities subject to this amalgamation whose term ends for the sole reason that the municipality ceased to exist on 31 December 2001, may receive compensation and maintain participation in the pension plan for elected municipal officers in accordance with sections 89 to 92.

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

89. The amount of the compensation referred to in section 88 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 88 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 88 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 (R.S.Q., c. T-11.001).

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 been required to pay with respect to the remuneration provided for in the first and second paragraphs for the person referred to in the first paragraph of section 88.

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

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

91. 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 municipality that corresponds to that of the local municipality referred to in the first paragraph of section 88, and of which the eligible person was a council member.

92. Every person referred to in section 88, who, on 31 December 2001, is a member of the Pension Plan of Elected Municipal Officers established under the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) shall continue to be a member of that plan for the period mentioned in the first paragraph of section 89. However, the member may, before 15 February 2002, notify the municipality of the person's choice to cease membership in the plan. The person must forward a copy of the notice to the Commission administrative des régimes de retraite et d'assurances as soon as possible. Membership in the plan of the person giving the notice ceases on 1 January 2002.

The pensionable salary of a person continuing to be a member of the plan pursuant to section 89 is equal to the amount of the compensation paid to the person in the period mentioned in the first paragraph of section 89, less any amount of the compensation payable as a provisional contribution. In such case, the provisional contribution shall be paid by the municipality to the Commission administrative des régimes de retraite et d'assurances at the same time as the member's contribution which the municipality must withhold on each payment of compensation.

A person electing to terminate membership in the pension plan referred to in the first paragraph shall retain entitlement to the portion of the compensation relating to the provisional contribution.

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

94. The amounts to be provided in the future, entered in the accounting books of each municipality before 1 January 2000, following the coming into force of the new accounting standards contained in the Manuel de la présentation de l'information financière municipale, shall continue to burden or to be credited to all the taxable immovables of the municipality.

95. The town hall of the former Village de Cap-aux-Meules becomes the town hall of the new municipality, until the council decides otherwise.

96. Until the council decides otherwise, the municipality shall maintain a local office for services in the territory of the former municipalities of Grande-Entrée, L'Île-du-Havre-Aubert and Île-d'Entrée as it existed prior to the coming into force of Order in Council 645-2000 dated 1 June 2000.

The decision referred to in the first paragraph shall be made by a majority of two-thirds of the votes cast representing two-thirds of the population of the municipality. The third and fourth paragraphs of section 9 shall apply, adapted as required.

97. 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 do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable in 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 constitution of the municipality.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new municipality.

98. The term of the contract for waste collection between Entreprises Nadyco Inc. and Municipalité régionale de comté des Îles-de-la-Madeleine may be extended to 31 December 2001 under the same conditions.

99. The Programme d'aide à la renovation en milieu rural (Réno-Village) of the Société d'habitation du Québec shall apply to the new municipality in accordance with Décret 996-2000 made on 24 August 2000.

100. Any specific provisions governing any municipality subject to this amalgamation, except for any provision whose purpose 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 the municipality.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE A**OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DES ÎLES-DE-LA-MADELEINE**

The current territory of Village de Cap-aux-Meules and the municipalities of Fatima, Grande-Entrée, Grosse-Île, Havre-aux-Maisons, L'Étang-du-Nord and L'Île-du-Havre-Aubert, as well as the unorganized territory constituting the remaining part of Municipalité régionale de comté des Îles-de-la-Madeleine, comprising, in reference to the cadastres of Grosse-Île, Île-au-Loup, Île-Brion, Île-Coffin, Île-d'Entrée, Île-du-Cap-aux-Meules, Île-du-Corps-Mort, Île-du-Havre-Aubert, Île-du-Havre-aux-Maisons and Rocher-aux-Oiseaux, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, watercourses and a part of the Gulf of St. Lawrence, the whole within the limits described hereafter, namely: starting from the meeting point of the west longitude of meridian 63°00' and of the north latitude of parallel 48°40'; thence, successively, the following lines and demarcations: easterly, the said parallel of latitude to the boundaries of the province of Québec in the Gulf of St. Lawrence; in general southerly, southwesterly and westerly directions, the boundaries of the province to the west longitude of meridian 63°00'; finally, northerly, the said meridian of longitude to the starting point.

The said limits define the territory of Municipalité des Îles-de-la-Madeleine.

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

Charlesbourg, 11 July 2001

Prepared by: JEAN-FRANÇOIS BOUCHER
Land surveyor

I-40/1

SCHEDULE B**GROSSE-ÎLE BOROUGH**

Corresponds to the boundaries of the former Municipalité de Grosse-Île.

4560

Gouvernement du Québec

O.C. 1044-2001, 12 September 2001

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

Amalgamation of Ville de Saint-Jérôme, Ville de Bellefeuille, Ville de Saint-Antoine and Ville de Lafontaine

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*;

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 Saint-Jérôme, Ville de Bellefeuille, Ville de Saint-Antoine and Ville de Lafontaine are part of the census primary area of Saint-Jérôme;

WHEREAS those municipalities have asked the Commission municipale du Québec to make a study on the pros and cons of their amalgamation;

WHEREAS the government conciliator, Mr. Gilles Rioux, has recommended that the municipalities' request be granted;

WHEREAS the Minister has requested the Commission municipale du Québec to make a study on the pros and cons of amalgamating the four towns;

WHEREAS, on 14 June 2001, the president of the Commission municipale du Québec sent the Minister a report intended for the Government;

WHEREAS in that report, the Commission municipale du Québec recommends the amalgamation of the four municipalities;

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;