

Municipal Affairs

Gouvernement du Québec

O.C. 417-2002, 10 April 2002

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

Amalgamation of Canton de Grenville and Village de Calumet

WHEREAS each of the municipal councils of Canton de Grenville and Village de Calumet 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 objections were 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 that were approved by the councils of the applicant municipalities;

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 Canton de Grenville and Village de Calumet, on the following conditions:

CHAPTER I CONSTITUTION OF THE MUNICIPALITY

1. The name of the new municipality shall be “Municipalité de Grenville-sur-la-Rouge”.

The provisional council of the new municipality shall, as soon as possible after the coming into force of this Order in Council, apply to the Commission de toponymie du Québec to have the place name “Calumet” assigned to the sector made up of the territory of the former Village de Calumet.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 31 January 2002; that description is attached 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’Argenteuil comprises the territory of the new municipality.

5. Subject to the powers and fields of jurisdiction granted to the borough councils under Chapter II, the affairs of the municipality shall be administered by the council of the new municipality.

6. Until a majority of the candidates elected in the first general election begin their terms, a provisional council formed of seven members including five members of the former Canton de Grenville and two members of the former Village de Calumet shall administer the new municipality. The representatives designated by the councils of the former municipalities to sit on the provisional council of the new municipality shall be

(1) the mayor and the councillors on seats 1, 2, 4 and 5 for the former Canton de Grenville; and

(2) the mayor and the councillor on seat 2 for the former Village de Calumet.

An additional vote on the provisional council shall be allotted to the mayor of the former municipality for each seat that becomes vacant after the coming into force of this Order in Council, where that seat on the provisional council had been until that time filled by a member of the council of that former municipality.

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

7. Throughout the term of the provisional council, the mayor of the former Canton de Grenville shall act as mayor of the new municipality and the mayor of the former Village de Calumet shall act as acting mayor.

Until the mayor elected in the first general election begins his or her term, the mayors shall continue to sit on the council of Municipalité régionale de comté d’Argenteuil and shall have the same number of votes as they had before the coming into force of this Order in Council.

8. By-law 160-3-94, as amended by by-law 160-7-99, of the former Canton de Grenville and respecting the remuneration of elected officers, applies to the new municipality until it is amended by the council of the new municipality.

Notwithstanding the foregoing, a member of the provisional council may not have a remuneration and an expense allowance lower than those he or she had in the former municipality that he or she represents.

Any member of the council of a former municipality whose term is shortened following the amalgamation shall continue to receive, for his or her term, the salary (basic remuneration and expense allowance) that he or she received. The member shall cease to be entitled to receive that salary if, during that period, he or she fills an office on the council of the new municipality or on the council of a municipality in the territory of Québec.

Expenses relating to the remuneration of members who are not on the provisional council or the new elected council shall be charged to the new municipality.

9. The first sitting of the provisional council shall be held at the town hall of the former Canton de Grenville.

10. The first general election shall be held on 24 November 2002. The second general election shall be held in 2005.

11. For the first two general elections and for any by-election held before the third general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if the election were an election of the council members of the former Canton de Grenville shall be eligible for seats 1, 2, 3 and 4; and only those persons who would be eligible under that Act if the election were an election of the council members of the former Village de Calumet shall be eligible for seats 5 and 6.

12. Christine Groulx, secretary-treasurer of the former Canton de Grenville, shall act as first secretary-treasurer of the new municipality.

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

(1) that budget shall remain applicable;

(2) the expenditures and revenues of the new municipality for the remainder of the fiscal year in which this Order in Council comes into force shall continue to be accounted for separately on behalf of each former municipality 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 former municipality based on the proportion of its standardized property value to the total standardized property values of the former municipalities as they appear in the financial statements of the former municipalities for the fiscal year preceding the year in which this Order in Council comes into force; and

(4) the amount 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 directly from that amount, shall constitute a reserve that shall be paid into the general fund of the new municipality for the first fiscal year for which it adopts a budget for its whole territory.

14. 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 apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

15. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used to carry out public work in the sector or to reduce taxes applicable to all the taxable immovables in that territory.

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

17. As of the first fiscal year for which the new municipality adopts a budget with respect to its whole territory, all the taxable immovables in the territory of the new municipality shall be subject to the tax levied under by-laws 286 (limited partnership with Hydro-Québec), 308 (water tank) and 309 (fire engine) of the former Canton de Grenville.

All the taxable immovables in the territory of the new municipality shall also be subject to payment of the cost of the leases with purchase option entered into under resolutions 98-07-149 (John Deere grader), 99-02-34 (International truck) and 01-02-48 (Ford truck).

18. As of the first fiscal year for which the new municipality adopts a budget with respect to its whole territory and until the fifth fiscal year of the new municipi-

pality, an additional general property tax rate shall be levied on all the taxable immovables in the sector made up of the territory of the former Village de Calumet. The additional rate shall be \$0.18 per \$100 of assessment for the first fiscal year and shall decrease by \$0.036 per \$100 of assessment every year until it is extinguished the sixth year.

Notwithstanding the foregoing, the general property tax rate provided for in the first paragraph will be entirely levied only if the financial assistance paid by the Gouvernement du Québec with respect to the sector made up of the territory of the former Canton de Grenville for taking charge of the local road network remains the same assistance as that paid with respect to the territory of that former municipality in 2001. Should the amount of the financial assistance be lower, the additional rate provided for in the first paragraph shall be reduced by any increase in the general property tax rate attributable to the decrease of the financial assistance.

19. 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.

20. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality 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 whole 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, by the qualified voters of the whole territory of the new municipality.

CHAPTER II BOROUGHS

21. For the exercise of certain fields of jurisdiction, two boroughs shall be created out of the territory of the new municipality under the names "Grenville Borough" and "Calumet Borough". The territories of those boroughs shall correspond respectively to the territory of the former Canton de Grenville and the territory of the former Village de Calumet, as they existed before the coming into force of this Order in Council.

Grenville Borough is deemed to be recognized in accordance with section 29.1 of the Charter of the French language (R.S.Q., c. C-11). It shall retain that recognition until, at its request, the recognition is withdrawn by the Government under section 29.1 of the Charter.

Officers or employees of the new municipality who exercise their functions or perform work in connection with the powers of Grenville Borough are, for the purposes of sections 20 and 26 of that Charter, deemed to be officers or employees of that borough.

22. The borough council is, as regards the exercise of its fields of jurisdiction, subject to the rules provided for in the Municipal Code of Québec with respect to a municipal council, in particular, the rules pertaining to the public nature of the council's meetings.

23. A borough council is made up of three councillors chosen by secret ballot, by and from among the members of the municipal council; at least two of those councillors must, at the time they are elected members of the municipal council, be eligible to represent the territory constituting the borough. The members of a borough council shall designate a chair from among themselves by secret ballot.

Should it be impossible to choose two borough councillors who, at the time of their election as members of the municipal council, were eligible to represent the territory that constitutes the borough, the council of the new municipality shall, according to the terms and conditions it determines, appoint additional councillors, up to the number missing, during a meeting of the council held for that purpose. The additional councillors, who are not members of the municipal council, must be eligible to represent the territory that constitutes the borough.

No later than the third day preceding the date set for holding the meeting, the secretary-treasurer of the new municipality shall give public notice of the date, time and place of the meeting and its purpose.

24. The council of the new municipality may fix an additional remuneration for the municipal councillors who sit on the borough council and for the chair. The additional remuneration is deemed to be referred to in the second paragraph of section 2 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001).

The council of the new municipality may also fix a remuneration for a borough councillor who is not a member of the municipal council. In accordance with Chapter II of the Act respecting the remuneration of elected municipal officers and adapted as required, the councillor is entitled to the reimbursement of his or her expenses.

Any borough councillor who is not a member of the municipal council and who has a direct or indirect interest in an enterprise putting his or her own interest in conflict with that of the new municipality must, under pain of forfeiture of office, disclose that interest to the borough council in writing and refrain from taking part in any deliberation and any decision on the enterprise in which the councillor has an interest or in any part of a meeting of the municipal council during which his or her interest is discussed.

25. The borough council may, with respect to its territory, submit opinions and make recommendations to the council of the new municipality on the annual budget, the establishment of capital expenditure priorities, the preparation or amendment of the planning program, amendments to planning by-laws, or any other subject submitted to it by the council of the new municipality.

26. The new municipality may determine an annual allotment to ensure the good operation of the borough. The borough council is responsible for the management of its budget.

27. The new municipality is the employer of all its officers and employees, whether they exercise their functions or perform work in connection with responsibilities under the authority of the municipality or in connection with responsibilities under the authority of the borough council, and decisions relating to their hiring and dismissal, and negotiation of their conditions of employment, are within the authority of the council of the new municipality.

28. 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 BOUNDARIES
OF THE TERRITORY OF MUNICIPALITÉ DE
GRENVILLE-SUR-LA-ROUGE IN MUNICIPALITÉ
RÉGIONALE DE COMTÉ D'ARGENTEUIL

The territory of Municipalité de Grenville-sur-la-Rouge in Municipalité régionale de comté d'Argenteuil, following the amalgamation of Canton de Grenville and Village de Calumet, includes all the lots of the cadastres of Canton de Grenville and the enlargement of Canton de Grenville, thoroughfares, hydrographic and topographic features, built-up lots or parts thereof within the perimeter starting at the apex of the northeastern angle of Lot 1 of Rang 11 of the cadastre of Canton de Grenville,

along successively, the following lines and demarcations: southerly, the dividing line between that cadastre and the cadastre of Canton de Chatham, crossing Route 327, a railway right-of-way (Lot 28) and Route 148 and Route 344 that it meets, to the north bank of the Ottawa River (high water mark before the raising of water caused by Carillon dam); in a general westerly direction, the said north bank to the dividing line between the cadastres of Canton de Grenville and Village de Grenville; successively, northerly and westerly, part of the broken dividing line between the said cadastres to the eastern line of Lot 8A of Rang 2 of the cadastre of Canton de Grenville, that broken line crossing Rue Principale and Rue Maple that it meets; in reference to that cadastre, northerly, part of the eastern line of the said lot to the apex of its northeastern angle; westerly, the southern limit of the right-of-way of Route 148 (shown on the original) to the eastern line of Lot 9C of Rang 2; southerly, the line bordering to the east lots 9C, 9B and 9A of Rang 2, that line crossing Chemin de la Baie-Grenville and Rivière Kingham (shown on the original) that it meets; westerly, the line bordering to the south lots 9A and 9D of Rang 2, crossing Baie Grenville (shown on the original) that it meets, to the north bank of the Ottawa River (high water mark before the raising of water caused by Carillon dam); in a general westerly direction, the said north bank to the dividing line between the cadastre of the enlargement of Canton de Grenville of the cadastre of Paroisse de Notre-Dame-de-Bonsecours; northerly, the dividing line between the said cadastres, crossing Route 148, a railway right-of-way (Lot 2-28) and Lac Courier that it meets, then its extension into Lac Papineau to its meeting point with the extension of the line dividing the cadastres of the enlargement of Canton de Grenville and Canton de Grenville from the cadastre of Canton de Harrington; easterly, the said extension of the dividing line between the said cadastres crossing the roads and watercourses that it meets; lastly, successively southerly and easterly, the broken dividing line between the cadastres of the townships of Grenville and Wentworth to the starting point.

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

Québec, 31 January 2002

Prepared by: (s) _____
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