

Gouvernement du Québec

**O.C. 106-2003, 6 January 2003**

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

Amalgamation of Ville de Sept-Îles, Ville de Moisie  
and Municipalité de Gallix

WHEREAS each of the municipal councils of Ville de Sept-Îles, Ville de Moisie and Municipalité de Gallix 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 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;

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

THAT a local municipality be constituted through the amalgamation of Ville de Sept-Îles, Ville de Moisie and Municipalité de Gallix on the following conditions:

1. The name of the new town shall be “Ville de Sept-Îles”.

The provisional council must, as soon as possible after the coming into force of this Order in Council, contact the Commission de toponymie du Québec in order to have the name of the former municipalities attributed to each sector of the new town made up of the territory of the former Ville de Moisie and of the former Municipalité de Gallix.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 9 December 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 Municipalité régionale de comté de Sept-Rivières.

5. Until a majority of the candidates elected in the first general election begin their terms, the new town shall be administered by a provisional council made up of ten members: the mayor and seven councillors of the former Ville de Sept-Îles, the mayor of the former Ville de Moisie and the mayor of the former Municipalité de Gallix.

Each councillor of an electoral district of the former Ville de Sept-Îles shall remain councillor of that district, subject to the vacant seat for District de l’Anse. The sector made up of the territory of the former Ville de Moisie and the sector made up of the territory of the former Municipalité de Gallix shall each constitute an electoral district the mayor of which is the councillor of those former municipalities.

6. The mayor of the former Ville de Sept-Îles shall be the mayor of the new town until the mayor elected in the first general election begins his or her mandate. The person who acts as acting mayor shall be appointed by the provisional council at its first meeting.

7. Should the seat of the mayor of the former Municipalité de Gallix or the seat of the mayor of the former Ville de Moisie be vacant at the time of coming into force of this Order in Council, or should the seat of representative on the provisional council in the sector made up of the territory of those former municipalities become vacant, the following persons shall act as representative of those districts:

— former Municipalité de Gallix: Sylvio Roy, councillor;

— former Ville de Moisie: Maurice Roy, councillor.

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

9. The first meeting of the provisional council shall be held at the town hall of the former Ville de Sept-Îles.

10. By-law 97-1089 of the former Ville de Sept-Îles respecting the internal management of council meetings applies to the new town until the council decides otherwise.

11. By-laws 90-917 and 90-918 of the former Ville de Sept-Îles respecting the remuneration of elected municipal officers apply to the members of the provisional council and to the elected municipal officers of the new town until the council decides otherwise.

12. Any council member of a former municipality whose term ends for the sole reason that the former municipality ceased to exist following the amalgamation may receive a compensation based on the remuneration he or she was receiving. The member shall cease to be entitled to receive that remuneration if, during that period, he or she fills an office as a member of the council of a municipality in the territory of Québec.

A person who is eligible for compensation may enter into an agreement with the town on any mode of payment of the compensation.

The expenses that the payment of the compensation represents shall constitute a debt charged to all the taxable immovables located in the sector made up of the territory of that former municipality.

13. Until the first general election of the new town, the mayors and representatives of the former municipalities shall continue to sit on the council of *Municipalité régionale de comté de Sept-Rivières* and they shall have the same number of votes as before the coming into force of this Order in Council.

14. The polling for the first general election shall take place on the first Sunday that follows the expiry of the four-month period following the date of coming into force of this Order in Council, where July and August 2003 are excluded from the calculation of that period. The second general election shall be held in 2006 and the third general election shall be held in 2009.

15. For the first two general elections and for any by-election held before the third general election, the territory of the new town shall be divided into ten electoral districts.

The territory of the former *Ville de Sept-Îles* shall constitute eight electoral districts that correspond to the districts established under By-law 1137 adopted by the former town.

The sectors made up of the territories of the former *Municipalité de Gallix* and of the former *Ville de Moisie* shall each constitute an electoral district.

16. Serge Gagné, treasurer of the former *Ville de Sept-Îles*, shall act as treasurer of the new town.

17. Valérie Haince, clerk of the former *Ville de Sept-Îles*, shall act as clerk of the new town.

18. 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 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 council of the new town as resulting from the amalgamation shall be charged to each former municipality on the basis of 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; 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 into the general fund of the new town for the first fiscal year for which it adopts a budget for all its territory.

19. 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 in the sector made up of the territory of that former municipality for the purposes of the repayment of loans charged to them, the reduction of taxes applicable to all the taxable immovables located therein and to the carrying out of public works in that sector.

20. 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.

21. The working fund of the new town shall be constituted of the working fund of the former *Ville de Sept-Îles*. The moneys borrowed from that fund shall be reimbursed in accordance with section 569 of the *Cities and Towns Act* to the working fund of the new town.

22. The aggregate of the property assessment rolls of the former *Municipalité de Gallix* and of the former *Ville de Moisie*, drawn up for the 2003, 2004 and 2005 fiscal years, and of the property assessment roll of the former *Ville de Sept-Îles*, drawn up for the 2001, 2002 and 2003 fiscal years shall constitute the property assessment roll of the new town for the 2003 fiscal year.

Despite section 119 of the Act respecting municipal territorial organization, no adjustment of the values in the property assessment roll shall be made for the 2003 fiscal year.

With respect to an entry on the assessment roll of the new town for the 2003 fiscal year, it is considered that for the purposes of establishing the actual value entered on that roll, the conditions in the property market respective to each of the property assessment rolls referred to in the first paragraph have been taken into account, as they existed on 1 July of the second fiscal year that preceded the coming into force of those rolls.

For the purpose of determining the market conditions on the date referred to in the third paragraph, the information related to transfers of ownership 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, must appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or 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 2003 fiscal year that must appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or 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 new town shall have the first three-year roll drawn up in accordance with section 14 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) for the 2004, 2005 and 2006 fiscal years.

24. The assessor of the former Ville de Sept-Îles is qualified, on the date of coming into force of this Order in Council, to perform all the acts required by the Act respecting municipal taxation and the regulations made under that Act with respect to the property assessment roll of the new town.

25. The repayment of loans made under loan by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the taxable immovables in the sector made up of the territory of the former municipality that contracted them, in accordance with the tax clauses of those by-laws.

26. Despite section 25, the repayment of loans made under by-laws 89-910 and 1178 of the former Ville de Sept-Îles, which shall be charged to the taxable immovables in the sector made up of the territory of the former Ville de Sept-Îles, shall be charged, from the first fiscal year for which a budget is adopted by the new town, to all the taxable immovables in the territory of the new town, on the basis of their value as it appears on the assessment roll each year.

27. Despite section 25, from the first fiscal year for which the new town adopts a budget with respect to all its territory, all the taxable immovables located in its territory shall be subject to payment of the special tax intended for repayment, in a proportion of 62.88%, of the loan contracted under By-law 95-1015 of the former Ville de Sept-Îles. The revenues from the leasing of municipal premises to the Sûreté du Québec shall be applied to the repayment of that tax.

28. The aliquot shares payable to the Société québécoise d'assainissement des eaux under an agreement entered into with the Gouvernement du Québec and a former municipality shall remain charged to the taxable immovables located in the sector made up of the territory of that former municipality; for the former Ville de Sept-Îles, they shall be paid by the imposition of a special tax based on the value of those immovables; for the former Municipalité de Gallix, a special compensation rate fixed annually by the council of the new town shall be required from all users of the waterworks and sewer systems in the sector made up of the territory of that former municipality.

29. Despite section 25, the repayment of the loans made under By-law 67-98 of the former Ville de Moisie, less any government grant, shall remain charged to the users of the sewer systems in the sector made up of the territory of that former municipality and it shall be paid by means of a compensation rate fixed annually by the council.

30. From the first fiscal year for which the new town adopts a budget with respect to all its territory, the service tax for snow removal and roads imposed under By-law 80-1 of the former Ville de Moisie shall be maintained with respect to the sector made up of the territory of that former municipality. For the following fiscal years, that tax shall decrease by one-sixth annually until its extinction.

31. From the first fiscal year for which the new town adopts a budget with respect to all its territory, an additional rate of \$168 shall be required from the users of the sewer systems of the former Ville de Moisie. For the following years, that rate shall decrease progressively by \$28 annually until its extinction.

32. From the first fiscal year for which the new town adopts a budget with respect to all its territory, an additional rate of \$180 shall be required from the users of the sewer systems of the former Municipalité de Gallix. For the following years, that rate shall decrease progressively by \$30 annually until its extinction.

33. For the first fiscal year for which the new town adopts a budget with respect to all its territory, the tax on non-residential immovables shall not be imposed in the sectors made up of the territories of the former Ville de Moisie and of the former Municipalité de Gallix. For the following years, the rate of the property tax imposed on non-residential immovables shall apply in those sectors progressively as follows:

Second fiscal year:	25% of the rate;
Third fiscal year:	30% ;
Fourth fiscal year:	35% ;
Fifth fiscal year:	40% ;
Sixth fiscal year:	50% ;
Seventh fiscal year:	60% ;
Eighth fiscal year:	70% ;
Ninth fiscal year:	80% ;
Tenth fiscal year:	90% ;
Eleventh fiscal year:	100%

Where the town applies a variety of general property tax rates in accordance with section 244.29 of the Act respecting municipal taxation, the difference between the rate specific to the category of non-residential immovables and the basic rate fixed under section 244.38 of that Act for the sectors made up of the territories of the former Municipalité de Gallix and of the former Ville de Moisie must correspond to the proportions referred to in the preceding paragraph of the same difference calculated for the sector made up of the territory of the former Ville de Sept-Îles.

34. 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 town in order to replace all the zoning and subdivision by-laws applicable in its territory by, respec-

tively, a new zoning by-law and a new subdivision by-law applicable to the entire 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 (R.S.Q., c. E-2.2), by the qualified voters in the entire territory of the new town.

35. Any debt or gain that may result from legal proceedings for any act performed by a former municipality before the coming into force of this Order in Council shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

36. For a period of five years, without restricting the taxation powers of the new town for financing municipal work, construction costs of new municipal infrastructures of water supply, of wastewater treatment and of sanitary or storm sewer pipes or reconstruction costs of such municipal infrastructures in the sectors made up of the territories of the former Ville de Moisie and of the former Municipalité de Gallix shall be financed from the grants available under the government programs in effect and the balance shall be financed in whole or in part by a special tax or compensation rate charged to the beneficial owners of that work.

37. For a minimum five-year period beginning on the coming into force of this Order in Council, recreational organizations and other neighbourhood organizations supported or subsidized by the former Ville de Moisie and the former Municipalité de Gallix shall continue to be recognized and supported by the council of the new town insofar as the law and the budgets allow it and neighbourhood needs justify it.

38. A municipal housing bureau shall be constituted under the name "Office municipal d'habitation de la Ville de Sept-Îles". The name of the bureau may initially be changed by a simple resolution of the board of directors within the year following its constitution. Notice of the name change must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

The municipal housing bureau shall succeed, on the date of coming into force of this Order in Council, to the municipal housing bureau of the former Ville de Sept-Îles, 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) shall 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 made up of seven members. Three members shall be appointed by the council of the new town, 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 socio-economic groups in the bureau's territory.

Until the directors are designated in accordance with the terms and conditions provided for in the third paragraph of this section, the provisional directors of the new bureau shall be the members of the former municipal housing bureau of Ville de Sept-Îles.

The directors shall elect from among themselves a chair, vice-chair and any other officer they consider advisable to appoint.

The term of the board members is three years and is renewable. The board members shall remain in office until reappointed or replaced even though their terms expire.

A quorum for the meetings shall be a majority of the members in office.

The directors may, as of 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 considered 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 encumber them, or give such 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 commitments 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 considered 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 constituted bureau and shall retain their seniority and employment benefits.

Within 15 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 budget of the dissolved bureau shall remain applicable for the remainder of the current fiscal year.

39. The new town shall ensure local services in the sectors made up of the territories of the former Ville de Moisie and of the former Municipalité de Gallix, after consulting citizens in those sectors and by taking into account the neighbourhood needs and the budgets available for that purpose. For the sector made up of the territory of the former Municipalité de Gallix, the new town shall maintain a counter for the payment of municipal taxes open according to a schedule and for a period determined by the council of the new town based on neighbourhood needs.

40. The following legislative provisions apply to the new town:

— the Act respecting Ville de Sept-Îles (1991, c. 94); and

— the Act respecting Ville de Sept-Îles (2001, c. 83).

41. 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*

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**OFFICIAL DESCRIPTION OF THE TERRITORIAL BOUNDARIES OF THE NEW VILLE DE SEPT-ÎLES, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES SEPT-RIVIÈRES**

The territory of the new Ville de Sept-Îles, in Municipalité régionale de comté des Sept-Rivières, following the amalgamation of Municipalité de Gallix, Ville de Moisie, and Ville de Sept-Îles, comprises all the lots and blocks of the original survey or of the cadastres of the townships of Letellier, Moisie, Blanche, Roche-Monteix, Charpeney, Arnaud, and Leneuf, the undivided lands of those townships, thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter starting at the meeting point of the centre line of Rivière aux Bouleaux with the survey line

established on the land by land surveyor J.-Roland Samson in 1960 and shown on a plan filed in the records of the office of the surveyor general under number "Exploration 249-A" and that runs successively along the following lines and demarcations: in a general southerly direction, the centre line of Rivière aux Bouleaux, downstream and skirting to the left the islands closest to the right bank and to the right the islands closest to the left bank, to its meeting with a line parallel to the northwest shore of the St. Lawrence River and whose point of origin is 9,656.04 metres from Cap du Cormoran astronomically north; southwesterly, that parallel line to its point or origin; southerly, a straight line astronomically south over a distance of 9,656.04 metres to Cap du Cormoran then its extension in the St. Lawrence River to its meeting with an irregular line parallel to and 1,609.34 metres (1 mile) from the northwest shore of the said river; in a general southwesterly direction, that irregular line to its meeting with the extension of the centre line of Rivière Moisie; northwesterly, the said extension to its meeting with the extension of the southern line of Lot 5 (shore lot) of the cadastre of Canton de Lettelier, maintaining the same distance from the shore of the St. Lawrence River; in a general westerly direction, the said extension and the southern line of the said lot to its meeting with the extension of the eastern line of Lot 9 of Rang 1 of the said cadastre; northerly, the said extension; in a general westerly direction, the shore of the St. Lawrence River to the western line of the said lot; in the river, southerly, the extension of the western line of the said lot to its meeting with a line parallel to the shore of Baie de la Boule and 609.60 metres (2,000 feet) from the low tide mark; southwesterly, successively, a straight line to a point southeast of the eastern extremity of Île La Grosse Boule and 609.60 metres (2,000 feet) from the low tide mark, an irregular line parallel to the southeastern boundary of that island and 609.60 metres from the low tide mark to a point southwest of the western extremity of the said island, then a straight line to a point southeast of the eastern extremity of Île du Corossol and 609.60 metres (2,000 feet) from the low tide mark; in a general westerly direction, an irregular line parallel to the southern boundary of that island and 609.60 metres (2,000 feet) from the low tide mark to a point southwest of the southern extremity of the said island; northwesterly, a straight line to a point south of the southern extremity of Pointe à la Chasse and 609.60 metres (2,000 feet) from the low tide mark; in a general westerly direction, an irregular line parallel to the low tide mark and 609.60 metres (2,000 feet) from that mark to its meeting with the extension of the centre line of Rivière Sainte-Marguerite; astronomically south, a straight line to its meeting with an irregular line parallel to and 1,609.34 metres (1 mile) from the northwest shore of the St. Lawrence River; in a general southwesterly direction, the said irregular line to its meeting with a straight

line astronomically east whose point of origin is the extremity of the bay southwest of Pointe Thériault; westerly, that straight line to its point of origin; astronomically north, a straight line to the northern line of Canton de Leneuf; easterly, part of the northern line of the said township to the southwestern line of Bloc A of the cadastre of Canton de Leneuf; successively, northwesterly and northeasterly, part of the southwestern boundary and the northwestern boundary of the said block; in Rivière Sainte-Marguerite, a straight line to the southwestern extremity of the northwestern line of Bloc M of the cadastre of Canton d'Arnaud; in Canton d'Arnaud, the northwestern line of the said block then a straight line to a point 804.672 metres (2,640 feet) north of the northern extremity of Lac des Rapides astronomically north; a straight line astronomically south over a distance of 499.872 metres (1,640 feet) to its meeting with a line parallel to the shore of the said lake and 304.80 metres (1,000 feet) from that line; southeasterly, part of a survey line, established on the land by land surveyor Charles E. Couture in 1972 and shown on a plan filed in the records of the office of the surveyor general under number L-33/58, to the meridian of 66°15'00" longitude west; northerly, that meridian to the parallel of 50°20'37.5" latitude north; westerly, that parallel to the meridian of 66°18'45" longitude west; northerly, that meridian to the survey line established on the land by land surveyor J.-Roland Samson in 1960 and shown on a plan filed in the records of the office of the surveyor general under number "Exploration 249-A"; finally, easterly, that survey line to the starting point.

Ministère des Ressources naturelles  
Bureau de l'arpentage général  
Division de l'arpentage foncier

Québec, 9 December 2002

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