

Electoral District 5

(Approximately 400 voters)

The electoral district comprises the majority of voters in the eastern part of the urbanized section of the former Paroisse de Notre-Dame-de-Portneuf. It is bounded on the east by Rue Du Boulevard, Rue Saint-Alphonse and Rue Saint-Georges (even civic numbers). An imaginary line is drawn from the railway crossing at Rue Saint-Charles to the municipal boundaries of the former Paroisse de Notre-Dame-de-Portneuf and extends to Rivière Portneuf. That line meets the intersection of Rue Du Moulin and Rue Saint-Charles and extends behind Rue Gauthier and Rue Saint-Germain to end at Rue du Boulevard.

Electoral District 6

(Approximately 370 voters)

The electoral district comprises the majority of voters of the rural section of the former Paroisse de Notre-Dame-de-Portneuf. It is bounded on the east by the municipal boundaries of Cap-Santé and Saint-Basile; therein are Rang Saint-Eustache, Rang Saint-Paul, Route Saint-Paul, Route des Pruches, Rue Bishop and Rue Saint-Charles (east of the intersection with Rue Du Moulin). It is bounded on the north by the boundaries of Municipalité de Sainte-Christine-d'Auvergne; therein are Rang de la Chapelle, Rang Saint-Julien, Rang de la Rivière Belisle, Route Saint-Gilbert, Route d'Irlande and Route Julien. It is bounded on the southwest by the right-of-way of Autoroute 40; therein are Rang du Côteau, Rang des Roches and Route du Côteau des roches. The northwestern part of the former Paroisse de Notre-Dame-de-Portneuf comprising the territory without a cadastral survey of part of Seigneurie de Perthuis is added to that district.

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Gouvernement du Québec

O.C. 795-2002, 26 June 2002

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

Amalgamation of Village de Métis-sur-Mer and Municipalité des Boules

WHEREAS, under the Act respecting municipal territorial organization (R.S.Q., c. O-9), adjacent local municipalities wishing to amalgamate their territories may apply to the Government to be constituted into a local municipality having jurisdiction over their combined territories by filing a joint application to that effect;

WHEREAS, under section 125.2 of that Act, the Government, by Order in Council 1167-2001 dated 3 October 2001, authorized the Minister of Municipal Affairs and Greater Montréal to require a joint application for the amalgamation of those municipalities;

WHEREAS on 10 October 2001, the Minister required that those municipalities file a joint application and appointed Luc Dumont as conciliator to assist the municipalities;

WHEREAS the municipal councils of Village de Métis-sur-Mer and Municipalité des Boules each 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 it is expedient, under section 108 of the aforementioned Act, to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal and approved by the council of the applicant municipalities;

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

THAT a local municipality resulting from the amalgamation of Village de Métis-sur-Mer and Municipalité des Boules be constituted, on the following conditions:

**CHAPTER I
CONSTITUTION OF THE TOWN**

1. The name of the new town shall be "Ville de Métis-sur-Mer".

The council of the town shall apply to the Commission de toponymie du Québec to have the place-name "Les Boules" assigned to the sector made up of the territory of the former Municipalité des Boules.

2. The description of the territory of the town shall be the description drawn up by the Minister of Natural Resources on 7 February 2002 appearing as Schedule A.

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

4. The territory of the town shall be part of the territory of *Municipalité régionale de comté de La Mitis*.

CHAPTER II

ORGANIZATION OF THE TOWN

DIVISION I

DIVISION OF THE TERRITORY

5. For the exercise of certain of its fields of jurisdiction, a borough shall be constituted within the territory of the town, under the name of “*Arrondissement Mac Nider*”; that borough corresponds to the territory of the former *Village de Métis-sur-Mer*.

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

A public servant or an employee of the town carrying out duties or performing work within the attributions of the borough shall be deemed to be a public servant or an employee of that borough for the purposes of sections 20 and 26 of the Charter.

DIVISION II

TOWN AND BOROUGH COUNCILS

7. The affairs of the town shall be administered, in accordance with the apportionment of the powers and jurisdiction provided by this Order in Council, by the town council or by the borough council.

8. The borough council shall be, as regards the exercise of its jurisdiction, subject to the rules provided for in the *Cities and Towns Act* in respect of the council of a municipality, in particular the rules relating to the requirements that council meetings be open to the public.

9. For the first two general elections, the borough council shall be composed of the councillors for seats 2, 4 and 6 of the town council.

As of the third general election, the borough council shall be composed of three persons appointed by the municipal council, according to conditions it determines, among the persons eligible to represent the territory constituting the borough.

The chair of the borough shall be designated, by secret ballot, by the members of the borough council. If the members of the borough council are unable to designate the chair at the latest at the first sitting of the

borough council following the general election, the town council may make that designation. As long as the town council has not designated the chair, the members of the borough council may do so.

10. The town council may, on the conditions it determines, provide the borough council with a service that is under the jurisdiction of the borough; the resolution of the town council shall become effective on the date of the adoption by the borough council of a resolution accepting the services.

11. The borough council may, with respect to the borough, submit opinions and make recommendations to the town council on the budget, the establishment of budget priorities, the preparation or amendment of the planning program, amendments to planning by-laws or any other subject submitted to it by the town council.

12. The town council shall fix the annual allotment of the borough according to a formula it determines.

13. The borough council shall be responsible for administering its budget.

CHAPTER III

TRANSITIONAL

DIVISION I

PROVISIONAL COUNCIL

14. Until the majority of the candidates elected in the first general election begin their terms, a provisional council formed of all the members of the councils of the former municipalities in office at the time of coming into force of this Order in Council shall administer the town.

An additional vote on the provisional council shall be allotted to the mayor of the former municipality on whose council there is a vacancy at the time of coming into force of this Order in Council, as well as for any seat on the provisional council that subsequently becomes vacant and that had been until that time filled by a member of the council of that former municipality.

If a mayor's seat is vacant, the mayor's votes shall devolve upon the councillor who acted as acting mayor of the municipality in question before the coming into force of this Order in Council unless that councillor's seat is also vacant, in which case the votes shall devolve upon a councillor chosen by and from among the members of the provisional council who were members of the council of the municipality in question.

15. The mayor of Municipalité des Boules and the mayor of Village de Métis-sur-Mer shall act respectively as mayor and acting mayor of the town from the coming into force of this Order in Council until the last day of the month of that coming into force; then they shall alternate each month until the mayor elected in the first general election begins his or her term. Until then, they shall continue to sit on the council of Municipalité régionale de comté de La Mitis and they shall have the same number of votes as they had before the coming into force of this Order in Council. In addition, they shall maintain the qualifications required to act as warden or acting warden, to sit on any committee and carry out any duty on the council of that regional county municipality.

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

17. The first sitting of the provisional council shall be held in the office of Municipalité des Boules.

18. The members of the provisional council shall continue to receive the same remuneration and expense allowance as they were receiving before the coming into force of this Order in Council and each mayor shall receive the remuneration and expense allowance paid to them as mayors, irrespective of the alternation provided for in section 15.

DIVISION II

FIRST GENERAL ELECTIONS

19. The polling for the first general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council, except if that Sunday is the first Sunday of January or February in which case the polling shall be postponed to the first Sunday of March. The second general election shall be held in 2005.

20. 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. E2.2) if such election were an election of the council members of the former Municipalité des Boules shall be eligible for seats 1, 3 and 5 and only those persons who would be eligible under that Act if such election were an election of the council members of the former Village de Métis-sur-Mer for seats 2, 4 and 6.

For the first two general elections and for any by-election held before the third general election, only those electors entitled to have his or her name entered on the list of electors with regard to the sector made up of the

territory of the former Municipalité des Boules shall take part in the election of the members of the council for seats 1, 3 and 5 and only those electors entitled to have his or her name entered on the list of electors with regard to the sector made up of the territory of the former Village de Métis-sur-Mer shall take part in the election of the members of the council for seats 2, 4 and 6.

DIVISION III

FISCAL

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

(1) that budget shall remain applicable;

(2) the expenditures and revenues of the town 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 the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the town council as resulting from the amalgamation shall be charged to the budget of each former municipality 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 fiscal year during which this Order in Council comes into force;

(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 by those sums, as well as the sums referred to in paragraph 5, shall be paid to the general fund of the town; and

(5) the additional sums paid to the town under the Programme d'aide financière au regroupement municipal on the basis of the population of the former Municipalité des Boules, and corresponding to \$50 per head over a five-year period for a total of \$19 900, shall constitute a reserve for the benefit of part of the territory of the town that corresponds to the territory of the former Municipalité des Boules and shall be dealt with in accordance with section 22.

22. 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 in the sector made up of the territory of that municipality.

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

24. The annual payment of the instalments in principal and interest on the loans made by the former Municipalité des Boules, before the coming into force of this Order in Council, under By-law 24 (27) shall be charged to the taxable immovables supplied by the drinking-water services of the town, from the first fiscal year for which a budget was adopted by the town with regard to all its territory. The taxation clause provided for in that by-law shall be amended accordingly.

The annual payment of the instalments in principal and interest on the loans made by the former Village de Métis-sur-Mer, before the coming into force of this Order in Council, under By-law 148 (151) shall be charged to the taxable immovables supplied by the drinking-water services of the town from the first fiscal year for which a budget was adopted by the town with regard to all its territory. The taxation clause provided for in that by-law shall be amended accordingly.

25. For each of the first eight full fiscal years following the coming into force of this Order in Council, a tax credit on the general property tax shall be granted to all the taxable immovables in the sector made up of the territory of the former Village de Métis-sur-Mer, on the basis of their value as it appears on the assessment roll in force each year.

The rate of that credit shall be as follows :

First fiscal year:	\$0.50 per \$100 of assessment;
Second fiscal year:	\$0.40 per \$100 of assessment;
Third fiscal year:	\$0.30 per \$100 of assessment;
Fourth fiscal year:	\$0.20 per \$100 of assessment;
Fifth fiscal year:	\$0.10 per \$100 of assessment;
Sixth fiscal year:	\$0.10 per \$100 of assessment;
Seventh fiscal year:	\$0.10 per \$100 of assessment;
Eighth fiscal year:	\$0.10 per \$100 of assessment.

26. The working fund of Municipalité des Boules and the working fund of Village de Métis-sur-Mer shall be abolished as of the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the fund of either municipality not committed on that date shall be added to the surplus accumulated by that municipality and dealt with in accordance with section 22.

27. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality shall be charged to or used for the benefit

of all the taxable immovables in the sector made up of the territory of that municipality. In the case of a gain, it shall be dealt with in accordance with section 22. In the case of a debt, it shall be dealt with in accordance with section 23.

28. Within five years following the date of coming into force of this Order in Council, any sum resulting from the sale of firefighting equipment of a former municipality shall be dealt with in accordance with section 22.

DIVISION IV PLANNING BY-LAWS

29. 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 town council 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 on its entire territory, 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 persons qualified to vote on the territory of the town.

DIVISION V INTERMUNICIPAL AGREEMENTS

30. The terms and conditions for apportioning the cost of shared services provided for in an intermunicipal agreement in force before the coming into force of this Order in Council apply until the end of the last fiscal year for which separate budgets were adopted. The intermunicipal agreements in question shall be, where applicable, the agreements for services for supplying drinking water, recreational services, snow removal and waste management.

DIVISION VI MUNICIPAL HOUSING BUREAU

31. A municipal housing bureau is hereby constituted under the name of "Office municipal d'habitation de la Ville de Métis-sur-Mer".

That bureau succeeds the municipal housing bureau of the former Municipalité des Boules 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) apply to the town housing bureau as though it had been constituted by letters patent under section 57 of that Act.

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 housing bureau of Municipalité des Boules.

The bureau shall be administered by a board of directors consisting of seven members. Three members shall be appointed by the town council, two members shall be elected by all the lessees of the bureau, in accordance with 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.

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

The term of the members 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.

The administrators 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 prices and amounts 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 by-laws made under that Act and the directives issued by the Société, adopt any by-law deemed necessary or useful for the internal management of the bureau.

The employees of the bureau that has been dissolved shall become, without reduction in salary, employees of the bureau and shall retain their seniority and fringe benefits.

DIVISION VII

SECRETARY-TREASURER

32. Yolande Marcheterre, secretary-treasurer of Municipalité des Boules, shall act as secretary-treasurer of the town.

CHAPTER IV

FINAL

33. 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

SCHEDULE A

OFFICIAL DESCRIPTION OF THE TERRITORIAL BOUNDARIES OF VILLE DE MÉTIS-SUR-MER IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA MITIS

The territory of Ville de Métis-sur-Mer, in Municipalité régionale de comté de La Mitis, following the amalgamation of Municipalité des Boules and Village de Métis-sur-Mer, comprises all the lots of the cadastres of the parishes of Notre-Dame-de-L'Assomption-de-MacNider and Saint-Octave-de-Métis, the travelways, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter starting at the meeting point of the centre line of the St. Lawrence River with the extension of the northeastern line of Lot 88 of the cadastre of Paroisse de Notre-Dame-de-L'Assomption-de-MacNider and then, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the said extension and the line bordering to the northeast lots 88 and 127, that line crossing Route 132 and the railway right-of-way (Lot 756) that it meets; northeasterly, part of the dividing line between ranges 3 and 2 to

the apex of the northern angle of Lot 285; southeasterly, the northeast line of the said lot; northeasterly, part of the dividing line between ranges 4 and 3 to the apex of the northern angle of Lot 444; southeasterly, the northeast line of the said lot; northeasterly, part of the dividing line between ranges 5 and 4 to the apex of the northern angle of Lot 582; southeasterly, the northeast line of the said lot; southwesterly, part of the dividing line between ranges 6 and 5 to the dividing line between the cadastres of the parishes of Notre-Dame-de-L'Assomption-de-MacNider and Saint-Octave-de-Métis; northwesterly, part of that last line to the dividing line between ranges 4 and 5 of Seigneurie de Métis and the cadastre of Paroisse de Saint-Octave-de-Métis; in reference to that cadastre and Seigneurie de Métis, southwesterly, part of the dividing line between the said ranges to the apex of the southern angle of Lot 655; northwesterly, the southwest line of the said lot; northeasterly, part of the dividing line between ranges 4 and 3 to the apex of the southern angle of Lot 383; northwesterly, the line bordering to the southwest lots 383, 384, 303 and 303A, that line crossing Chemin du 3^e Rang, the railway right-of-way (Lot 759) and Chemin du Rang des Écossais that it meets; southwesterly, part of the southeast line of Lot 1 to the apex of its southern angle; northwesterly, the line bordering to the southwest lots 1, 12, 17, 18, 24, 25 and 28 to the apex of the northern angle of Lot 289; southwesterly, the line bordering to the southeast lots 28, 64, 66 to 69, 74 to 84 and 87; northwesterly, the line bordering to the southwest lots 87 and 86 crossing Route 132 and Chemin Leggatt that it meets; in the St. Lawrence River, northwesterly, a straight line parallel to the southwest line of the cadastre of Paroisse de Notre-Dame-de-L'Assomption-de-MacNider to the centre line of the river; finally, in a general northeasterly direction, the centre line of the river to the starting point.

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

Québec, 7 February 2002

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