

Gouvernement du Québec

O.C. 1013-2002, 4 September 2002

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

Amalgamation of Village de Saint-Sauveur-des-Monts
and Paroisse de Saint-Sauveur

WHEREAS Village de Saint-Sauveur-des-Monts and
Paroisse de Saint-Sauveur are concerned by Volet I of
the Politique de consolidation des communautés locales ;

WHEREAS on 21 June 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
Village de Saint-Sauveur-des-Monts and Paroisse de
Saint-Sauveur ;

WHEREAS the Commission municipale du Québec
held a public hearing on 5 December 2001 and made a
report to the Government recommending the amalgama-
tion and giving reasons ;

WHEREAS the Commission municipale du Québec
has forwarded its report to the Minister of Municipal
Affairs and Greater Montréal ;

WHEREAS the Government may, under the Act respect-
ing municipal territorial organization (R.S.Q., c. O-9),
order the constitution of local municipalities resulting
from amalgamations, in particular as a means of achiev-
ing greater fiscal equity and 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 and 125.27
of that Act ;

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

THAT a local municipality resulting from the amalga-
mation of Village de Saint-Sauveur-des-Monts and
Paroisse de Saint-Sauveur be constituted, on the follow-
ing conditions :

1. The name of the new municipality shall be “Ville
de Saint-Sauveur”.

2. The description of the territory of the new town
shall be the description drawn up by the Minister of
Natural Resources on 24 July 2002 ; that description
appears as a schedule to this Order in Council.

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

4. The territory of the new town shall be part of the
territory of municipalité régionale de comté des Pays-
d'en-Haut.

5. Until the majority of the candidates elected at the
first general election begin their terms, a provisional
council formed of all the members of the council of the
former municipalities in office at the time of coming
into force of this Order in Council shall administer the
new 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 the former municipality.
If the vacancy is a mayor's seat, the mayor's votes shall
devolve upon the councillor who acted as acting mayor
of the former municipality in question before the com-
ing into force of this Order in Council, except if the
councillor's seat is also vacant, in which case they shall
devolve upon a councillor chosen by and from among the
members of the provisional council who were council
members of the former municipality where there is a
vacancy.

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

6. The mayor of the former Village de Saint-Sauveur-
des-Monts and the acting mayor of the former Paroisse
de Saint-Sauveur shall act respectively as mayor and
acting mayor of the new town 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 des Pays-d'en-Haut and
they shall have the same number of votes as they had
before the coming into force of this Order in Council.

7. Throughout the term of the provisional council,
the members of the council shall continue to receive the
salary that they received before the coming into force of
this Order in Council.

The new town shall pay the same remuneration that
the persons who were members of the council of the
former Paroisse de Saint-Sauveur and who are not part
of the council elected at the first general election re-
ceived before the coming into force of this Order in
Council until the date on which the next general election
was to be held in that former municipality. The sever-
ance allowance and transition allowance shall also be
paid to them, where applicable.

8. The first sitting of the provisional council shall be held at the town hall in the territory of the former Paroisse de Saint-Sauveur. Notwithstanding the first paragraph of section 110.1 of the Act respecting municipal territorial organization, the first sitting shall be set for the second Wednesday following the coming into force of this Order in Council.

9. René Lachance, secretary-treasurer of the former Paroisse de Saint-Sauveur, shall act as director general and treasurer of the new town. He shall also act as returning officer for the first general election. Normand Patrice, secretary-treasurer of the former Village de Saint-Sauveur-des-Monts, shall act as assistant director general and clerk of the new town.

10. The polling for the first general election shall take place on 3 November 2002 and the polling for the second general election shall be held in 2005.

11. For the first general election and for any election held before the second 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 such election were an election of the council members of the former Paroisse de Saint-Sauveur shall be eligible for seats 1, 2 and 3 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 Saint-Sauveur-des-Monts shall be eligible for seats 4, 5 and 6.

12. The terms and conditions for apportioning the cost of services provided for in intermunicipal agreements in effect before the coming into force of the amalgamation order shall apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

13. If a budget was adopted by a former municipality for the fiscal year during which this amalgamation order comes into force,

(1) that budget shall remain applicable;

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

(3) an expenditure recognized by the new town as resulting from the amalgamation shall be charged on behalf 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 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 with that amount, shall constitute a reserve that is paid to the general fund of the new town for the first fiscal year for which it adopts a budget for all its territory.

14. Any surplus accumulated on behalf of the former Village de Saint-Sauveur-des-Monts at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality. It may be used to reduce taxes applicable to all the taxable immovables in that sector or repay the debts charged to that sector.

Any surplus accumulated on behalf of the former Paroisse de Saint-Sauveur at the end of the last fiscal year for which separate budgets were adopted shall be used to pay the amounts provided for in the second paragraph of section 7. If the amount of the surplus accumulated is insufficient for the payment, the new town shall complete that amount by imposing a special tax charged to all the taxable immovables in the sector made up of the territory of that former municipality. If the amount of the surplus accumulated is greater than the total amount required for payment of the amounts provided for in the second paragraph of section 7, the excess may be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, for the purposes of repaying loans made by that former municipality, carrying out work in the sector or reducing the taxes applicable to all the taxable immovables in that sector.

15. 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 former municipality.

16. The working fund of the new town shall be constituted of the working fund of each of the former municipalities as it exists at the end of the last fiscal year for which separate budgets were adopted. The repayment of the loans from the working fund of a former municipality shall continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

17. The sums accumulated in a special fund constituted by a former municipality for parking purposes or for park, playground and green area purposes under Division II.1 of Chapter IV of Title I of the Act respecting land use planning and development (R.S.Q., c. A-19.1) shall be paid into a special fund constituted for that purpose by the new town and accounted for separately for use to the benefit of the sector made up of the territory of that former municipality.

18. The annual payment of the instalments in principal and interest on loans contracted under by-laws 279-85 and 291-88 adopted by the former Village de Saint-Sauveur-des-Monts shall remain charged to all the taxable immovables of the new town that are served by the waterworks system on the basis of their value as they appear in the assessment roll in force each year. The taxation clauses provided for in those by-laws are amended accordingly.

19. The annual payment of the instalments in principal and interest on loans contracted under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in section 18 shall remain charged to the sector made up of the territory of the former municipality that contracted them in accordance with the taxation clauses provided for in those by-laws.

20. Contributions to be paid by the former Paroisse de Saint-Sauveur to the former Village de Saint-Sauveur-des-Monts under Order 54 of the Minister of the Environment issued on 5 March 1976 for the 2003 to 2006 fiscal years shall be charged to the users of the sewer system in the sector made up of the territory of the former Paroisse de Saint-Sauveur. Those contributions shall be repaid by means of a compensation rate fixed annually by the council of the new town. Such contributions and the contributions paid by Municipalité de Piedmont under the same order shall be paid into the surplus accumulated on behalf of the former Village de Saint-Sauveur-des-Monts and dealt with in accordance with the provisions referred to in the first paragraph of section 14.

21. The new town may, for the 2003, 2004 and 2005 fiscal years, instead of fixing a single general property tax rate specific to the category of non-residential immovables provided for in section 244.33 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), fix a general property tax rate for each sector made up of the territory of a former municipality.

22. The property assessment roll of the former Village de Saint-Sauveur-des-Monts and the property assessment roll of the former Paroisse de Saint-Sauveur, drawn up for the 2000, 2001 and 2002 fiscal years, shall constitute the property assessment roll of the new town

from the coming into force of this Order in Council until 31 December 2002.

Notwithstanding section 119 of the Act respecting municipal territorial organization, no adjustment to the values on the property assessment rolls shall be made for the 2002 fiscal year.

With respect to an entry on the property assessment roll of the town that precedes the first roll that the town shall cause to be drawn up, it is considered that for the purpose of establishing the actual value that is entered on the roll, the property market conditions respective to each of the property assessment rolls referred to in the first paragraph, as they existed on 1 July of the second fiscal year that preceded the coming into force of those rolls were taken into account.

For the purposes of determining the market conditions on the date referred to in the third paragraph, the information related to the transfer of property that occurred before and after that date may be taken into account.

The date of reference to the property market of each of the rolls referred to in the first paragraph, determined under the third paragraph, shall appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll.

The median proportions and comparative factors of the property assessment roll of the new town for the 2002 fiscal year that must appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll are respectively those of the property assessment rolls referred to in the first paragraph.

23. The town shall have the first three-year assessment roll drawn up, in accordance with section 14 of the Act respecting municipal taxation, for the 2003, 2004 and 2005 fiscal years.

To that end, all acts already performed in respect of the property assessment roll for the 2003, 2004 and 2005 fiscal years of the former Village de Saint-Sauveur-des-Monts and of the former Paroisse de Saint-Sauveur shall be considered performed in respect of the roll of the new town and for the same fiscal years.

24. 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.

25. 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 do not apply to a by-law adopted by the new town in order 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 new town, 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 town.

26. 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

OFFICIAL DESCRIPTION OF THE TERRITORIAL LIMITS OF MUNICIPALITÉ DE SAINT-SAUVEUR, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES PAYS-D'EN-HAUT

The territory of Municipalité de Saint-Sauveur, in municipalité régionale de comté des Pays-d'en-Haut, following the amalgamation of Paroisse de Saint-Sauveur and Village de Saint-Sauveur-des-Monts, includes all the lots of the cadastre of Paroisse de Saint-Sauveur, lines of communication, hydrographic and topographic features, built-up lots and the parts thereof within the perimeter starting at the apex of the northern angle of Lot 533 and running along, successively, the following lines and demarcations: southeasterly, the northeastern line of the said lot; northeasterly, the northwestern line of lots 413 and 411, then part of the northwestern line of Lot 410 to the southwestern line of Lot 788; southeasterly, the southwestern line of lots 788, 789 and 790; northeasterly, the southeastern line of lots 790, 791, 408-19, 408-20 and 408-21; southeasterly, part of the northeastern line of Lot 408 to the apex of its eastern angle; southwesterly, the southeastern line of lots 408, 410, 412 and 413; southeasterly, the northeastern line of Lot 399 crossing Rue Principale and Autoroute des Laurentides that it meets; southwesterly, part of the southeastern line of the said lot to the apex of the northern angle of Lot 49; southeasterly, the northeastern line of lots 49 and 51; southwesterly, part of the southeastern

line of Lot 51, crossing Lot 554 (railway) and Autoroute des Laurentides that it meets, to the apex of its southern angle; southeasterly, successively, part of the northeastern line of Lot 250, then part of the northeastern line of Lot 620 to its eastern extremity; southwesterly, part of the line that borders to the southeast the said lot to the apex of the western angle of Lot 62; southeasterly, part of the line that borders to the northeast lots 620 and 249 to the apex of the eastern angle of the latter lot; southwesterly, the line that borders to the southeast lots 249 to 215 in declining order and that crosses Morin, Cupidon, Denis and Jackson lakes that it meets; northwesterly, the line that borders to the southwest lots 215, 299, 300, 301, 474, 475 and 476 and that crosses Lac des Becs-Scie that it meets; finally, northeasterly, the line that borders to the northwest lots 476 to 486, 488, 489, 492 to 511, 560 (railway) and 514 to 533 to the starting point, that line crossing Route 364, Montée Papineau Nord, Route de l'Église and Rivière à Simon that it meets.

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

Québec, 24 July 2002

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

S-170/1

5267