

Saint-Damase and Saint-Césaire to the dividing line between the cadastres of the parishes of Saint-Damase and Saint-Jean-Baptiste; successively northeasterly, north-westerly and again northeasterly, part of the broken dividing line between the cadastres of the said parishes to the apex of the north angle of Lot 755 of the cadastre of Paroisse de Saint-Damase; southeasterly, the north-east line of the said lot; northerly, the line bounding on the west lots 756, 824 and 825 of the cadastre of Paroisse de Saint-Damase, that line crossing Chemin Rang d'Argenteuil that it meets; finally, in a general easterly direction, part of the broken line bounding on the north the cadastre of Paroisse de Saint-Damase to the starting point.

The said limits define the territory of Municipalité de Saint-Damase, in Municipalité régionale de comté des Maskoutains.

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

Charlesbourg, 31 August 2001

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Gouvernement du Québec

O.C. 1164-2001, 3 October 2001

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

Polling date for the first general election in Municipalité de Saint-Damase

WHEREAS Order in Council 1133-2001 constituting Municipalité de Saint-Damase was made on 26 September 2001 and comes into force on 5 October 2001;

WHEREAS, under section 10 of that order, the polling for the first general election shall take place on 2 December 2001 if the date of coming into force of the constituting order falls on or after 7 October 2001 but before 21 October 2001 and that otherwise polling shall take place on the first Sunday of the fourth month following the month of coming into force of the constituting order;

WHEREAS, under section 124 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may fix an earlier polling date than the date fixed in the order;

WHEREAS it is expedient that 25 November 2001 be the polling date for the first general election;

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

THAT 25 November 2001 be fixed as the polling date for the first general election in Municipalité de Saint-Damase.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1165-2001, 3 October 2001

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

Amalgamation of Village de Sainte-Croix and Paroisse de Sainte-Croix

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

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

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

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

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of Village de Sainte-Croix and Paroisse de Sainte-Croix, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Sainte-Croix".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 18 September 2001; that description appears as a Schedule to this Order in Council.

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

4. The territory of municipalité régionale de comté de Lotbinière includes the territory of the new municipality.

5. Until the term of the majority of candidates elected in the first general election begins, the new municipality shall be governed by a provisional council made up of all the council members of the former municipalities in office at the time of the coming into force of this Order in Council. An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of the coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was previously occupied by a council member of that former municipality.

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

6. The mayor of the former Paroisse de Sainte-Croix and the mayor of the former Village de Sainte-Croix shall act respectively as mayor and deputy mayor of the new municipality until the last day of half the period to run between the coming into force of this Order in Council and the polling day of the first general election, from which time the roles are reversed until the mayor elected in the first general election begins his term. Until then, they shall continue to sit on the council of Municipalité régionale de comté de Lotbinière and they shall have the same number of votes as they had before the coming into force of this Order in Council.

The members of the provisional council shall receive the remuneration that was paid to them before the coming into force of this Order in Council.

7. The first sitting of the provisional council shall be held at the town hall of the former Village de Sainte-Croix.

8. Voting for the first general election shall be held on the last Sunday of November 2001, if this Order in Council comes into force before 12 October 2001. Fail-

ing that, the first general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council, except if that Sunday falls on the first Sunday of January or Easter Sunday, in which case voting shall be postponed to the first Sunday of the following month, and except if that Sunday falls on the first Sunday of July, August or September, in which case voting shall be held on the first Sunday of October.

The second general election shall be held in 2005.

9. For the first three general elections and for any by-election held before the fourth general election, the only persons eligible for seats 1, 3 and 5 shall be the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the council members of the former Village de Sainte-Croix and the only persons eligible for seats 2, 4 and 6 shall be the persons who would be eligible if such election were an election of the council members of the former Paroisse de Sainte-Croix.

10. Bertrand Fréchette, secretary-treasurer of the former Village de Sainte-Croix, shall act as the first secretary-treasurer of the new municipality. Hélène Boucher, secretary-treasurer of the former Paroisse de Sainte-Croix shall act as the first deputy secretary-treasurer of the new municipality.

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

(1) the budget shall continue to be applied;

(2) the expenditures and revenues of the new municipality, for the remainder of the fiscal year during which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

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

(4) an amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expendi-

tures recognized by the council under paragraph 3 and financed from that same amount, shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year for which it adopts a budget with respect to all of its territory.

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

13. The working fund of the former Village de Sainte-Croix shall be abolished as soon as the amounts borrowed from that fund are reimbursed. The amounts borrowed from that fund shall continue to burden the taxable immovables of the sector formed of the territory of that former municipality. No additional borrowing may be made from that working fund.

The part not borrowed from the working fund of the former Village de Sainte-Croix shall be paid into the surplus accumulated on behalf of each municipality and dealt with in accordance with section 14. The reimbursed annual amounts shall be used for the purposes provided for in that section.

The council of the new municipality may, if it deems it expedient, constitute a working fund for the new municipality, in accordance with law.

14. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers of the sector formed of the territory of the former municipality. It may be used to carry out public works in the sector, to reduce taxes applicable to all the taxable immovables located therein or to repay debts charged to the sector.

15. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall continue to burden all the taxable immovables of the sector formed of the territory of that former municipality.

16. From the first fiscal year for which the new municipality adopted a budget in respect of all its territory and for the following four fiscal years, a special property tax in the total amount of \$275 000, that is an amount of \$55 000 per year, shall be imposed and levied on all the taxable immovables of the sector formed of the territory of the former Paroisse de Sainte-Croix, on the basis of their value entered on the assessment roll in effect each year.

The amount of that tax shall be dealt with as if it were a surplus accumulated on behalf of the former Village de Sainte-Croix and section 14 shall apply.

The special tax shall represent the contribution of the former Paroisse de Sainte-Croix to the costs of the following investments initiated by the former Village de Sainte-Croix:

— By-law 249-1998 whose object is the relocation of conduits;

— By-law 264-1999 whose object is Rue Biron;

— By-law 265-1999 whose object is Développement Picard;

— By-law 272-1999 whose object is the municipal garage;

— By-law 276-2000 whose object is the elevator and parking lot at the town hall;

— By-law 138-2001 whose object is Développement Hamel;

— Resolution 342-1998 whose object is the intersection of Route 132 and Rue Auger.

17. Only the immovables covered by the taxation clause are subject to the special tax to repay a loan by-law adopted before the coming into force of this Order in Council and not covered by section 16, and, where the council of the new municipality would want to change that tax, only the immovables located in the sector formed of the territory of the former municipality whose council adopted the by-law may be subject thereto.

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

19. From the first fiscal year for which the new municipality adopted a budget for all its territory, any expenditure related to reconstruction work of the highway network, street lighting, maintenance of ditches and snow removal shall continue to burden the sector formed of the territory of that former municipality where the work is carried out.

The previous paragraph has effect for the duration of the term of the council elected in the first general election.

The rule shall continue to apply after the end of that term unless the council decides otherwise by a unanimous vote of the members present.

Where the council does not amend the rule established in the first paragraph of this section, the subsidies paid by the Gouvernement du Québec in respect of the sector formed of the territory of the former Paroisse de Sainte-Croix for taking over the local road network shall be, if there is no inconsistency with the subsidy agreement, used to reduce the expenditures charged to that sector.

Any other subsidy paid by the Gouvernement du Québec respecting specific work carried out in the sector formed of the territory of a former municipality shall be, if there is no inconsistency with the subsidy agreement, used to reduce expenditures charged to that sector.

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

21. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité de Sainte-Croix". 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 the date of coming into force of this Order in Council, the municipal housing bureau of the former Village de Sainte-Croix, which is 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 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 municipal council of Municipalité de Sainte-Croix, 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 term of the majority of candidates elected in the first general election begins, the members of the board of directors of the bureau shall be the members of the municipal bureau which it will be succeeding.

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 members 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 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, make any by-law deemed necessary or useful for the internal management of the bureau.

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

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

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

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

Notwithstanding the preceding, for the four years following the coming into force of this Order in Council, the proceeds of the sale of a property that belonged to a former municipality, except the municipal garage and the elevator of the town hall, shall be used for the exclusive benefit of the ratepayers of the sector formed of the territory of the former municipality to which the property belongs. The proceeds of the sale may be used to carry out public works in the sector, reduce taxes applicable to all the taxable immovables located therein or to repay debts charged to it.

At the end of the four-year period, the rule shall continue to apply unless the council decides otherwise by a unanimous vote of the members present.

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DE SAINTE-CROIX, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LOTBINIÈRE

The current territory of Paroisse de Sainte-Croix and Village de Sainte-Croix, in municipalité régionale de comté de Lotbinière, comprising a part of the St. Lawrence River and, in reference to the cadastres of the parishes of Sainte-Croix and Saint-Louis-de-Lotbinière, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, streets, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of Lot 1 of

the cadastre of Paroisse de Sainte-Croix; thence, successively, the following lines and demarcations: in reference to the cadastre of Paroisse de Sainte-Croix, south-easterly, the northeastern line of Lot 1, that line crossing Route 132 that it meets; in a general westerly direction, part of the dividing line between ranges 1 and 2, as the case may be, along the south side of the right-of-way of Chemin 2^e Rang Est to the northeastern line of Lot 296; southeasterly, successively, the northeastern line of lots 296 and 297, that latter line extended to the south side of the right-of-way of Rang de la Plaine; in a general westerly direction, the south side of the right-of-way of the said road to the northeast side of the right-of-way of Route Nicolas, bounding to the northeast Lot 346; southeasterly, the northeast side of the right-of-way of the said road by extending it across Route des Baron to the dividing line between ranges 3 and 4; successively, westerly, northwesterly and again westerly, part of the broken dividing line between the said ranges to the northeastern line of Lot 436; successively, southeasterly, westerly and again southeasterly, the northeastern and southeastern lines of Lot 436 and part of the northeastern line of Lot 435 by extending the latter line to the south side of the right-of-way of Rang du Bois-Franc Ouest; westerly, part of the dividing line between ranges 4 and 5, as the case may be, along the south side of Rang du Bois-Franc Ouest to the dividing line between the cadastres of the parishes of Sainte-Croix and Saint-Édouard, that line extended across Route 271, Rivière Noire and 5^e Rang that it meets; in a general northwesterly direction, part of the dividing line between the cadastre of Paroisse de Sainte-Croix and the cadastres of the parishes of Saint-Édouard and Saint-Louis-de-Lotbinière to the southeastern line of Lot 295 of the latter cadastre, that line crossing Rivière du Petit Saut, Route 226, secondary roads and streams that it meets; in reference to the cadastre of Paroisse de Saint-Louis-de-Lotbinière, in a general northwesterly direction, the broken line bounding to the south, southeast, southwest, south, west and northwest, lots 295 to 273; northwesterly, part of the dividing line between the cadastres of the parishes of Sainte-Croix and Saint-Louis-de-Lotbinière to the right shore of the St. Lawrence River; in reference to the cadastre of Paroisse de Sainte-Croix, southeasterly, the right shore of the St. Lawrence River to the southwestern line of Lot 133; northwesterly, the extension of the southwestern line of the said lot to the centre line of the St. Lawrence River; easterly, the centre line of the said river downstream to the northwesterly extension of the northeastern line of Lot 133; southeasterly, the said extension; easterly, the right shore of the said river to the western line of Lot 545; northerly, a straight line in the St. Lawrence River, parallel to the general direction of the side lines of lots, to the centre line of the said river; easterly, the centre line of the said

river downstream to the northwesterly extension of the northeastern line of Lot 52; southeasterly, the said extension in the St. Lawrence River and in Lot 562 to the right shore of the said river; finally, easterly, the right shore of the said river to the starting point.

The following limits define the territory of Municipalité de Sainte-Croix, in Municipalité régionale de comté de Lotbinière.

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

Charlesbourg, 18 September 2001

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C-292/1

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