

Bounded on the west by Rivière Saint-Louis;

Bounded on the north by the CSX Transportation railway.

Electoral district 5

Bounded on the east by the centre of Rue Saint-Catherine in Beauharnois (without cadastral designation);

Bounded on the south by the CSX Transportation railway;

Bounded on the west by the line dividing lots P402 and P404 of the cadastre of Paroisse Saint-Clément (in Beauharnois) from the centre of 21^e Avenue (in Melocheville) to its extension in Lac Saint-Louis;

Bounded on the north by Lac Saint-Louis.

Electoral district 6

Bounded on the east by the line dividing lots P402 and P404 of the cadastre of Paroisse Saint-Clément (in Beauharnois) from the centre of 21^e Avenue (in Melocheville) to its extension in Lac Saint-Louis and by the CSX Transportation railway to Canal de Beauharnois;

Bounded on the south by Canal de Beauharnois and by the municipal boundary of Melocheville and Ville de Saint-Timothée;

Bounded on the west by the municipal boundary of Municipalité de Melocheville and Ville de Saint-Timothée;

Bounded on the north by Lac Saint-Louis.

4755

Gouvernement du Québec

O.C. 1480-2001, 12 December 2001

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

Amalgamation of Ville de Saint-Hyacinthe, Ville de Sainte-Rosalie and the parishes of Notre-Dame-de-Saint-Hyacinthe, Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Saint-Thomas-d'Aquin

WHEREAS Ville de Saint-Hyacinthe, Ville de Sainte-Rosalie and the parishes of Notre-Dame-de-Saint-

Hyacinthe, Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Saint-Thomas-d'Aquin form the census agglomeration of Saint-Hyacinthe;

WHEREAS under section 125.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), enacted by section 1 of Chapter 27 of the Statutes of 2000, the Government, by Order in Council 679-2001 dated 6 June 2001, authorized the Minister of Municipal Affairs and Greater Montréal to require a joint application for amalgamation from those municipalities;

WHEREAS on 7 June 2001, the Minister required that those municipalities submit a joint application for amalgamation and the Minister appointed Mr. Gilles Rioux as conciliator to assist them;

WHEREAS each of the municipal councils of Ville de Saint-Hyacinthe, Ville de Sainte-Rosalie and the parishes of Notre-Dame-de-Saint-Hyacinthe, Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Saint-Thomas-d'Aquin 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 six municipalities under the Act respecting municipal territorial organization;

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 with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal;

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 Ville de Saint-Hyacinthe, Ville de Sainte-Rosalie and the parishes of Notre-Dame-de-Saint-Hyacinthe, Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Saint-Thomas-d'Aquin, on the following conditions:

1. The name of the new city shall be "Ville de Saint-Hyacinthe".
2. The description of the territory of the new city shall be the description drawn up by the Minister of Natural Resources on 5 November 2001; that description is attached as a Schedule to this Order in Council.

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

4. The territory of the new city is part of the territory of Municipalité régionale de comté Les Maskoutains.

5. The following legislative provisions governing the former Ville de Saint-Hyacinthe apply to the new city :

— section 2 of the Act to amend the charter of the city of Saint-Hyacinthe (1982, c. 117);

— sections 1 and 2 of the Act respecting the city of Saint-Hyacinthe (1989, c. 88).

6. The mayors of the former municipalities shall continue to sit on the council of Municipalité régionale de comté des Maskoutains until the mayor elected in the first general election takes office and they shall have the same number of votes as before the coming into force of this Order in Council.

7. Until a majority of the candidates elected in the first general election takes office, the new city shall be administered by a provisional council made up of one mayor and fifteen councillors, namely: the mayor and the ten councillors of the former Ville de Saint-Hyacinthe, and the mayors of the former municipalities of Ville de Sainte-Rosalie and the parishes of Notre-Dame-de-Saint-Hyacinthe, Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Saint-Thomas-d'Aquin.

Each of the five former municipalities other than Saint-Hyacinthe is responsible for designating another elected member should a mayor of those former municipalities be absent.

The mayor of the former Ville de Saint-Hyacinthe shall act as mayor from the coming into force of this Order in Council and shall continue to do so for all the duration of the provisional council. The mayor of the former Ville de Sainte-Rosalie shall act as deputy mayor from the coming into force of this Order in Council and shall continue to do so for all the duration of the provisional council.

8. A majority of the members in office shall constitute the quorum of the provisional council.

9. The decisions of the provisional council shall be made by a majority vote, or by an absolute majority if required by law. In the case of a tie-vote, the mayor has a casting vote.

10. The members of the provisional council shall receive the same basic remuneration and expense allowance as those already paid to elected officers of the former Ville de Saint-Hyacinthe, namely :

	Basic remuneration	Allowance
Mayor of provisional Council	\$40 725	\$12 868
Councillors	\$11 726	\$5 863

Notwithstanding the foregoing, the mayors of the former Paroisse de Saint-Thomas-d'Aquin and the former Ville de Sainte-Rosalie who act as members of the provisional council shall receive the same remuneration and allowance as those they received in their former municipalities.

11. The first meeting of the provisional council shall be held in the council room of the city hall of the former Ville de Saint-Hyacinthe.

12. The first general election shall be held on 3 March 2002. The second general election shall be held in 2005.

The provisional council may enter into the agreement provided for in section 659.2 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

13. For the purposes of the first general election and any partial election held before the second general election, the territory of the new town shall be divided in to 13 electoral districts, as follows :

The territory of the former Ville de Saint-Hyacinthe shall constitute 10 electoral districts, corresponding to its current districts established by by-law 1638 dated 3 May 1999 (district 1: Assomption (former Yamaska district), district 2: Saint-Joseph, district 3: La Providence, district 4: Cascades, district 5: Notre-Dame, district 6: Hertel, district 7: Douville, district 8: Bois-Joli, district 9: Deux-Clochets and District 10: Vanier).

The respective territories of the former Ville de Sainte-Rosalie and the former Paroisse de Saint-Thomas-d'Aquin shall constitute an electoral district (district 11: Sainte-Rosalie and district 12: Saint-Thomas-d'Aquin) and the territory made up of the territories of the former parishes of Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Notre-Dame-de-Saint-Hyacinthe constitute together an electoral district (district 13: Ceinture-Verte).

14. For the first general election and for any partial election held before the second general election :

1° only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former municipality, Ville de Sainte-Rosalie, shall be eligible for the councillor seat in district 11;

2° only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former municipality of Paroisse de Saint-Thomas-d'Aquin, shall be eligible for the councillor seat in district 12;

3° only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of any of the parishes of Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur and Notre-Dame-de-Saint-Hyacinthe shall be eligible for the councillor seat in district 13;

4° only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former Ville de Saint-Hyacinthe, shall be eligible for the councillor seats in districts 1 to 10.

15. The working fund of the new city shall consist of the working fund of each of the former municipalities, as they existed at the end of the last fiscal year for which separate budgets were adopted by the former municipality. Monies borrowed by a former municipality from its working fund shall be repaid annually following the timetable fixed by each of the former municipalities, by a tax imposed on all the taxable immovables in the sector made up of the territory of the municipality in question.

Each municipality shall make a contribution to the working fund of the new city corresponding to 10% of its last budget. The amount transferred into the working fund of the new municipality on behalf of a former municipality under the first paragraph forms part of the contribution by that former municipality. The other amounts required for the contribution may come from the following sources: an accumulated surplus, a special tax based on the value of the immovables in the sector made up of the territory of the former municipality or a loan charged to all the taxable immovables in the sector made up of the territory of the former municipality.

16. The amounts accumulated in a special fund constituted by an former municipality for parks, playgrounds and natural areas under Division II.1 of Chapter VI of Title I of the Act respecting land use planning and devel-

opment (R.S.Q., c. A-19.1) shall be paid into a special fund constituted for that purpose by the new municipality and accounted for separately to be used for the benefit of the sector made up of the territory of that municipality.

17. 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 made up of the territory of the former municipality, either to repay loans taken out by that former municipality and charged to all that sector or to carry out works in that sector.

18. Any deficit accumulated on behalf of an former municipality at the end of the last fiscal year in which separate budgets were adopted shall be charged to all the taxable immovables of the sector made up of the territory of that former municipality.

19. The annual repayment of the instalments in principal and interest on the loans taken under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the sector made up of the territory of that former municipality, or a part of the sector, that contracted them in accordance with the taxation clauses in those by-laws. The council of the new city is not authorized in any case to amend the taxation clauses of a by-law adopted by a former municipality with a view to charging the loans to all the taxable immovables in the new city.

The annual contribution of \$25 000 paid by the Paroisse de La Présentation under an intermunicipal agreement respecting fire protection entered into with the former Paroisse de Saint-Thomas-d'Aquin, expiring on 31 December 2009, shall be used for the benefit of the ratepayers in the sector made up of the territory of the former Paroisse de Saint-Thomas-d'Aquin for the purpose of repaying loans taken by that former municipality and charged to all ratepayers.

20. Amounts granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall be used to cover the integration costs that might result from the amalgamation or to meet the obligations established by sections 22, 25, 36, 37, 38 and 39 of this Order in Council.

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

- (1) that budget remains applicable;

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

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

22. For the first five fiscal years following the coming into force of this Order in Council, the new city shall:

(1) make provision in its budget for enough money to ensure that the services already offered by the former municipalities are maintained;

(2) establish, in matters of capital assets, an investment level in relation to the average capital expenditures of each of the former municipalities, excluding capital expenditures incurred for new developments or paid by the Government or promoters during the fiscal years of 1997, 1998, 1999, 2000 and 2001.

23. Expenses related to the management, operation and maintenance of the water system and sanitary or storm sewer system of the new city shall be covered by one or more distinct taxes so as to make sure that only ratepayers benefiting from any of those services contribute to finance them.

The new city shall charge the costs related to the construction of new water and sanitary or storm sewer pipes or of a lighting system to all the taxable immovables located in front of the work or within the basin benefiting from it, except overdepth work (exceeding 6 m in depth) or oversizing work (pipes whose diameter exceeds 200 mm) which may be charged to all the immovables served by the new city.

The new city shall charge all the costs related to the reconstruction of water and sanitary or storm sewer pipes or of a lighting system to all the immovables served by the service being reconstructed.

24. The new city shall establish the rules for a reduction in the rate of the general property tax so as to limit to 5% the variation in the amount of the general property tax for a fiscal year in respect of all the units of assessment in the territory of each of the former municipalities, compared to the amount of tax payable for the

preceding fiscal year in respect of all the same units of assessment.

The reduction in the rate of the general property tax mentioned in the preceding paragraph shall continue to apply until the earliest of the following dates: 1 January 2011 or the date on which the basis rate of the general property tax will reach a flat rate for a single fiscal year in respect of all the units of assessment of the new city.

The expenses made by the new city in the exercise of new responsibilities or new jurisdictions shall be charged to all the ratepayers. An increase in the amount of general property tax due to those expenses is not subject to the limit provided for in the first paragraph.

For the purpose of the first paragraph, the general property tax includes all taxes based on the value of immovables, excluding the tax on non-residential immovables, sector taxes, taxes intended to cover the expenses charged to a sector corresponding to the territory of a former municipality and those related to any new responsibility or jurisdiction to be assumed by the new city.

25. In order to calculate the tax on non-residential immovables, the new city shall fix a different rate for each sector made up of the territory of a former municipality so as to allow for the gradual uniformity of the rates.

To that end, the minimum rate applicable for each sector made up of the territory of a former municipality will be established, for the first fiscal year for which the new city adopts a budget, at \$0.25/\$100 of taxable value and that rate shall be gradually increased during the following fiscal years until a single rate is obtained, without the increase exceeding \$0.10/\$100 of taxable value per fiscal year.

The annual increases in the rate referred to in the second paragraph shall be applied first to any sector that has the lowest rate in the first fiscal year for which a budget is adopted by the new city. When the rate in that sector reaches the rate of another sector, the rate of the latter shall be increased in the following fiscal year, and so on until there is a single rate for all the territory of the new city.

26. For the 2002 and 2003 fiscal years, the assessment roll of the new city shall be constituted of the aggregate made up of the rolls of the former municipalities. Only values entered on the roll of the former Paroisse de Notre-Dame-de-Saint-Hyacinthe shall be adjusted in accordance with sections 119 and 121 of the Act respecting municipal territorial organization (R.S.Q., c. O-9).

This first 3-year roll of the new city shall be filed in accordance with the law, in respect of the 2004 fiscal year.

27. If a former municipality chose to spread over more than one fiscal year the transitional measures required by the implementation of new municipal accounting rules, the costs of those measures shall remain charged to the ratepayers in the sector made up of the territory of that former municipality.

28. The clerk of the former Ville de Saint-Hyacinthe shall act as the clerk of the new city and the director of legal services shall act as the assistant clerk of the new city.

29. The director general of the former Ville de Saint-Hyacinthe shall act as the director general of the new city and the director general and clerk of the former Ville de Sainte-Rosalie shall act as the assistant director general until 31 December 2003 for the purposes of the transition.

30. The secretary-treasurers of the parishes of Sainte-Rosalie, Saint-Hyacinthe-le-Confesseur, Notre-Dame-de-Saint-Hyacinthe and Saint-Thomas-d'Aquin shall act as assistants in the general directorate of the new city until 31 December 2001.

31. The director of finance and the treasurer of the former Ville de Saint-Hyacinthe shall act as the treasurer of the new city.

32. The person responsible for communications and assistant in the general directorate of Ville de Saint-Hyacinthe shall act as the resource person (one-stop service) to ensure the administrative follow-up on applications from the rural sector with municipal services or employees.

That person shall also be the resource person (one-stop service) for any application by citizens in the new city.

33. The new city shall constitute an agricultural advisory committee composed of 6 members, including 3 elected officers and 3 farm producers within the meaning of the Farm Producers Act (R.S.Q., c. P-28).

Subject to this Order in Council, sections 148.1 to 148.13 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) apply, with the modifications required.

34. Intermunicipal agreements in force when this Order in Council comes into force and only binding on the municipalities referred to in this Order in Council shall cease to apply from that coming into force.

As for agreements binding on the municipalities referred to in this Order in Council and others outside the limits of the new city, they shall continue to apply until they expire and the new city shall decide whether or not they should be renewed.

35. At the expiry of the contract entered into by the former Ville de Sainte-Rosalie for the removal, transport and disposal of residual materials, and at the expiry of the contract entered into by the former Paroisse de Saint-Thomas-d'Aquin for the disposal of residual materials, the new city shall start the process to include the sectors made up of the territories of the former Ville de Sainte-Rosalie and the former Paroisse de Saint-Thomas-d'Aquin in the sector already served by the Régie intermunicipale de gestion des déchets de la région Maskoutaine.

If the Régie serves those territories, the new city shall, between 1 January and 1 March 2002, pay to it a financial contribution of \$35 110 to the Régie intermunicipale de gestion des déchets de la région Maskoutaine to take into account services rendered to the territories made up of the former Ville de Sainte-Rosalie and the former Paroisse de Saint-Thomas d'Aquin, which contribution shall be charged to those former municipalites, that is, \$16 529 for the former Ville de Sainte-Rosalie and \$18 581 for the former Paroisse de Saint-Thomas-d'Aquin, respectively.

The new city shall maintain, in the sector made up of the territory of each those two former municipalities, the tariff applicable under the current contracts to the management of residual materials. The new city shall impose a tariff for all its users after the expiry of those contracts.

As for the implementation of selective collection in the territory of the former Paroisse de Saint-Thomas-d'Aquin, the new city shall see that the Régie have it completely implemented no later than 1 May 2002.

As for the costs related to the acquisition of roll-out containers necessary for selective collection on the territory of Paroisse de Saint-Thomas-d'Aquin, they shall be charged to the ratepayers of the sector made up of the territory of that former municipality.

The representatives of each former municipality who sat on the board of directors of the Régie shall continue until the first general election of the new city.

36. The paratransit service managed by the organization Transport Liberté shall become, from the date of coming into force of this Order in Council, the responsibility of the new Ville de Saint-Hyacinthe and the adapted transit services shall be maintained.

Before the first general election, the council shall create a body dedicated to the continuation of paratransit on all the territory of the new city.

37. For the next 10 years from the coming into force of this Order in Council, the council of the new city shall keep the fire station located in the sector made up of the territory of the former Paroisse de Saint-Thomas-d'Aquin in operation and provide on that territory a level of fire protection services at least equivalent, in addition to any other measure that may be provided for in the first fire safety cover plan to be drawn up by the MRC Les Maskoutains.

38. The library T.A.-Saint-Germain, located in the sector made up of the territory of the former Ville de Saint-Hyacinthe, shall become the head library above the municipal library of the former Ville de Sainte-Rosalie.

The library of the former Ville de Sainte-Rosalie shall continue to exist for 10 years following the coming into force of this Order in Council. The new city shall continue to develop the book collection of that library.

39. Should the new city choose to manage leisure activities and culture on the basis of neighbourhood corporations, it shall ensure that the recreational and community services of the new city take charge of the leisure activities and culture in the sector made up of the territories of the former Ville de Sainte-Rosalie and the former Paroisse de Sainte-Rosalie for at least 2 years following the coming into force of this Order in Council so as to allow for the constitution of a neighbourhood leisure corporation in that sector. The council shall make sure that the corporation has a solid management, particularly on the financial level.

40. In the first year following the coming into force of this Order in Council, the new city shall continue the redevelopment and enhancement of Parc Gérard-Côté in the sector made up of the territory of the former Ville de Sainte-Rosalie, the whole in accordance with plans 1 to 4 prepared by the firm Les Paysages Rodier inc. and dated 27 April 2001 and complete it no later than 31 December 2003.

As for Parc Donat-Giard and the planned park on lot 2 036 883 of the cadastre of Québec, those lots shall remain reserved for parks and playgrounds.

In order to finance the project referred to in the first paragraph of this section, the new city may appropriate the reserve intended for the development of the green areas of the former Ville de Sainte-Rosalie or charge the municipal contribution to all the sector made up of the territory of that former city.

41. Any capital project for which an application was made under the Canada-Québec Infrastructure Renewal Program prior to the date of coming into force of this Order in Council and that is granted shall be carried out and charged to all the territory of the former municipality or the sector concerned of the latter.

The new municipality shall continue to take the steps necessary for those projects with the authorities involved.

42. In the process of revising street names to eliminate duplications, the new city shall make sure to fairly distribute the required changes between the sectors made up of the territory of the former municipalities.

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

In the case of a gain, it may be dealt with in accordance with the terms and conditions governing the accumulated surplus.

44. 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 to the territory of the new city by a new zoning by-law and a new subdivision by-law applicable to the entire territory of the new city respectively, 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 shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the entire territory of the new city.

45. The damage insurance coverage of the merged municipalities shall be integrated into the damage insurance programs of the former Ville de Saint-Hyacinthe, which expire on 31 May 2002.

Insurance policies that were thus integrated with those of the former Ville de Saint-Hyacinthe shall be cancelled or extended without calling for tenders so as to harmonize the expiry dates on 31 May 2002, in accordance with the cancellation clauses stipulated in those insurance policies.

The new city shall have the same rights as the present Ville de Saint-Hyacinthe, with respect to the renewal of its insurance policies, dated 31 May 2002, pursuant to section 573.1.2 of the Cities and Towns Act.

46. Any member of the council of one of the municipalities affected by the amalgamation whose terms expires for the sole reason that the municipality no longer exists on the day this Order in Council comes into force may receive a compensation and continue to participate in the pension plan of elected municipal officers in accordance with sections 47 to 51.

Any right referred to in the first paragraph shall cease to apply to a person in respect of any period during which the person sits on the council of a municipality on the territory of Québec after the coming into force of this Order in Council.

The members of the provisional council are not entitled to the compensation provided for in the first paragraph during the period of their sitting on that council.

47. The compensation amount referred to in section 46 shall be based on the remuneration fixed on the date of coming into force of this Order in Council under the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001) in respect of the position that the person referred to in the first paragraph of section 46 held on the date of coming into force of this Order in Council, plus any remuneration indexing provided for in a by-law of one of the municipalities affected by the amalgamation that came into force on or before the date of coming into force of this Order in Council.

The compensation amount shall also be based on the remuneration that the person referred to in the first paragraph of section 46 receives on the date of 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 (R.S.Q., c. R-9.3).

The compensation established in accordance with the first and second paragraphs, excluding the part mentioned in the fourth paragraph, may not be greater per year than the maximum referred to in section 21 of the Act respecting the remuneration of elected municipal officers.

The compensation shall also, where applicable, 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, the mandatory body or the supramunicipal body should have paid in relation to the remuneration provided for in the first and second paragraphs in respect of the person referred to in the first paragraph of section 46.

48. The compensation shall be paid by the city by bi-monthly instalments during the period beginning on the day 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 current term would have been held on the day of the coming into force of this Order in Council.

A person eligible for compensation may agree with the city on any other payment method for the compensation.

49. The government shall contribute to finance half the expenses incurred to pay the part of the compensation referred to in section 46 that is based on the basic remuneration or, as the case may be, on the minimum annual remuneration, provided for in the Act respecting the remuneration of elected municipal officers, of the person eligible for the program and on the amount of the provisional contribution payable in respect of that part of the compensation.

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

50. The balance of expenses that the payment of the compensation represents, including the provisional contribution, where applicable, shall constitute a debt charged to the taxable immovables that are located in the part of the territory of the city that corresponds to that of the municipality referred to in the first paragraph of section 46, where the person eligible for the program was a council member.

51. Any person referred to in section 46 who, on the date of the coming into force of this Order in Council, contributes to the pension plan of elected municipal officers established under the Act respecting the Pension Plan of Elected Municipal Officers shall continue to do so during the period mentioned in the first paragraph of section 48. However, the member may, before 15 April 2002, notify the city that he no longer wishes to participate in the plan. A copy of that notice shall be sent to the Commission administrative des régimes de retraite et d'assurances as soon as possible. The participation in the plan of a person giving such notice takes effect on the day of the coming into force of this Order in Council.

The pensionable salary of a person who continues to participate in the plan in accordance with section 46 shall correspond to the amount of compensation paid to him during the period mentioned in the first paragraph of section 48, minus the part of that compensation payable as provisional contribution. In such 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 deduct from each payment of compensation.

A person who decides to end his participation in the pension plan mentioned in the first paragraph shall remain entitled to the part of the compensation pertaining to the provisional contribution.

52. A municipal housing bureau shall be constituted under the name of "Office municipal d'habitation de la Ville de Saint-Hyacinthe". 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*.

On the date of coming into force of this Order in Council that municipal bureau shall succeed to the existing bureau, 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 council of the Ville de Saint-Hyacinthe, two shall be 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 a majority of the candidates elected in the first general election take office, the members of the board of directors of the bureau shall be the members of the housing bureau to which it succeeds.

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

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

The quorum for the 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 ; and

(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 bureau that has been dissolved shall become, without reduction in salary, employees of the new 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 this section, for the succeeding bureau, shall be 36 months from the date of determination of the last bargaining unit.

53. The financial commitments made by the former Ville de Saint-Hyacinthe concerning the Centre des congrès shall remain charged to the taxable immovables in the sector made up of the territory of that former city.

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF
THE TERRITORY OF THE NEW VILLE DE
SAINT-HYACINTHE, IN MUNICIPALITÉ
RÉGIONALE DE COMTÉ DES MASKOUTAINS

The current territory of the parishes of Notre-Dame-de-Saint-Hyacinthe, Saint-Hyacinthe-le-Confesseur, Sainte-Rosalie and Saint-Thomas-d'Aquin and Ville de Saint-Hyacinthe and Ville de Sainte-Rosalie, in Municipalité régionale de comté des Maskoutains, comprising the lots of the Québec cadastre and their succeeding lots and, in reference to the cadastres of the parishes of Notre-Dame-de-Saint-Hyacinthe, Saint-Hyacinthe-le-Confesseur and Sainte-Rosalie, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, highways, boulevards, streets, avenues, railroad rights-of-way, islands, islets, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the northeastern line of lot 1 840 535 of the Québec cadastre with the right bank of Rivière Yasmaka; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, successively, the northeastern line of lots 1 840 535, 1 840 900, 2 203 520, its extension in lot 1 840 739, part of the northeastern line of lot 1 839 856, the northeastern line of lots 1 840 935, 1 839 745, 2 203 514 and 1 840 667, its extension in lot 1 840 665, 1 840 665, 1 840 870, 1 839 626, 1 840 936, 1 840 523, 1 840 858, 1 839 496, 1 840 886, its extension in lot 1 840 928 then the northeastern line of lots 1 839 499, 1 840 807 and 1 841 087; southerly, the line bordering on the west the cadastre of Paroisse de Saint-Dominique to the apex of the southern angle of lot 283 of the cadastre of Paroisse de Sainte-Rosalie,

that line crossing Rivière McKay, Ruisseau Ferré and Route Guy that it meets; northwesterly, part of the dividing line between the cadastres of the parishes of Sainte-Rosalie and Saint-Dominique to the dividing line between the cadastres of the parishes of Saint-Hyacinthe-le-Confesseur and Saint-Dominique; southwesterly, the dividing line between the cadastres of the said parishes crossing Route 137 that it meets; northwesterly, part of the dividing line between the cadastres of the parishes of Saint-Hyacinthe-le-Confesseur and Saint-Pie to the dividing line between the cadastres of the parishes of Notre-Dame-de-Saint-Hyacinthe and Sainte-Pie; successively southwesterly, northwesterly, southwesterly and northwesterly, the broken dividing line between the cadastres of the said parishes and the extension of its last segment to the centre line of Rivière Yamaska, that broken line crossing route 235 and the railroad right-of-way (lot 1407 of the cadastre of Paroisse Notre-Dame-de-Saint-Hyacinthe) that it meets in its first segment; in a general southerly direction, the centre line of the said river upstream to its meeting point with the easterly extension of the northern line of lot 148 of the cadastre of Paroisse de Saint-Damase; in westerly and northerly general directions, the said extension and part of the line bordering on the north and east the cadastre of Paroisse de Saint-Damase, crossing routes 233 and 231 that it meets, to the dividing line between the cadastres of the parishes of Sainte-Madeleine and Saint-Damase; in general easterly and northerly directions, part of the broken line bordering to the south and east the cadastre of Paroisse de Sainte-Madeleine to the dividing line between the cadastres of the parishes of Notre-Dame-de-Saint-Hyacinthe and Sainte-Madeleine, that broken line crossing Rang Saint-Simon that it meets; in a general westerly direction, the broken line dividing the cadastres of the parishes of Notre-Dame-de-Saint-Hyacinthe and Sainte-Madeleine; in a general northerly direction, the broken dividing line between the cadastres of the parishes of Notre-Dame-de-Saint-Hyacinthe and La Présentation along the southeastern side of the right-of-way of Chemin Rang-Sainte-Rose which borders to the southeast certain lots of the cadastre of Paroisse de La Présentation, that line crossing the right-of-way of a railroad (lot 1406 of the cadastre of Paroisse de Notre-Dame-de-Saint-Hyacinthe), Chemin du Grand-Rang, Autoroute 20, Route 137 and Ruisseau Rouge that it meets; southeasterly, the northeastern line of the cadastre of Paroisse de Notre-Dame-de-Saint-Hyacinthe, crossing Route 235 that it meets, to the southeastern line of the cadastre of Paroisse de Saint-Barnabé; northeasterly and southeasterly, the southeastern and southwestern lines of the said cadastre, crossing Chemin de Saint-Barnabé that it meets to the centre line of Rivière Yamaska; in a general northerly direction, the centre line of the said river, downstream and skirting by the east lot 228 (island) of

the said cadastre, to its meeting with a straight line perpendicular to the said centre line and joining the apex of the northern angle of lot 1 840 535 of the Québec cadastre; finally, southeasterly, the said straight line to the starting point.

The said limits define the territory of the new Ville de Saint-Hyacinthe, 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, 5 November 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

H-113/1

4741

Gouvernement du Québec

O.C. 1481-2001, 12 December 2001

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

Certain rural regional county municipalities

WHEREAS, under section 210.60.1 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) enacted by section 152 of the Act to amend various legislative provisions concerning municipal affairs (2001, c. 25), the Government may designate as a rural regional county municipality any regional county municipality whose territory does not include a census agglomeration defined by Statistics Canada;

WHEREAS the territory of Municipalité régionale de comté de Francheville will not include any census agglomeration defined by Statistics Canada at the time of the constitution of Ville de Trois-Rivières, on 1 January 2002, in accordance with Order in Council 851-2001 dated 4 July 2001;

WHEREAS the territory of Municipalité régionale de comté de D'Autray and the territory of Municipalité régionale de comté de Bécancour do not include any census agglomeration;

WHEREAS it is expedient to designate those rural regional county municipalities from 1 January 2002;

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

THAT Municipalité régionale de comté de Francheville, Municipalité régionale de comté de D'Autray and Municipalité régionale de comté de Bécancour be designated as rural regional county municipalities;

THAT this Order in Council have effect from 1 January 2002.

4748

Gouvernement du Québec

O.C. 1494-2001, 12 December 2001

An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais
(2000, c. 56)

Organization of municipal courts covered by the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais

WHEREAS section 234 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56) establishes a municipal court, effective 1 January 2002, in the new cities of Montréal, Québec, Longueuil, Gatineau and Lévis, having jurisdiction within the whole territory of the city;

WHEREAS, under section 240 of that Act, the Government, on the recommendation of the Minister of Justice, shall fix, by order, the name and the chief-place of each new municipal court, the places where each court may sit and the number of judges assigned to each court and shall also designate, for each court, the judges assigned to the court, the judge responsible for the court and shall fix the additional remuneration to which the judge is entitled;

WHEREAS, under section 241 of that Act, the Government may, by order, on the recommendation of the Minister of Justice and considering the interests of justice, prescribe special terms of application of the Act respecting municipal courts (R.S.Q., c. C-72.01) or exemptions from that Act or any other relevant Act, without derogating from the provisions concerning the status and remuneration of the judges in office or the provisions of sections 39.2 and 39.3 of the Act respecting municipal courts;