

## Municipal Affairs

Gouvernement du Québec

### **O.C. 1064-2009**, 7 October 2009

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

Amalgamation of Municipalité de Saint-Norbert-d'Arthabaska and Village de Norbertville

WHEREAS each of the municipal councils of Municipalité de Saint-Norbert-d'Arthabaska and Village de Norbertville 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, Regions and Land Occupancy;

WHEREAS there is no opposition to the application for amalgamation;

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

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT a local municipality be constituted through the amalgamation of Municipalité de Saint-Norbert-d'Arthabaska and Village de Norbertville in accordance with the following provisions:

1. The name of the new municipality is "Municipalité de Saint-Norbert-d'Arthabaska".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources and Wildlife on 28 April 2009; that description appears as a schedule to this Order in Council.

3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The territory of Municipalité régionale de comté d'Arthabaska comprises 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 all the council members of the former municipalities in office at the time of the coming into force of this Order in Council. The quorum is half the members in office plus one. The mayors of the former municipalities alternate each month as mayor and deputy mayor of the provisional council. The mayor of the former Municipalité de Saint-Norbert-d'Arthabaska acts as mayor of the new municipality for the first month following the coming into force of this Order in Council. For the term of the provisional council, the municipal elected members shall receive the remuneration that was paid to them before the coming into force of this Order in Council.

6. Until the term of a majority of the candidates elected in the first general election begins, the mayors of the former municipalities continue to sit on the council of Municipalité régionale de comté d'Arthabaska and have the same number of votes as they had before the coming into force of this Order in Council.

7. The first sitting of the provisional council is to be held at the municipal hall located at 20, rue des Loisirs, in the territory of the former Village de Norbertville.

8. The polling for the first general election is to be held on the first Sunday of the third month following the month in which this Order in Council comes into force. The second general election is to be held in 2013.

9. The council of the new municipality shall be made up of seven members, that is, a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6 as of the first general election.

10. For the purposes of the first general election, and for any by-election held before the second general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities for seats 1, 2, 3 and 4 if such election were an election of the council members of the former Municipalité de Saint-Norbert-d'Arthabaska are eligible for those seats, and only those persons who would be eligible under that Act for seats 5 and 6 if such election were an election of the council members of the former Village de Norbertville are eligible for those seats.

11. René Savoie, director general of the former municipalities, acts as director general of the new municipality and Edith Collins, assistant director general of the former municipalities, acts as assistant director general of the new municipality.

12. If a budget has been adopted by a former municipality for the fiscal year during which this Order in Council comes into force,

(1) that budget remains applicable;

(2) the expenditures and revenues of the new municipality for the remainder of the fiscal year during which this Order in Council comes into force continue to be accounted for separately for each of the former municipalities as if the amalgamation had not taken place; and

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation is to be charged to each former municipality in the proportion that, for each former municipality, its standardized property value is of 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.

13. All amounts paid under the Programme d'aide financière au regroupement municipal (PAFREM) are to be allocated to the reimbursement of expenses incurred to convert the parsonage of Paroisse de Saint-Norbert-d'Arthabaska into a municipal office.

14. As of the first fiscal year for which a budget is adopted by the new municipality in respect of the whole of its territory, all the taxable immovables in the territory of the new municipality are subject to the tax imposed under the following by-laws:

— by-laws 039-10-03, 045-04-2007 and 0049-10-2008 of the former Municipalité de Saint-Norbert d'Arthabaska;

— by-law 092-03-2007 of the former Village de Norbertville.

15. As of the first fiscal year for which a budget is adopted by the new municipality in respect of the whole of its territory,

— the annual repayment of the instalments in principal and interest for the loan contracted by the former Village de Norbertville under by-law 093-03-2007 shall be charged to the benefiting taxpayers;

— the annual repayment of the instalments in principal and interest for the loan contracted by the former Municipalité de Saint-Norbert-d'Arthabaska under by-law 048-06-2008 shall be charged to the sector made up of the territory of the former municipality.

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

17. The accumulated deficit, if any, of a former municipality at the end of the last fiscal year for which separate budgets were adopted is charged to all the taxable immovables in the sector made up of the territory of that former municipality.

18. The terms and conditions for apportioning the cost of shared services set out in intermunicipal agreements in force before the coming into force of this Order in Council apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

19. The working fund of each of the former municipalities is abolished. The uncommitted amounts in the fund on the date of the coming into force of this Order in Council are paid into the accumulated surplus of each of the former municipalities.

As of the first fiscal year for which a budget is adopted by the new municipality in respect of the whole of its territory, a new working fund is created.

To that end, an amount of \$40,000 in proportion to the population of the former municipalities is to be paid into that working fund out of the accumulated surpluses of the former municipalities.

20. Any remaining surplus accumulated on behalf of a former municipality, at the end of the last fiscal year for which separate budgets were adopted by the former municipalities, is to be allocated to maintenance, repair and improvement work on infrastructures in the sector made up of the territory of that former municipality.

21. Any debt or gain that may result from legal proceedings for any act performed by a former municipality is charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

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 adopted by the new municipality in order 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 to the whole territory of the new municipality, provided that such a by-law comes into force within 4 years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new municipality.

23. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,  
*Clerk of Conseil exécutif*

OFFICIAL DESCRIPTION OF THE BOUNDARIES  
OF THE TERRITORY OF THE NEW MUNICIPALITÉ  
DE SAINT-NORBERT-D'ARTHABASKA, IN  
MUNICIPALITÉ RÉGIONALE DE COMTÉ  
D'ARTHABASKA

The territory of the new Municipalité de Saint-Norbert-d'Arthabaska, in Municipalité régionale de comté d'Arthabaska, following the amalgamation of Municipalité de Saint-Norbert-d'Arthabaska and Village de Norbertville, comprises all the lots or parts of lots, their present and future subdivisions, of the cadastres of the parishes of Saint-Norbert and Sainte-Hélène, as well as the roads, highways, railway right-of-ways, islands, lakes, watercourses or parts thereof, within the perimeter that commences at the meeting point of the dividing line between the cadastres of Paroisse de Saint-Norbert and Canton d'Halifax with the dividing line between the cadastres of the Paroisse de Saint-Norbert and Canton de Stanfold; thence, successively, the following lines and demarcations: southeasterly, the broken line between the cadastres of Paroisse de Saint-Norbert and Canton d'Halifax along the northeastern side of the public road (12<sup>e</sup> Rang Est) located on the said dividing line between the cadastres to the apex of the eastern angle of lot 172 of the cadastre of Paroisse de Saint-Norbert; successively southeasterly and southwesterly, part of the broken line between the cadastres of Paroisse de Sainte-Hélène and Canton d'Halifax to the apex of the southern angle of lot 399 of the cadastre of Paroisse de Sainte-Hélène; northwesterly, in reference to the cadastre, the south-western line of lots 399, 400, 403, 402, 404 and 405 to the dividing line between lots 65 and 66; southwesterly, the said dividing line between lots, that line extended across the public road (Route 263) and the watercourse

(Rivière Bulstrode) that it meets; northwesterly, the south-western line of lots 66 to 76 and 78 to 88 to the apex of the northern angle of lot 171; southwesterly, part of the broken line between the cadastres of the parishes of Saint-Norbert and Sainte-Hélène to the apex of the southern angle of lot 72 of the cadastre of Paroisse de Saint-Norbert; northwesterly, part of the southwestern line of lot 72 to the extension of the southeastern line of lot 104 of the cadastre of Paroisse de Saint-Norbert; southwesterly, the said extension then the southeastern line of lot 104 to the northeastern side of the right-of-way of Chemin du 5<sup>e</sup> Rang in Saint-Norbert; northwesterly, the northeastern side of the said right-of-way to the extension of the southeastern line of lot 132 of the cadastre of Paroisse de Saint-Norbert; southwesterly, the said extension then the southeastern line of lot 132; successively northwesterly, southwesterly and again northwesterly, the broken line between the cadastre of Paroisse de Saint-Norbert and the cadastres of the parishes of Saint-Paul, Saint-Christophe and the cadastre of Village d'Arthabaskaville to the apex of the western angle of lot 228 of the cadastre of Paroisse de Saint-Norbert, along the northeastern side of the public road (6<sup>e</sup> Rang) located on the said line dividing the cadastres; northeasterly, the northwestern line of lot 228 and part of the northwestern line of lot 278 to the apex of the southern angle of lot 323 of the cadastre of Paroisse de Saint-Norbert; northwesterly, the southwestern line of lots 323 to 325; lastly, northeasterly, the dividing line between the cadastres of Paroisse de Saint-Norbert and Canton de Stanfold, to the starting point.

Ministère des Ressources naturelles et de la Faune  
Office of the Surveyor-General of Québec  
Service des levés officiels et des limites administratives

Québec, 28 April 2009

Prepared by: \_\_\_\_\_  
GENEVIÈVE TÉTREAU, T  
*Land Surveyor*

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