

Canton de Rouyn then the northern line of Canton de Joannès to its northeastern angle, which constitutes the starting point of this perimeter.

14. Cadillac and T.N.O. district

— comprises all the territory included within the following perimeter:

starting from the northwest corner of Canton de Bousquet; thence, successively, the following lines and demarcations: part of the northern line and part of the centre line of Canton de Bousquet to the third mile post on the latter line; a line, due east, to the dividing line between the townships of Bousquet and Cadillac; part of the said dividing line between lots, northerly, and its extension to the centre line of Lac Preissac; the centre line of the said lake, northeasterly and easterly and skirting to the northwest islands bearing numbers 5 and 9 of the cadastre of Canton de Preissac to the extension of the dividing line between lots 37 and 38 of Rang IV of the said cadastre; the said extension and the said dividing line between lots in ranges IV, III, II and I of Canton de Preissac; in reference to the cadastre of Canton de Cadillac, the dividing line between lots 37 and 38 of Rang X and its extension across Rang IX; the dividing line between lots 37 and 38 of Rang VIII; a straight line across an undivided part of the township and Lot 38 of Rang VI to the apex of the northeastern angle of Lot 37-1 of Rang VI, the eastern line of lots 37-1, 36-1 and 36-2 of Rang VI and 44-1, 43-1 and 42-1 of Rang V; the southern line of Lot 42-1 of Rang V and the western line of lots 41, 40, 39, 38, 37 and 36 of the said Rang V; the western line of lots 44-B and 43 of Rang IV; part of the southern line of Lot 43 of Rang IV to the western bank of Rivière Héva; a straight line, due south, across an undivided part of the township to the dividing line between the townships of Cadillac and Surimau; a straight line in Canton de Surimau to the point of intersection on the east side of Chemin de Cadillac-Rapide-Sept and on the north side of the continuation of Chemin du Quatrième Rang Ouest of Canton de Fournière; the east side of Chemin Cadillac-Rapide-Sept, southerly, to the northern line of Canton de Béraud; part of the northern line and the eastern line of Canton de Béraud, the eastern and southern lines of Canton de Landanet; the southern and western lines of Canton de Chabert; part of the western line of Canton de Darlens to the dividing line between ranges II and III of the original survey of Canton de Basserode; the said dividing line between ranges, westerly, to the centre line of Rivière Kinojévis; thence, in a general northerly direction, the said centre line of Rivière Kinojévis to the southern limit of Canton Vaudray; thence, easterly then northerly, a part of the southern line then eastern line of Canton Vaudray to its intersec-

tion with the southern line of Canton de Joannès; thence, easterly then northerly, a part of the southern line then eastern line of Canton de Joannès to the centre line of Lac Bousquet; thence, easterly, the said centre line of Lac Bousquet to a line parallel to the dividing line between the townships of Bousquet and Joannès; thence, northerly, the said parallel line to the south side of the right-of-way of Route 117; thence, westerly, the south side of the right-of-way of Route 117 over a distance of 700.0 metres to the dividing line between the townships of Bousquet and Joannès; thence, northerly, the said dividing line to the northwest corner of Canton de Bousquet, which constitutes the starting point of this perimeter.

4746

Gouvernement du Québec

O.C. 1479-2001, 12 décembre 2001

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

Amalgamation of Ville de Beauharnois, Ville de Maple Grove and Village de Melocheville

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 started in the census metropolitan areas of Montréal, Québec, the Outaouais, Saguenay, Sherbrooke and Trois-Rivières;

WHEREAS, on 9 May 2001, the Minister of Municipal Affairs and Greater Montréal asked the Commission municipale du Québec to carry out a study into the advantages and disadvantages of an amalgamation of Ville de Beauharnois, Ville de Maple Grove and Village de Melocheville;

WHEREAS the Commission municipale du Québec held a public hearing on 20 August 2001 and whereas it made a report to the Government recommending the amalgamation and giving reasons;

WHEREAS the Commission municipale du Québec has forwarded its report 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 pursuant to section 125.11 of the said Act, enacted by section 1 of chapter 27 of the Statutes of 2000;

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

1. A local municipality is hereby constituted under the name of "Ville de Beauharnois".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 23 October 2001; that description appears as Schedule A 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 shall be part of the territory of *Municipalité régionale de comté de Beauharnois-Salaberry*.

5. Until a majority of the candidates elected in the first general election begin their terms, a nine-member provisional council shall administer the new city.

The mayor and four councillors from the former *Ville de Beauharnois*, the mayor and one councillor from the former *Ville de Maple Grove* and the mayor and one councillor from the former *Village de Melocheville* shall be the members of the provisional council.

Every member of the provisional council shall be chosen by and from among the council members of the former municipality that member represents.

If one of the former municipalities fails to make that choice before the coming into force of this Order in Council, the Minister of Municipal Affairs and Greater Montréal shall designate the councillors who shall be the members of the provisional council for that former municipality.

6. The mayor of the former *Ville de Beauharnois* shall be the mayor of the new city until the mayor elected in the first general election begins his or her term.

7. The mayor of the former *Ville de Maple Grove* and the mayor of the former *Village de Melocheville* shall alternate as acting mayor of the new city each month,

beginning with the mayor of the former *Ville de Maple Grove*, until the mayor elected in the first general election begins his or her term.

8. If the mayor's seat becomes vacant during the term of the provisional council, a councillor chosen by and from among all the councillors of the former *Ville de Beauharnois* shall be appointed to replace the mayor.

If a councillor's seat becomes vacant, an additional vote shall be allotted to the mayor of the former municipality the councillor represented on the provisional council.

If the vacant seat is that of the mayor of the former *Ville de Maple Grove* or of the mayor of the former *Village de Melocheville*, a councillor chosen by and from among the councillors of the former municipality the mayor represented shall be appointed to replace that mayor.

9. The mayors of the former municipalities shall continue to sit on the council of *Municipalité régionale de comté de Beauharnois-Salaberry* until the first general election and shall have the same number of votes as before the coming into force of this Order in Council.

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

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

12. The first sitting of the provisional council shall be held at the city hall in the territory of the former *Ville de Beauharnois*.

13. The clerk of the former *Ville de Beauharnois* shall become the clerk of the new city.

14. The polling for the first general election shall take place on 14 April 2002. The second general election shall be held in 2005.

15. For the purposes of the first general election, the new city shall be divided into 6 electoral districts, which are described in Schedule B.

16. 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.

17. A municipal housing bureau is hereby constituted under the name of "Office municipal d'habitation de la Ville de Beauharnois." 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 of the change in name must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

That municipal bureau succeeds, on the date of coming into force of this Order in Council, the municipal housing bureaus of the former Ville de Beauharnois and the former Village de Melocheville, 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) 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 consisting of seven members. Three members shall be appointed by the Ville de Beauharnois municipal council, two members shall be elected by all the lessees of the bureau pursuant to the Act respecting the Société d'habitation du Québec, and two members 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 a majority of the candidates elected in the first general election begin their terms, the members of the board of directors of the bureau shall be the members of the municipal housing bureaus which it succeeds.

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

The term of the board of directors is three years and is renewable. The board members shall remain in office until reappointed or replaced even though their terms expire.

A majority of the members in office shall constitute a quorum at meetings of the bureau.

The directors may, from the coming into force of this Order in Council,

- (1) borrow money on the credit of the bureau;
- (2) issue bonds or other securities of the bureau and give them as security or sell them for the price and amount deemed appropriate;

(3) hypothecate or pledge the present or future immovables or movables of the bureau to ensure the payment of such bonds or other securities, or give only part of that security for those purposes;

(4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of security, to ensure the payment of loans contracted other than by the issue of bonds, as well as the payment or execution of any other debt, contract and liability 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 bureaus that have been dissolved shall become, without reduction in salary, employees of the bureau and shall retain their seniority and fringe benefits.

Within 15 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 referred to in the second paragraph. The time limit within which the succeeding bureau must comply with that section shall be 36 months from the date of determination of the last bargaining unit.

18. The new city shall adopt a budget for its entire territory for the 2002 fiscal year.

Sections 474.1 to 474.3 of the Cities and Towns Act, adapted as required, in particular by substituting 1 January 2002 to 28 February 2002 for the period prescribed in section 474.1, apply to the procedure for the preparation and adoption of the budget.

Until the budget of the new city is adopted, one twelfth of the total budget appropriations of each of the former municipalities for the 2001 fiscal year shall apply to the entire territory of the new city.

An expenditure recognized by the council of the new city as resulting from the amalgamation shall be paid out of the subsidy for the first year of the municipal amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM).

Any balance from the amount provided for in the program referred to in the preceding paragraph shall be paid into working fund of the new city.

19. Any surplus accumulated on behalf of the former Ville de Beauharnois and the former Village de Melocheville at the end of the last fiscal year for which separate budgets were adopted shall be used respectively for the benefit of the ratepayers in the sector made up of the territory of each former municipality, either to repay loans contracted by the former municipality, to reduce taxes applicable to all the taxable immovables in that sector or to carry out public works in that sector.

Any surplus accumulated on behalf of the former Ville de Maple Grove shall be used primarily for bicycle path works in the sector made up of the territory of that former municipality and, secondly, to set up a fund for the protection and development of Îles-de-la-Paix.

20. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

21. The working fund of each former municipality shall be dissolved at the end of the last fiscal year for which separate budgets were adopted.

On that date, any lapsed funds in the working fund of a former municipality shall be added to its accumulated surplus and dealt with in accordance with section 19.

22. The new city shall create a working fund from the subsidies paid under the Programme d'aide financière au regroupement municipal (PAFREM), the fund increasing to \$500 000 as those payments are received.

Thereafter, the working fund shall increase in accordance with the applicable legislation.

23. Any surplus in a special fund set up by a former municipality for parks, playgrounds and natural areas pursuant to Division II.1 of Chapter IV of Title I of the Act respecting land use planning and development (L.R.Q., c. A-19.1) shall be paid into a special fund set up for that purpose by the new city to be accounted for separately and used for the benefit of the sector made up of the territory of that former municipality.

24. The annual payment of the instalments in capital and interest on loans contracted under the by-laws of 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 the former municipality that contracted them pursuant to the taxation clauses of those by-laws.

However, the council of the new city may burden all of the taxable immovables of the new city for infrastructures that benefit all the ratepayers of the new city or burden the users of the waterworks and sewer system for filtration plant, waste water treatment plant and water main equipment.

25. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality before the coming into force of this Order in Council shall be charged to or used for the benefit of all the taxable immovables in the sector made up of the territory of that former municipality.

26. The rental income from the mobile home sector in the territory of the former Village de Melocheville shall be allocated to the repayment of loans for municipal infrastructures in that sector.

27. The city shall establish a social housing development fund. The city shall pay into the fund annually an amount at least equal to the basic contribution required to build the housing allocated to its territory by the Société d'habitation du Québec.

28. Every member of the council of one of the former municipalities whose term of office ends solely by reason of the municipality ceasing to exist on the coming into force of this Order in Council may receive compensation and continue membership in the Pension Plan for Elected Municipal Officers in accordance with sections 29 to 34.

Any entitlement under the first paragraph shall cease to apply to a person in respect of any period, beginning on 1 January 2002, during which the person holds office as a member of the council of a municipality in the territory of Québec.

29. The amount of the compensation provided for in section 28 is based on the remuneration in effect on the date of coming into force of this Order in Council in respect of the office held on that date by the person referred to in the first paragraph of section 28 and to which may apply any indexing of remuneration provided for in a by-law of the council of a local municipality in effect on the date of coming into force of this Order in Council.

The amount of the compensation is also based on the remuneration that the person referred to in the first paragraph of section 28 was receiving 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 pursuant to the first and second paragraphs, excluding the portion described in the fourth paragraph, may not exceed the annual maximum payable under section 21 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001).

The compensation must also, if applicable, include any amount corresponding to the provisional contribution payable under 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 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 28.

30. The city shall pay the compensation in bi-monthly instalments during the period beginning 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 of office under way on 31 December 2001.

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

31. The Government shall participate in the financing of one-half of the expenses representing the payment of the portion of the compensation referred to in section 28 that is based on the basic remuneration, or, as the case may be, on the minimum annual remuneration, provided for by the Act respecting the remuneration of elected municipal officers, of the person eligible under the program and on the amount of the provisional contribution payable in respect of that portion of the compensation.

The Government shall forward every amount corresponding to the portion of the expenses to which it must contribute to the city whose territory includes the territory of the former municipality in which the person eligible for compensation was a council member.

32. The balance of the expenses representing the payment of the compensation, including, if applicable, the provisional contribution, constitutes a debt charged to the taxable immovables in the sector made up of the

territory of the former municipality referred to in the first paragraph of section 28 in which the person eligible for the program was a council member.

33. Every person referred to in section 28 who, on the coming into force of this Order in Council, is a member of the Pension Plan for Elected Municipal Officers established under the Act respecting the Pension Plan of Elected Municipal Officers shall continue to be a member of the plan for the period referred to in the first paragraph of section 28. However, the member may, before 15 February 2002, elect to cease membership in the plan and so notify the city. The member shall forward a copy of the notice to the Commission administrative des regimes 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 the person who continues membership in the plan pursuant to section 28 is equal to the amount of the compensation paid to the person during the period referred to in the first paragraph of section 28, less any amount of the compensation payable as a provisional contribution. In that event, the provisional contribution shall be paid by the city to the Commission administrative des regimes de retraite et d'assurances at the same time as the member's contribution that the city must withhold from each compensation instalment.

A person who elects 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.

34. Any person eligible under the compensation program provided for in section 28 is deemed, for the purposes of section 27 of the Act respecting the Pension Plan of Elected Municipal Officers, not to cease to be a council member before the end of the period referred to in the first paragraph of section 28.

35. The special provisions governing one of the municipalities subject to the amalgamation, except any provision whose purpose, in respect of the municipality, is 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 specific immovable, are repealed from the date of the constitution of Ville de Beauharnois.

36. 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 to replace all

the zoning and subdivision by-laws applicable to its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the entire territory of the 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 (R.S.Q., c. A-19.1), by the qualified voters of the entire territory of the new city.

37. The property assessment roll of the former Ville de Beauharnois drawn up for the 2002, 2003 and 2004 fiscal years, together with the property assessment roll of the former Village de Melocheville drawn up for the 2000, 2001 and 2002 fiscal years and the property assessment roll of the former Ville de Maple Grove drawn up for the 2001, 2002 and 2003 fiscal years, shall constitute the property assessment roll of the new Ville de Beauharnois for the 2002, 2003 and 2004 fiscal years.

The values entered on the property assessment roll of the new Ville de Beauharnois shall be adjusted, in respect of the units of assessment of the former Ville de Maple Grove and of the former Village de Melocheville, by dividing the values by the median proportion of their respective rolls established for the 2002 fiscal year multiplied by the median proportion of the property assessment roll of the new Ville de Beauharnois established for the 2002 fiscal year.

38. The property market conditions as they existed on 1 July 2000 are the property market conditions considered to have been taken into account for the purpose of establishing the actual value that is entered on the roll in respect of any entry on the property assessment roll of the new Ville de Beauharnois that precedes the first roll that the city shall cause to be drawn up pursuant to section 14 of the Act respecting municipal taxation.

For the purposes of determining the market conditions on the date referred to in the preceding paragraph, information relating to property transfers before and after that date may be taken into account.

The abovementioned date of 1 July 2000 must appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or assessor's certificate issued upon the updating of the roll.

The median proportion and the comparative factor of the assessment roll of the new Ville de Beauharnois that must appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or assessor's certificate issued upon the updating of the roll shall be established at 100 and 1 respectively.

39. The new Ville de Beauharnois shall, pursuant to 14 of the Act respecting municipal taxation, cause its assessor to draw up the first property assessment roll of the city for the 2005, 2006 and 2007 fiscal years.

40. The assessor of the new Ville de Beauharnois may, from 1 January 2002, carry out all the requirements of the Act respecting municipal taxation and its regulations relating to the property assessment roll of the new city.

41. The new Ville de Beauharnois may, for a fiscal year prior to the years for which its first property assessment roll drawn up pursuant to section 14 of the Act respecting municipal taxation applies, impose the surtax on non-residential immovables provided for in section 244.11 of the Act respecting municipal taxation, the tax on non-residential immovables provided for in section 244.23 of that Act, or the surtax on vacant land provided for in section 486 of the Cities and Towns Act (R.S.Q., c. C-19) or in article 990 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

42. For the purposes of sections 43 to 54, the territory of each municipality subject to the amalgamation constitutes a sector.

43. The new city is subject to the rules provided for by the applicable legislation in respect of all local municipalities, in particular the rules that prohibit the setting of different general property tax rates in different parts of the municipal territory and the rules that provide for the use of specific sources of revenue to finance debt-related expenditures.

However, the city may depart from those rules but only to the extent required to carry out any provision of the following sections.

Where, under one of sections 42 to 54, the revenues of a former municipality for a given fiscal year must be compared with the revenues of the new city for the following fiscal year, the estimated revenues in each budget adopted for those two fiscal years must be taken into account.

However, where a statement comparing the estimated revenues in the budget for the given fiscal year and those which, according to a later estimate, will constitute the revenues for that fiscal year make it necessary to update the budget estimates, the updated estimates shall be taken into account provided that the statement is filed before the city adopts a budget for the following fiscal year. If several successive statements are filed, the most recent one shall be taken into account.

44. The city shall exercise the power provided for in section 45 or the power provided for in section 49.

45. The new city may set a general property tax rate for a fiscal year in such manner that, in relation to the preceding fiscal year, the increase in the tax burden borne by the aggregate of the units of assessment in a sector and in respect of which all or part of the rate applies is not greater than 5%.

The tax burden shall consist of

(1) the revenues derived from the general property tax that result from applying all or part of a rate of that tax;

(2) the revenues derived from other taxes, including the taxes imposed on the basis of the rental value of immovables and compensations considered by the applicable legislation to be taxes, in particular the taxes used to finance services such as the drinking water supply, waste water purification, snow removal, waste disposal and residual materials recovery;

(3) the revenues taken into account in establishing the aggregate taxation rate and derived from compensations and modes of tariffing not referred to in subparagraph 2;

(4) the revenues derived from the amounts in lieu of taxes that must be paid in respect of immovables by the Government pursuant to the second paragraph of section 210 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) or by the Government pursuant to section 254 and the first paragraph of section 255 of the Act, or by the Crown in right of Canada or by one of its mandataries; and

(5) the revenues of which the city was deprived by granting a credit in respect of any source of revenue referred to in any of subparagraphs 1 to 4 for the purpose of carrying out section 19 with respect to the allocation of the credit from a surplus.

However, the revenues referred to in the second paragraph that are used to finance debt-related expenditures shall be excluded from the tax burden.

The rate specific to the category described in section 244.36 of the Act respecting municipal taxation does not constitute one of the general tax rates referred to in the first paragraph and subparagraph 1 of the second paragraph. For the purposes of subparagraphs 2 and 3 of the second paragraph, the word "immovables" means the business establishments where the business tax or the amount in lieu thereof is referred to.

46. If the new city exercises the power provided for in section 43, it may replace the maximum percentage increase in that section by another maximum percentage increase, which must be less than 5%, that applies only to the group of sectors concerned.

If the increase under section 43 does not result solely from the constitution of the new city, the maximum shall apply only in respect of the portion of the increase that results from the constitution.

47. If the new city exercises the power under section 43, it shall, subject to any regulation under the second paragraph, prescribe the rules to determine whether the increase under that section results solely from the constitution of the city and, if not, to establish the portion resulting from the constitution.

The Government may, by regulation, define situations in which the increase is deemed not to result from the constitution of the new city.

If the city exercises the power provided for in section 43 and imposes a surtax or tax on non-residential immovables for one of the fiscal years referred to in that section, it shall prescribe the rules to enable the appropriate correspondences to be made to obtain the same results, for the purposes of that section, as if the city imposed the general property tax for that fiscal year pursuant to section 244.29 of the Act respecting municipal taxation, with a rate specific to the category described in section 244.33 of the Act.

48. For the purpose of establishing the percentage increase referred to in section 43 for the 2002 fiscal year, where the local municipality whose territory constitutes the sector in question has appropriated as revenue for the 2001 fiscal year all or part of its surpluses from preceding fiscal years in an amount exceeding the average of the amounts it appropriated for the 1996 to 2000 fiscal years, the difference obtained by subtracting from that excess amount the sum that the municipality was exempted from paying by the operation of sections 90 to 96 of chapter 54 of the Statutes of 2000 for the special local activities financing fund shall be included in the tax burden borne by the aggregate of the units of assessment in the sector for the 2001 fiscal year.

49. The new city may prescribe the rules enabling it to grant an abatement for a fiscal year in such manner that, in relation to the preceding fiscal year, any increase in the tax burden borne by a unit of assessment or a business establishment is not greater than 5%.

The last three paragraphs of section 43 and sections 44 to 48 apply, adapted as required, for the purposes of the increase limit under the first paragraph.

If the new city exercises the power provided for under the first paragraph, it shall establish the rules for adapting to each unit of assessment or business establishment considered individually the rules in the provisions among those referred to in the second paragraph that take into account aggregates of units or of establishments.

50. The new city may set any property tax rate for a fiscal year in such manner that, in relation to the preceding fiscal year, the decrease in the tax burden borne by the aggregate of the units of assessment in a sector in respect of which all or part of the rate applies is not greater than the percentage set by the city that applies only to the group formed of the sectors in question.

The last three paragraphs of section 43, the third paragraph of section 47 and section 48 apply, adapted as required, for the purposes of the decrease limit under the first paragraph.

51. If the new city does not exercise the power provided for in section 50, it may prescribe the rules enabling it to require a supplement for a fiscal year in such a manner that, in relation to the preceding fiscal year, the decrease in the tax burden borne by any unit of assessment or any business establishment is not greater than the single percentage that the city sets for its entire territory.

The last three paragraphs of section 43, the third paragraph of section 47 and section 48, in respect of a unit of assessment, apply, adapted as required, for the purposes of the decrease limit under the first paragraph.

If the new city exercises the power provided for in that paragraph, it shall establish the rules for adapting to each unit of assessment considered individually the rules in the provisions among those referred to in the second paragraph which take into account aggregates of units.

52. The new city may exercise the powers provided for in Division III.1 of Chapter XVIII of the Act respecting municipal taxation (R.S.Q., c. F-2.1) in respect of one sector without doing so in respect of another sector, or it may exercise the powers in a different manner according to sector.

Where, pursuant to section 244.29 of the Act respecting municipal taxation, the city imposes the general property tax with a rate specific to a category described in section 244.36 of the Act, the city may, for each fiscal year from 2002 to 2006, set a number of such rates that vary according to sector; this also applies to the rate of the surtax if the city imposes instead the surtax on vacant land.

53. Where, under section 244.29 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the new city sets, for a fiscal year prior to the one in which the first assessment roll drawn up specifically for the city comes into force, a general property tax rate specific to any of the categories described in sections 244.34 and 244.35 of the Act, the coefficient referred to in section 244.44 or 244.47 of the Act is the coefficient established on the basis of a comparison of the last two property assessment rolls of the municipality among the municipalities subject to the amalgamation that has the largest population for 2001.

54. Where a municipality subject to the amalgamation has exercised the power under section 253.27 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) in respect of its assessment roll that came into force on 1 January 2001, the new city may, on or before the adoption of the budget for the 2002 fiscal year, provide that the averaging of the variation in the taxable values resulting from the coming into force of the roll will continue for that fiscal year in respect of the sector in question.

55. Sections 42 to 54 have effect until 31 December 2011.

56. This Order in Council comes into force on 1 January 2002.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION OF THE TERRITORIAL BOUNDARIES OF THE NEW VILLE DE BEAUHARNOIS, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BEAUHARNOIS-SALABERRY

The territory of the new Ville de Beauharnois, in Municipalité régionale de comté de Beauharnois-Salaberry, resulting from the amalgamation of the former Ville de Beauharnois, Ville de Maple Grove and Village de Melocheville, comprises all the lots of the cadastre of Paroisse de Saint-Clément, travelways, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter that starts at the apex of the northern angle of Lot 1 and that runs, successively, along the following lines and demarcations: southeasterly, the dividing line between the parishes of Saint-Clément and Saint-Joachim-de-Châteauguay and that crosses Rue Saint-Laurent, Route 132 and a railway right-of-way (Lot 559) that it meets; in a general southwesterly direction, the

broken dividing line between the cadastres of the parishes of Saint-Clément and Sainte-Martine and that crosses Route 205, a railway right-of-way (Lot 557) and Rang Saint-Georges that it meets; in a general westerly direction, the broken dividing line between the cadastres of the parishes of Saint-Clément and Saint-Étienne, running along the centre line of Rivière Saint-Louis, and that crosses Route 236 and Chemin de la Rivière-Saint-Louis Nord that it meets; in a general northwesterly direction, the dividing line between the cadastre of Paroisse de Saint-Clément and the cadastres of the parishes of Saint-Louis-de-Gonzague and Saint-Timothée and that crosses Canal de Beauharnois, ranges Saint-Joseph and Sainte-Marie, a railway right-of-way (Lot 558), Chemin du Canal and Route 132 that it meets; in a general easterly direction, a part of the south shore of the St. Lawrence River (Lac Saint-Louis) to the apex of the northwestern angle of Lot 48; in the St. Lawrence River, northerly, a straight line drawn perpendicular to the general direction of its south shore to the irregular line that runs midway between Île Perrot and the islands of the cadastres of the parishes of Saint-Clément and Saint-Joachim-de-Châteauguay; northeasterly, a part of that irregular line to its meeting point with the extension of the last section of the irregular line that runs midway between the islands of the cadastre of Paroisse de Saint-Clément and the islands of the cadastre of Paroisse de Saint-Joachim-de-Châteauguay; in general southerly and easterly directions, the said extension and a part of that irregular line to its meeting with the straight line linking the eastern extremity of Lot 552 (Île à Tambault) of the cadastre of Paroisse de Saint-Clément with the southern extremity of Lot 372 (Île aux Prairies) of the cadastre of Paroisse de Saint-Joachim-de-Châteauguay; finally, southerly, a straight line to the starting point.

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

Charlesbourg, 23 October 2001

Prepared by: JEAN-FRANÇOIS BOUCHER
Land surveyor

B-233/1

SCHEDULE B

DESCRIPTION OF THE ELECTORAL DISTRICTS OF THE NEW VILLE DE BEAUHARNOIS

Electoral district 1

Bounded on the east by the municipal boundary of Ville de Maple Grove and Ville de Léry;

Bounded on the south by the CSX Transportation railway;

Bounded on the west by the line dividing lots P44, 43-1 from lots P46, 45-91, 45-132, 45-115, 45-116, 45-117, 45-120, 45-97 and 574 of the cadastre of Paroisse Saint-Clément in Beauharnois;

Bounded on the north by Lac Saint-Louis, including Îles de la Paix.

Electoral district 2

Bounded on the east by the line dividing lots P44, 43-1 from lots P46, 45-91, 45-132, 45-115, 45-116, 45-117, 45-120, 45-97 and 574 of the cadastre of Paroisse Saint-Clément in Beauharnois;

Bounded on the south by the CSX Transportation railway;

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

Bounded on the north by Lac Saint-Louis.

Electoral district 3

Bounded on east by the municipal boundary of Ville de Maple Grove and Ville de Léry;

Bounded on the south by the municipal boundary of Ville de Maple Grove and Ville de Sainte-Martine, by the municipal boundary of Ville de Beauharnois, Ville de Sainte-Martine and Municipalité de Saint-Étienne-de-Beauharnois;

Bounded on the west by Canal de Beauharnois;

Bounded on the north by the CSX Transportation railway, Rivière Saint-Louis, the centre of Rue Orignal (in Beauharnois) and the centre of Boulevard Gérard-Cadieux (in Beauharnois), the CSX Transportation northbound railway and the CSX Transportation eastbound railway;

Electoral district 4

Bounded on the east by the CSX Transportation railway;

Bounded on the south by the centre of Boulevard Gérard-Cadieux (in Beauharnois) and the centre of Rue Orignal (in Beauharnois);

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.