

Municipal Affairs

Gouvernement du Québec

O.C. 1196-2002, 9 October 2002

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

Amalgamation of Village de Lac-des-Écorces, Village de Val-Barrette and Municipalité de Beaux-Rivages

WHEREAS each of the municipal councils of Village de Lac-des-Écorces, Village de Val-Barrette and Municipalité de Beaux-Rivages 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 three 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 received by the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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 Village de Lac-des-Écorces, Village de Val-Barrette and Municipalité de Beaux-Rivages, on the following conditions:

1. The name of the new municipality shall be “Municipalité de Beaux-Rivages–Lac-des-Écorces–Val-Barrette”.

Notwithstanding the foregoing, at the same time as the first general election, a consultative referendum poll shall be held, in accordance with section 517 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), in order to consult the qualified voters on the name to be given to the new municipality. If the name chosen by the majority is not the one in the first paragraph, the council made up of the members

elected in that election shall apply as soon as possible for a change of name, in accordance with the Act respecting municipal territorial organization, in order to give effect to the result of the poll. The second paragraph of section 517 of the Act respecting elections and referendums in municipalities does not apply to the poll held in accordance with this paragraph.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 4 October 2001; that description appears 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’Antoine-Labelle includes the territory of the new municipality.

5. Until the term of the majority of candidates elected in the first general election begins, the new municipality shall be governed by a provisional council made up of the mayor and three councillors of each of the former municipalities. An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of the coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council after that coming into force and was at that time occupied by a member of the council of that former municipality.

The members of the provisional council who are councillors of the former municipalities are

Municipalité de Beaux-Rivages:

- Pierre Flamand, mayor
- Roger Forget, councillor
- François Charette, councillor
- André Whissell, councillor

Village de Lac-des-Écorces:

- Normand Bernier, mayor
- Roger Prud’homme, councillor
- Gilbert Meilleur, councillor
- Eugène Ouimet, councillor

Village de Val-Barrette :

- André Brunet, mayor
- Mariette Desjardins LaRue, councillor
- Nathalie Cloutier, councillor
- Johanne Deschamps, councillor

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

6. The mayor of the former *Municipalité de Beaux-Rivages*, the mayor of the former *Village de Lac-des-Écorces* and the mayor of the former *Village de Val-Barrette* shall each act as mayor of the new municipality for a period equal to one-third of the period to run between the coming into force of this Order in Council and the date of the first general election.

The mayor of the former *Municipalité de Beaux-Rivages* shall act first as mayor, followed by the mayor of the former *Village de Lac-des-Écorces*, and then by the mayor of the former *Village de Val-Barrette*. The latter shall continue to act as mayor until the day the term of the mayor elected in the first general election begins.

Until that time, the mayors shall continue to sit on the council of *Municipalité régionale de comté d'Antoine-Labelle* and they shall have the same number of votes as before the coming into force of this Order in Council.

7. The members of the provisional council shall receive the same remuneration they were receiving before the coming into force of this Order in Council.

8. The first sitting of the provisional council shall be held at the public hall situated in the territory of the former *Municipalité de Beaux-Rivages*.

9. The polling for the first general election shall take place on 2 February 2003.

The second general election shall be held in 2005.

10. For the first general election and for any by-election held before the second general election, the only persons eligible for seats 1 and 2 shall be the persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the members of the council of the former *Municipalité de Beaux-Rivages*, the only persons eligible for seats 3 and 4 shall be the persons who would be eligible if such election were an election of the members of the council of the former *Village de Lac-des-Écorces*, and the only persons eligible for seats 5 and 6 shall be the persons who would be eligible if such election were an election of the members of the council of the former *Village de Val-Barrette*.

For the second general election, the new municipality shall divide its territory into six electoral districts, in accordance with the Act respecting elections and referendums in municipalities.

11. Nicole Sarrasin, secretary-treasurer and director general of the former *Municipalité de Beaux-Rivages*, shall act as secretary-treasurer and director general of the new municipality.

Guy Legault, secretary-treasurer and director general of the former *Village de Lac-des-Écorces*, shall act as first deputy secretary-treasurer of the new municipality.

Claude Meilleur, secretary-treasurer and director general of the former *Village de Val-Barrette*, shall act as second deputy secretary-treasurer of the new municipality.

If one of the persons acting as secretary-treasurer no longer holds that office, the second office of deputy secretary-treasurer shall be abolished.

12. 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) expenditures and revenues of the new municipality, for the remaining part 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 town as resulting from the amalgamation shall be charged to each of the former municipalities in proportion, for each municipality, to its standardized property value in comparison with the total of the standardized property values of the former municipalities as they appear in the financial statements of those municipalities for the fiscal year preceding the one 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 reserved amount that shall be paid into the general fund of the new municipality for the first fiscal year for which the municipality adopts a budget with respect to its entire territory.

13. 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 apply until the end of the last fiscal year for which separate budgets were adopted.

14. 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 shall be used first for the creation of the working fund in accordance with section 16. Any balance may be used to carry out public works in the sector made up of the territory of the municipality that accumulated it, to reduce taxes applicable to all the taxable immovables situated therein, or to pay debts charged to all that sector. Three years after the coming into force of this Order in Council, any balance of the surplus accumulated on behalf of a former municipality shall be used for the benefit of the new municipality.

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

16. The working fund of each of the former municipalities shall be abolished. The amounts that were not borrowed from the working fund of a former municipality shall be part of the surplus accumulated on behalf of the former municipality where they originated and dealt with in accordance with section 14.

A working fund of \$100 000 shall be constituted for the new municipality by means of a contribution from each of the former municipalities established in proportion, for each municipality, to its standardized property value in comparison with the total of the standardized property values of the former municipalities, as they appear in the financial statements of those municipalities for the fiscal year preceding the one in which this Order in Council comes into force.

The amounts of the contribution established for each of the former municipalities shall be subtracted from the surplus accumulated on behalf of the former municipality for which the contribution is made and, if that surplus is insufficient, the new municipality may complete it by means of a special tax imposed on all the taxable immovables of the sector made up of the territory of the former municipality whose surplus is insufficient on the basis of the value of those immovables as it appears on the assessment roll in effect.

Notwithstanding the third paragraph, the amounts that were borrowed by the former Municipalité de Beaux-Rivages under resolutions 070-02-1999, 042-02-2001 and 182-05-2001 shall be subtracted from the amount of the contribution that that former municipality must make to the new working fund and they shall become a loan to that working fund.

The new municipality shall repay the loan referred to in the preceding paragraph over three years.

17. The special fund for the creation of a park constituted by the former Municipalité de Beaux-Rivages and the fund constituted by the former Village de Val-Barrette shall be abolished. The amounts of those funds that are not committed shall be paid respectively to the surplus accumulated on behalf of each of the former municipalities and dealt with in accordance with section 14.

18. The balance owing by the former Village de Val-Barrette on the purchase of a tractor under Resolution 1999-02-3034 shall be charged to all the ratepayers of the new municipality.

The new municipality shall adopt a loan by-law covering the amount of the balance and provide for the imposition of a special tax on all the taxable immovables of the new municipality according to their value as it appears on the assessment roll in effect each year.

The by-law does not require approval but it must be sent to the Minister of Municipal Affairs and Greater Montréal.

19. The repayment of the balance on the loans contracted by the former Municipalité de Beaux-Rivages to its working fund under resolutions 070-02-1999, 042-02-2001 and 182-05-2001 shall be charged to the new municipality.

With the exception of the loan referred to in section 18, the annual payment of instalments in principal and interest on all loans contracted under the by-laws passed by a former municipality shall continue to be charged to the former municipality that contracted them, in accordance with the taxation clauses of those by-laws.

Should the new municipality decide to amend the taxation clauses of those by-laws according to law, those amendments may affect only the taxable immovables in the sector made up of the territory of that former municipality.

20. Any debt or gain that may result from legal proceedings for any act performed by a former municipality, including any increase in insurance premiums related to that act, shall remain charged or be credited to all the taxable immovables of the sector made up of the territory of that former municipality.

21. A municipal housing bureau is constituted under the name of “Office municipal d’habitation de la Municipalité de Beaux-Rivages–Lac-des-Écorces–Val-Barrette”. 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 regarding the change of name shall be sent to the Société d’habitation du Québec and published in the *Gazette officielle du Québec*.

That municipal bureau shall, on the date of coming into force of this Order in Council, succeed the municipal housing bureau of the former Municipalité de Lac-des-Écorces, 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 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 formed of seven members. Three members shall be appointed by the municipal council of Municipalité de Beaux-Rivages–Lac-des-Écorces–Val-Barrette, two shall be elected by all the lessees of the bureau, in accordance with the Act respecting the Société d’habitation du Québec, and two 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 bureau which it will be succeeding.

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 members of the board of directors is three years and is renewable. Despite the expiry of their term, the board members shall remain in office until reappointed or replaced.

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

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

Within fifteen 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) no longer applies with respect to the bureau referred to in the second paragraph. The time limit within which the succeeding bureau must comply with that section is 36 months from the date of determination of the last bargaining unit.

22. 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 passed 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 all the territory of the new municipality, provided that such a by-law comes into force within four years following 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.

23. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

24. 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 TERRITORIAL BOUNDARIES OF THE TERRITORY OF MUNICIPALITÉ DE BEAUX-RIVAGES–LAC-DES-ÉCORCES–VAL-BARRETTE, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

The current territory of Municipalité de Beaux-Rivages, Village de Lac-des-Écorces and Village de Val-Barrette, in Municipalité régionale de comté d'Antoine-Labelle, comprising, in reference to the cadastres of Canton de Campbell and Village de Val-Barrette, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of Lot 43 of Rang 2 Nord-Ouest of the cadastre of Canton de Campbell; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the northeastern line of the said lot; northeasterly, part of the dividing line between Rang 1 Nord-Ouest and Rang 2 Nord-Ouest to the dividing line between the cadastres of Campbell and Moreau townships; southeasterly, the line dividing the cadastre of Canton de Campbell from the cadastres of Moreau and Rochon townships, that line crossing Chemin du Progrès, Rivière Kiamika, Route 311, Lac David and secondary roads that it meets; southwesterly, part of the dividing line between the cadastres of Campbell and Boyer townships to the dividing line between Rang D and Rang E of the cadastre of Canton de Campbell, that line crossing Lac à la Truite, Route 117 and the Canadian Pacific railway (Lot 65 of the said cadastre) that it meets; in reference to the latter cadastre, northwesterly, part of the dividing line between Rang D and Rang E to the dividing line between lots 3 and 2 of Rang E, that line extended across the Canadian Pacific railway (Lot 65 of the said cadastre) that it meets; southwesterly, the dividing line between the said lots, that line extended across the Canadian Pacific railway (Lot 65 of the said cadastre) northwesterly, part of the dividing line between Rang E and Rang F to the dividing line between

lots 7 and 6 of Rang F; southwesterly, the dividing line between the said lots; northwesterly, part of the dividing line between Rang F and Rang G to the dividing line between lots 11A and 10 of Rang G; southwesterly, successively, the dividing line between the said lots then the dividing line between the cadastres of Village de Val-Barrette and Canton de Campbell, that line crossing Chemin Poulin and Chemin Saint-François that it meets; westerly, successively, part of the dividing line between the cadastres of Village de Val-Barrette and Canton de Campbell on the one side, the cadastre of Canton de Kiamika on the other side, to the dividing line between Rang J and Rang 4 of the cadastre of Canton de Campbell, that line crossing Route 311, Rivière Kiamika and 6° Rang that it meets; in reference to the latter cadastre, northerly, the dividing line between the said ranges, that line extended across Chemin de Val-Barrette–Mont-Laurier and the Canadian Pacific railway (Lot 65 of the said cadastre) that it meets; in Lac des Écorces, a straight line in a direction of N. 30° 00' E. to the centre line of the said lake; in a general northerly direction, the centre line of Lac des Écorces and Lac aux Barges upstream to the easterly extension of the dividing line between lots 26 and 25 of Rang 4; westerly, successively, the said extension and the dividing line between the said lots, that line extended across Route 117 that it meets; northerly, part of the dividing line between Rang 4 and Rang 3 to the dividing line between lots 31 and 32 of Rang 4; easterly, the dividing line between the said lots; northerly, part of the dividing line between Rang 3 Nord-Ouest and Rang 4 Nord-Ouest on the one side, Rang 4 on the other side, to the dividing line between the cadastres of the townships of Campbell and Wurtele; finally, easterly, part of the dividing line between the said cadastres to the starting point, that line crossing an unnamed lake that it meets.

In this description, the bearings are in reference to the Québec coordinates system, the SCOPQ, (Zone 9) NAD 83.

The said limits define the territory of Municipalité de Beaux-Rivages–Lac-des-Écorces–Val-Barrette, in Municipalité régionale de comté d'Antoine-Labelle.

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

Charlesbourg, 4 October 2001

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