

WHEREAS Ville de Val-d'Or was constituted under Order in Council 1201-2001 dated 10 October 2001, effective 1 January 2002;

WHEREAS the Order in Council was made under section 125.11 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;

WHEREAS, under section 35 of the Order in Council, the polling for the first general election took place on 2 December 2001;

WHEREAS, under section 125.30 of the Act respecting municipal territorial organization, enacted by section 143 of chapter 25 of the Statutes of 2001, the Government may, within six months following the first general election in the new municipality, amend any order made under section 125.27 of the Act, enacted by section 143 of chapter 25 of the Statutes of 2001;

WHEREAS it is expedient to amend Order in Council 1201-2001;

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

THAT Order in Council 1201-2001 dated 10 October 2001 be amended

1. by substituting "Vallée-de-l'Or" for "Val-d'Or" in section 5;

2. by substituting "99-47" for "1999-47" in paragraph 1 of section 19;

3. by striking out "2001-12," in paragraph 1 of section 19;

4. by adding ", Vassan" after "Val-Senneville" in the fourth paragraph of section 28;

5. by substituting "its termination date, without renewal, or on 31 December 2002, whichever is earlier" for "31 December 2002 or on any earlier date referred to in the agreement" in section 34;

6. by substituting "The council shall adopt" for "During the first sitting, the council must adopt" in the first paragraph of section 47;

7. by adding the following after the third paragraph of section 47:

"The treasurer or secretary-treasurer of a municipality referred to in section 4 who is not already required to carry out section 105.4 of the Cities and Towns Act (R.S.Q., c. C-19), article 176.4 of the Municipal Code of Québec (R.S.Q., c. C-27.1) or a similar provision of the municipality's charter is required to file, before the 2002 fiscal year budget of the city is adopted, at least the comparative statement on revenues provided for in the said section 105.4."; and

8. by inserting the following after section 47:

"47.1. From the time a majority of the candidates elected as council members in the general election of 2 December 2001 have been sworn in, the city council and the mayor may, in respect of the organization and administration of the city or in respect of any delegation of power to municipal officers, make any decision that lies, from 1 January 2002, within the duties or jurisdiction of the council and the mayor.

Decisions made under the first paragraph have effect from 1 January 2002."

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1538-2001, 19 December 2001

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

Corrections to Order in Council 1046-2001 dated 12 September 2001 respecting the amalgamation of Ville de Saint-Georges, Paroisse de Saint-Georges-Est, Municipalité d'Aubert-Gallion and Paroisse de Saint-Jean-de-la-Lande

WHEREAS, under Order in Council 1046-2001 dated 12 September 2001, Ville de Saint-Georges was constituted on 26 September 2001;

WHEREAS the Order in Council was made under section 125.11 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;

WHEREAS, under section 11 of the Order in Council, the first general election was held on 25 November 2001;

WHEREAS, under section 125.30 of the Act respecting municipal territorial organization, enacted by section 143 of chapter 25 of the Statutes of 2001, the Government may, within six months following the first general election in the new municipality, amend any order made under section 125.27 of the Act, enacted by section 143 of chapter 25 of the Statutes of 2001;

WHEREAS it is expedient to amend Order in Council 1046-2001;

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

THAT Order in Council 1046-2001 dated 12 September 2001 be amended

(1) by substituting the following for section 25:

“25. For each of the first five full fiscal years following the fiscal year of the coming into force of this Order in Council, the city shall award annually an amount of \$40,000 to the benefit of the sector formed by the territory of the former Municipalité d’Aubert-Gallion. That amount shall be used in accordance with section 18.”;

(2) by substituting the following for section 31:

“31. As of the first fiscal year following the coming into force of this Order in Council, the city shall purchase a fire truck, improve the fire hall and facilities and the fire department communication system in the territory of the former Paroisse de Saint-Jean-de-la-Lande for an amount not exceeding \$200,000. Any excess in capital expenditures, where applicable, will be charged to the taxable immovables of the territory of the former Paroisse de Saint-Jean-de-la-Lande.”;

(3) by inserting the following after section 34:

“34.1. Where, under one of the provisions of this Division, revenues from the city or a municipality referred to in section 5 for a given fiscal year must be compared with revenues from the city for the next fiscal year, the revenues provided for in each of the budgets adopted for both fiscal years shall be taken into account.

Notwithstanding the foregoing, where a statement comparing the revenues provided for in the budget of the given fiscal year and the revenues that, according to a later forecast, will constitute the revenues of that fiscal year show the necessity to give an updated forecast of the budget forecasts, the updated forecasts are taken into account, provided that the statement be filed before the adoption of the city’s budget for the next fiscal year. If several successive statements are filed, the last one shall be taken into account.”;

(4) by inserting the following after subparagraph 2 of the second paragraph of section 36:

(2.1) revenues taken into consideration in establishing the aggregate taxation rate and derived from compensations and modes of tariffing not referred to in subparagraph 2 of the second paragraph;”;

(5) by adding the following after the third paragraph of section 36:

“The rate specific to the category referred to in section 244.36 of the Act respecting municipal taxation does not constitute one of the rates of the general property tax 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 business establishments where the business tax or the amount in lieu thereof is referred to.”;

(6) by inserting the words “or that shall be paid by the Crown in right of Canada or by one of its mandataries” after the word “Act” at the end of the second paragraph of section 37;

(7) by substituting the following for the third paragraph of section 40:

“If the city avails itself of the power provided for in section 36 and if, for any of the fiscal years provided for in that section, a surtax or a tax on non-residential immovables is imposed, the city must provide for all the necessary rules of concordance to obtain the same results, for the purposes of this section, as if the general property tax were imposed for the fiscal year, under section 244.29 of the Act respecting municipal taxation, with a rate specific to the category provided for in section 244.33 of that Act.”;

(8) by substituting the words “last three” for the words “second and third” in the second paragraph of section 42;

(9) by substituting the words “last three” for the words “second and third” in the second paragraph of section 43;

(10) by inserting the words “that shall be paid by the Crown in right of Canada or by one of its mandataries” after the word “Act” at the end of the second paragraph of section 44;

(11) by substituting the words “last three” for the words “second and third” in the second paragraph of section 45;

(12) by adding the following after the first paragraph of section 46:

“For each of the fiscal years from 2002 to 2006, the city may, where under section 244.29 of the Act respecting municipal taxation it imposes the general property tax with a rate specific to the category provided for in section 244.36 of that Act, set several such rates that differ according to the sectors; the same applies, where the city imposes the surtax on vacant land, for the rate of that surtax.”;

(13) by striking out “does not avail itself of the power provided for in section 244.29 of the Act respecting municipal taxation and” in the fifth paragraph of section 48; and

(14) by adding the following after the fifth paragraph of section 48:

“For the purposes of the first five paragraphs, the mention of any tax or surtax also means the amount in lieu of the tax or surtax that must be paid either by the Government in accordance with the second paragraph of section 210 of the Act respecting municipal taxation, or by the Government in accordance with section 254 and the first paragraph of section 255 of that Act, or by the Crown in right of Canada or one of its mandataries.”.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1539-2001, 19 December 2001

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

Corrections to Order in Council 1012-2001 dated 5 September 2001 respecting Ville de Grand-Mère, Ville de Shawinigan and Ville de Shawinigan-Sud, Municipalité de Lac-à-la-Tortue, Village de Saint-Georges and the parishes of Saint-Gérard-des-Laurentides and Saint-Jean-des-Piles

WHEREAS, under Order in Council 1012-2001 dated 5 September 2001, Ville de Shawinigan is constituted as of 1 January 2002;

WHEREAS the Order in Council was made under section 125.11 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;

WHEREAS, under section 93 of the Order in Council, the first general election was held on 25 November 2001;

WHEREAS, under section 125.30 of the Act respecting municipal territorial organization, enacted by section 143 of chapter 25 of the Statutes of 2001, the Government may, within six months following the first general election in the new municipality, amend any order made under section 125.27 of the Act, enacted by section 143 of chapter 25 of the Statutes of 2001;

WHEREAS it is expedient to amend Order in Council 1012-2001;

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

THAT Order in Council 1012-2001 dated 5 September 2001 be amended

(1) by adding “in section 78 or in section 91” at the end of the second paragraph of section 24;

(2) by inserting the following after section 24:

“24.1. Where, under one of the provisions of this Division, revenues from the city or a municipality referred to in section 4 for a given fiscal year must be compared with revenues from the city for the next fiscal year, the revenues provided for in each of the budgets adopted for both fiscal years shall be taken into account.

Notwithstanding the foregoing, where a statement comparing the revenues provided for in the budget of the given fiscal year and the revenues that, according to a later forecast, will constitute the revenues of that fiscal year show the necessity to give an updated forecast of the budget forecasts, the updated forecasts are taken into account, provided that the statement be filed before the adoption of the city’s budget for the next fiscal year. If several successive statements are filed, the last one shall be taken into account.”;

(3) by inserting the following after subparagraph 2 of the second paragraph of section 26:

“(2.1) revenues taken into consideration in establishing the aggregate taxation rate and derived from compensations and modes of tariffing not referred to in subparagraph 2 of the second paragraph;”;

(4) by adding the following after the third paragraph of section 26: