

37. by substituting the expression “36 to 52” for the expression “38 to 45” in section 132.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1477-2001, 12 December 2001

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

Amalgamation of Village de Taschereau and Municipalité de Taschereau

WHEREAS each of the municipal councils of Village de Taschereau and Municipalité de Taschereau 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 Taschereau and Municipalité de Taschereau, on the following conditions:

1. The name of the new municipality shall be “Municipalité de Taschereau”.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 19 October 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 d’Abitibi-Ouest 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 the former municipality. Where one of the seats of mayor becomes vacant, that mayor’s votes shall be devolved to the councillor who acted as deputy mayor of the former municipality concerned before the coming into force of this Order in Council, except if that councillor’s seat is also vacant. In that case, the votes shall be devolved to a councillor chosen by the members of the provisional council who were council members of the former municipality from among those members.

6. The mayor of the former Municipalité de Taschereau and the mayor of the former Village de Taschereau shall act respectively as mayor and deputy mayor of the new municipality from the coming into force of this Order in Council until the last day of the month of that coming into force, from which time the roles shall be reversed for the following month, and so on in alternation, 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 d’Abitibi-Ouest and they shall have the same number of votes as they had before the coming into force of this Order in Council.

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

8. The first sitting of the provisional council shall be held in the board room at 56, rue Morin in the territory of the former Village de Taschereau.

9. For the term of the provisional council, the municipal elected members shall receive the remuneration that was paid to them before the coming into force of this Order in Council.

Each mayor of a former municipality shall continue to receive his remuneration as mayor during the period in which he acts as deputy mayor.

10. Yves Aubut, secretary-treasurer of the former Village de Taschereau, shall act as secretary-treasurer of the new municipality. Éveline Pichette, secretary-treasurer of the former Municipalité de Taschereau, shall act as deputy secretary-treasurer.

11. The first general election shall be held on 2 June 2002. The second general election shall be held in 2005.

12. For the first and second general elections and for any by-election held before the third general election, the only persons eligible for seats 1, 2 and 3 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 Taschereau, and the only persons eligible for seats 4, 5 and 6 shall be the persons who would be eligible under that Act if such election were an election of the council members of the former Municipalité de Taschereau.

13. 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 adopted separate budgets.

14. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité de Taschereau". 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 Taschereau, 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 composed of seven members. Three members shall be appointed by the municipal council of the new Municipalité de Taschereau, 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 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.

15. 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 that during which this Order in Council comes into force;

(4) an amount of \$20,000 paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures 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.

16. The part of the subsidy attributable to the former Village de Taschereau under the Programme d'aide financière au regroupement municipal (PAFREM) and that attributable to the former Municipalité de Taschereau shall be used respectively for the exclusive benefit of the ratepayers of the sector formed by the territory of each of these former municipalities. That amount must be used to carry out public works in the sector, to reduce taxes applicable to all the immovables located therein or to repay its debts.

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 formed by the territory of the former municipality. It

may be used to repay debts contracted by the former municipality, to carry out public works in the sector, to reduce taxes applicable to all the taxable immovables located therein or to repay the debts referred to in section 21.

18. 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 be charged to all the taxable immovables of the sector formed by the territory of that former municipality.

19. The annual repayment of the instalments in principal and interest for the loan contracted by the former Village de Taschereau under By-law 207 shall be charged to the users of the waterworks system of the new municipality through a compensatory rate set each year by the council of the new municipality. The taxation clause provided for in By-law 207 shall be amended accordingly.

20. The annual payment of the instalments in principal and interest for all loans contracted under the by-laws adopted by the former municipality before the coming into force of this Order in Council and not provided for in section 19 shall be charged to the sector formed by the territory of the former municipality that contracted them, in accordance with the taxation clauses provided for in those by-laws.

If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the Act, those amendments shall apply only to the immovables located in the sector formed by the territory of the former municipality.

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

The works carried out following an Order of the ministère de l'Environnement addressed to the new municipality concerning the decontamination of Lot 925 of the cadastre of Village de Privat, Abitibi land registration division, shall be charged to all the taxable immovables located in the sector formed by the territory of the former municipality where that work is carried out.

22. From the adoption of the first budget of the new municipality, and for a period of five years, the new municipality shall pay to the Club des loisirs of the former Municipalité de Laferté a minimum amount of \$1 500 per year.

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

24. 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.

25. 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
TASCHEREAU, IN MUNICIPALITÉ RÉGIONALE
DE COMTÉ D'ABITIBI-OUEST

The current territory of Municipalité de Taschereau and Village de Taschereau, in Municipalité régionale de comté d'Abitibi-Ouest, including, in reference to the cadastres of the townships of Aiguebelle, Poularies and Privat and to the cadastre of Village de Privat, the lots or parts of lots, blocks or parts of blocks and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the boundaries hereafter described, namely: starting from the apex of the northeastern angle of Lot 62 of Rang 10 of the cadastre of Canton de Privat; thence, successively, the following lines and demarcations: southerly, the dividing line between the cadastres of the townships of Privat and Launay, that line crossing the railway right-of-way (Lot 64 of the cadastre of Canton de Privat), Route 111 and other roads that it meets; westerly, part of the southern line of the cadastre of Canton de Privat to the centre line of Lac Loïs; in general southwesterly and westerly directions, the centre line of the said lake, passing north of islands 20, 19, 17 and 16 of the cadastre of Canton d'Aiguebelle,

to its meeting point with the extension of the eastern line of Lot 44 of Rang 9 of the said cadastre; in reference to that cadastre, southerly, the said extension and the eastern line of the said lot; successively westerly, northerly and again westerly, part of the broken dividing line between ranges 9 and 8 to the western line of Canton d'Aiguebelle, that line crossing the railway right-of-way that it meets in its last section; northerly, part of the western line of the said township to the apex of its northwestern angle, that apex being located in Lac Duchat; westerly, part of the southern line of Canton de Poularies to the apex of the southwestern angle of Lot 16 of Rang 1 of the cadastre of Canton de Poularies, that line crossing lakes Duchat and Fabiola that it meets; in reference to that cadastre, northerly, the western line of the said lot crossing Route 101 that it meets; easterly, part of the dividing line between ranges 1 and 2 to the apex of the southwestern angle of Lot 45 of Rang 2, that line crossing Route 101 that it meets; northerly, the western line of the said lot; easterly, part of the dividing line between ranges 2 and 3 to the western line of the cadastre of Canton de Privat, that first line extending across Lac Poularies that it meets; in reference to that cadastre, northerly, part of the said western line, crossing Rivière Loïs, to the dividing line between ranges 7 and 8; easterly, part of the line separating the said ranges to the dividing line between Lots 22 and 21 of Rang 8; northerly, the line separating the said lots, crossing Route 111 that it meets; easterly, part of the dividing line between ranges 8 and 9 to the apex of the southwestern angle of Lot 32 of Rang 9, that line crossing the railway right-of-way (Lot 63) that it meets; northerly, the western line of Lots 32 of ranges 9 and 10; finally, easterly, part of the northern line of the cadastre of Canton de Privat to the starting point, that line crossing Lac Profond, Chemin du Nord and other watercourses that it meets.

The following limits define the territory of the new Municipalité de Taschereau, in Municipalité régionale de comté d'Abitibi-Ouest.

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

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