

Municipal Affairs

Gouvernement du Québec

O.C. 516-2010, 23 June 2010

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

Constitution of the Municipalité régionale de comté
du Golfe-du-Saint-Laurent

WHEREAS the council of mayors of Basse-Côte-Nord requested the Government to order the constitution of a regional county municipality in the territory of Basse-Côte-Nord;

WHEREAS, under section 210.30 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may, by order, constitute a regional county municipality;

WHEREAS, under section 210.31 of the Act, the Minister of Municipal Affairs, Regions and Land Occupancy transmitted, before recommending to the Government the constitution of a regional county municipality, to each local municipality whose territory is comprised in that of the proposed regional county municipality a document setting out the elements which the Minister proposed to include in the order and indicating the right of those municipalities to submit their opinion on the proposal to the Minister;

WHEREAS, during those consultations, local municipalities and the Municipalité régionale de comté de Minganie have expressed their consent to the constitution of the proposed regional county municipality;

WHEREAS, in accordance with section 210.33 of the Act, a notice was published in a newspaper distributed in the territory of the proposed regional county municipality, containing a statement to the effect that any person could submit objections to the proposal in writing to the Minister of Municipal Affairs, Regions and Land Occupancy, within 30 days of publication of the notice;

WHEREAS no objections to the proposal were sent to the Minister within the 30-day period;

WHEREAS the Innu communities of Natashquan, La Romaine and Pakuashipi have also been invited to give their opinion about the proposed constitution of a new regional county municipality and have not objected to the project;

WHEREAS, in accordance with section 210.32 of the Act, the Commission de toponymie formulated a favourable opinion on the proposed name of the new regional county municipality;

WHEREAS it is expedient, under sections 210.30 and 210.38 of the Act, to order the constitution of a regional county municipality in the territory of Basse-Côte-Nord;

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

THAT a regional county municipality be constituted, on the following terms and conditions:

1. The name of the regional county municipality is “Municipalité régionale de comté du Golfe-du-Saint-Laurent”.

2. The boundaries of the territory of the regional county municipality are those described by the Minister of Natural Resources and Wildlife in the official description of that territory dated 13 April 2010 and appearing as a schedule to this Order in Council.

3. The first sitting of the council will take place at the council hall of Municipalité de Saint-Augustin, at the date and time fixed by the secretary-treasurer in accordance with section 210.42 of the Act respecting municipal territorial organization (R.S.Q., c. O-9).

4. The person who will act as the first secretary-treasurer of the regional county municipality until the end of the first sitting of the council will be Richmond Monger.

5. Each local municipality has a representative on the council of the regional county municipality.

6. The number of votes per representative is established as follows:

— from 0 to 2,000 inhabitants: 1 vote;

— from 2,001 to 4,000 inhabitants: 2 votes.

If the population of a municipality is greater than 4,000 inhabitants, one additional vote is given to the representative for each group of 2,000 inhabitants. Those rules also apply to the person designated in accordance

with section 210.27 of the Act respecting municipal territorial organization to replace the mayor who is elected warden.

7. The *Municipalité régionale de comté du Golfe-du-Saint-Laurent* may submit an application to the *Office québécois de la langue française* to be recognized under section 29.1 of the Charter of the French language (R.S.Q., c. C-11).

8. To the extent that all the members consent hereto, any member of the *Municipalité régionale de comté du Golfe-du-Saint-Laurent* may participate, deliberate and vote at a sitting of the council by telephone or any other means of communication that enables all persons participating or present at the sitting to hear one another.

Council members may avail themselves of that right only if the municipality's secretary-treasurer and the person presiding over the sitting are present at the place where the council is sitting.

The minutes of the sitting must indicate the name of every council member who took part in the sitting by telephone or another means of communication. The minutes must be ratified by the council at the following regular sitting.

Council members who avail themselves of the right provided for in this section are deemed to be present at the sitting.

This section has effect for 5 years as of the year of coming into force of this Order in Council.

9. All by-laws, resolutions or other acts adopted by the *Municipalité régionale de comté de Minganie* in respect of the *Petit-Mécatina* unorganized territory in the territory of the *Municipalité régionale de comté du Golfe-du-Saint-Laurent* remain in force until the date they cease to have effect as provided, until their objects are attained or until they are replaced or repealed. They are deemed to be by-laws, resolutions or acts of *Municipalité régionale de comté du Golfe-du-Saint-Laurent*.

Every act performed by the *Municipalité régionale de comté de Minganie* in respect of the *Petit-Mécatina* unorganized territory in the territory of the *Municipalité régionale de comté de Minganie* retains its effects to the extent that it remains expedient. Every such act is deemed to be an act of the *Municipalité régionale de comté du Golfe-du-Saint-Laurent*.

10. Within 30 days of the date of coming into force of this Order in Council, the *Municipalité régionale de comté du Golfe-du-Saint-Laurent* must, for its first fiscal year, adopt a budget. Within 30 days of the expiry of the 30-day period, it must establish the share of its expenditures payable by each local municipality whose territory is comprised within its territory.

11. The jurisdiction in matters of assessment currently entrusted to each of the local municipalities in the territory of the *Municipalité régionale de comté du Golfe-du-Saint-Laurent* is exercised by that municipality in accordance with section 5 of the Act respecting municipal taxation (R.S.Q., c. F-2.1).

Section 7 of that Act applies, with the necessary modifications, for the purposes of ensuring the transition.

12. The 2011 fiscal year of the property assessment roll of the *Municipalité de Bonne-Espérance*, in force on 1 January 2010, is deemed to be the third fiscal year of that roll.

13. The first land use planning and development plan, referred to in section 3 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) is adopted in accordance with the process below.

The provisions of that Act pertaining to the amendment of a development plan, provided for in sections 48 to 53.9 and section 53.11 of that Act, apply to the preparation of the first plan, with the necessary modifications. For the purposes of the provisions pertaining to interim control, provided for in sections 61 to 72 of that Act, the period to prepare the first plan is deemed to be a period of revision. The council of the regional county municipality is to adopt the draft by-law referred to in section 48 of that Act not later than the day occurring 6 months after the coming into force of this Order in Council; it is to adopt the plan not later than the day occurring 2 years after that coming into force. Section 239 of the Act respecting land use planning and development applies to those periods as if they were periods provided for by that Act.

The provisions of that Act pertaining to the effects of the coming into force of a by-law revising a development plan, provided for in sections 59 to 60 of that Act, apply following the coming into force of the first development plan of the regional county municipality.

The first development plan of the regional county municipality covers all its territory; with respect to any part of its territory already covered by such a plan, the new plan replaces the previous plan.

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

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE TERRITORY
OF MUNICIPALITÉ RÉGIONALE DE COMTÉ
LE GOLFE-DU-SAINT-LAURENT

The municipalité régionale de comté Le Golfe-du-Saint-Laurent begins at the apex of the most northeasterly apex of the province's boundary and follows the following lines and demarcations: southerly, the eastern boundary of the province extending into the Gulf of St. Lawrence, then southwesterly and southerly, the broken line in the Gulf of St. Lawrence constituting the southeastern then eastern boundaries of the province to parallel 48° 40' North latitude; westerly, parallel 48° 40' North latitude to its intersection with meridian 61° 00' West longitude; northwesterly, a straight line to a point located in the Gulf of St. Lawrence opposite the mouth of Rivière Natashquan and whose coordinates are 50° 07' North latitude and 61° 50' West longitude; easterly, an irregular line skirting by the west and south Île Sainte-Hélène to the centre line of rivière Natashquan; successively, easterly and in a general northerly direction the said centre line to its intersection with meridian 62° West longitude, then northerly, the said meridian to the province's boundary; lastly, easterly, the province's boundary to the commencing point.

That regional county municipality comprises the municipalities of Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina, Saint-Augustin, Bonne-Espérance and Blanc-Sablon. It also comprises the part of the Gulf of St. Lawrence and unorganized territories situated within the above-described perimeter.

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

Québec, 1 March 2010

Prepared by : _____
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