

Municipal Affairs

Gouvernement du Québec

O.C. 1202-2001, 10 October 2001

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

Amalgamation of Municipalité d'Adstock and Village de Sainte-Anne-du-Lac

WHEREAS the Government, by Order in Council 69-2001 dated 31 January 2001, constituted Municipalité d'Adstock from the amalgamation of Municipalité de Saint-Méthode-de-Frontenac and Partie sud de la Paroisse de Sacré-Coeur-de-Marie;

WHEREAS the provisional council of Municipalité d'Adstock and the municipal council of Village de Sainte-Anne-du-Lac each 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 transmitted to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objections were submitted to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS it is expedient, under section 108 of the aforementioned Act, 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 resulting from the amalgamation of Municipalité d'Adstock and Village de Sainte-Anne-du-Lac be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Adstock".

The provisional council shall, as soon as possible following the coming into force of this Order in Council, apply to the Commission de toponymie du Québec to have the names "Saint-Méthode", "Saint-Daniel", "Sacré-Coeur-de-Marie" and "Sainte-Anne-du-Lac" assigned

to the sectors of the new municipality made up of the territory of those former municipalities.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 21 September 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 the new municipality shall be part of the territory of Municipalité régionale de comté de L'Amiante.

5. Until a majority of the candidates elected in the first general election begin their terms, a provisional council formed of all the members of the provisional council of the former Municipalité d'Adstock and of the municipal council of the former Village de Sainte-Anne-du-Lac in office at the time of coming into force of this Order in Council shall administer the new municipality.

If a seat is vacant when this Order in Council comes into force or becomes vacant during the term of the provisional council, an additional vote shall be granted to the mayor of the former municipality of origin of the council member whose seat has become vacant. If the vacancy is a mayor's seat, an additional vote shall be granted to a councillor on the provisional council chosen by and from among the members of the council of the former municipality whose mayor's seat has become vacant.

6. The three mayors shall alternate as mayor every two months starting from the coming into force of this Order in Council in the following order: first, the mayor of the former Municipalité de Saint-Méthode-de-Frontenac; second, the mayor of the former Partie sud de la Paroisse de Sacré-Coeur-de-Marie and, lastly, the mayor of the former Village de Sainte-Anne-du-Lac. This alternation shall remain in effect until the mayor elected in the first general election begins his or her term.

The mayor of the former Municipalité de Saint-Méthode-de-Frontenac, the mayor of the former Partie sud de la Paroisse de Sacré-Coeur-de-Marie and the mayor of the former Village de Sainte-Anne-du-Lac shall continue to sit on the council of Municipalité régionale de comté de L'Amiante until the mayor elected in the

first general election begins his or her term and they shall have the same number of votes as they had before the coming into force of this Order in Council. They shall continue to be eligible to act as warden or deputy warden, sit on any committee and carry out any other duty within the regional county municipality.

7. By-law 5-01 of the former *Municipalité d'Adstock* on the remuneration of elected officers, shall apply to the new municipality. However, the remuneration and expense allowance paid to provisional council members may not be less than that which they received in the former municipality they represented.

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

9. The first sitting of the provisional council shall be held in the public hall of the former *Municipalité de Saint-Méthode-de-Frontenac*.

10. The polling for the first general election shall take place on 16 June 2002 and the second general election shall be held in 2005.

11. For the first two general elections, the council of the new municipality shall consist of ten members, that is, the mayor and nine councillors. The councillors' seats shall be numbered 1 to 9 starting with the first general election.

12. For the first two general elections and for any by-election held before the general election in November 2009, 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 *Municipalité de Saint-Méthode-de-Frontenac* shall be eligible for seats 1, 3, 7 and 9; only those persons who would be eligible under that Act if the election were an election of the council members of the former *Paroisse de Sacré-Coeur-de-Marie* shall be eligible for seats 2, 4 and 6; and only those persons who would be eligible under that Act if the election were an election of the council members of the former *Village de Sainte-Anne-du-Lac* shall be eligible for seats 5 and 8.

13. Bernardin Hamann, the secretary-treasurer of the former *Municipalité d'Adstock*, shall act as the first secretary-treasurer of the new municipality.

Jean-Rock Turgeon, the assistant secretary-treasurer of the former *Municipalité d'Adstock*, shall act as the first assistant secretary-treasurer of the new municipality. Upon Bernardin Hamann's departure, Mr. Turgeon shall become the secretary-treasurer of the new municipality.

Richard Samson and Francine M. Samson, respectively secretary-treasurer and assistant secretary-treasurer of the former *Village de Sainte-Anne-du-Lac*, shall remain employed by the new municipality as resource persons, without salary reduction and on the same conditions, until 30 June 2003.

Bertrand Perreault, municipal inspector of the former *Municipalité d'Adstock*, shall act as the first municipal inspector of the new municipality.

Sylvain Jacques, municipal inspector of the former *Municipalité d'Adstock*, shall act as the first assistant municipal inspector of the new municipality.

14. The terms and conditions for apportioning the cost of shared services provided for in an intermunicipal agreement in effect before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

15. 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 town, for the remainder 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 municipality as resulting from the amalgamation shall be charged to each former municipality based on the proportion of its standardized property values 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 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 directly from that amount, shall constitute a reserve that shall be paid into the general fund of the new municipality for the first fiscal year for which it adopts a budget for its entire territory.

16. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall remain charged to

all the taxable immovables in the sector made up of the territory of that former municipality.

17. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used to carry out public works in the sector, to reduce taxes for all the taxable immovables in the sector, to pay debts charged to the sector or to make repairs to municipal community or recreational immovables.

18. Starting with the first fiscal year for which the new municipality adopts a budget for its entire territory, all the taxable immovables in the territory of the new municipality shall be subject to

— the annual payment of the instalments in principal and interest on the loan contracted for the enlargement of the municipal garage under By-law 215 of the former *Partie sud de la Paroisse de Sacré-Coeur-de-Marie*;

— the annual payment of the instalments in principal and interest on the loan contracted for the municipal road network under By-law 285; for the industrial park infrastructures under By-law 290; and for the purchase of an all-season truck under by-laws 315 and 200-317 of the former *Municipalité de Saint-Méthode-de-Frontenac*; and

— to the aliquot share payable to the *Société québécoise d'assainissement des eaux* by the former *Municipalité de Saint-Méthode-de-Frontenac* for the construction of a drinking water tank and settling pond under agreements signed on 12 June 1984 and 5 June 1991.

The taxation clauses of those by-laws shall be amended accordingly.

19. The annual payment of the instalments in principal and interest on all the 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 of those by-laws.

If the new municipality decides to amend the taxation clauses according to law, the amendments may apply only to the taxable immovables located in the sector made up of the territory of the former municipality.

20. Any available balance of any loan by-law shall be used to make the annual repayments in principal and interest on those loans, or if the securities were issued for a shorter term than originally set, to reduce the balance of the loans.

If the available balance is used to make the annual repayments on loans, the rate of tax imposed to make them shall be reduced so that the income from taxes equals the balance owed, once the available balance has been deducted.

21. Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use the values entered on the real estate assessment roll in effect for the 2001 fiscal year for each of the former municipalities, updated and adjusted as of the date of coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered on the assessment roll of the former *Village de Sainte-Anne-du-Lac* shall be divided by the median proportion of that roll and multiplied by the median proportion of the roll of the former *Municipalité d'Adstock*; the median proportions shall be those established for the 2001 fiscal year.

The roll in effect in the former *Municipalité d'Adstock* for the 2001 fiscal year combined with the amended roll of the former *Village de Sainte-Anne-du-Lac* in accordance with the second paragraph of this section shall constitute the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the roll shall be those of the former *Municipalité d'Adstock*. The first fiscal year of the new municipality shall be considered the first year in which the roll applies.

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 to its territory by, respectively, a new zoning and subdivision by-law applicable to the entire territory of the new municipality, provided that such a by-law comes into force within twenty-four months 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 entire territory of the new municipality.

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

24. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité d'Adstock". 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 of the change of name must 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 d'Adstock, 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 housing bureau of the new municipality 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 council of the new municipality; 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 socioeconomic groups in the bureau's territory.

Until a majority of 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 of the former Municipalité d'Adstock.

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 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.

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

The directors may, from the coming into force of this Order in Council,

(1) secure loans on behalf of the bureau;

(2) issue debentures or other securities of the bureau and use them as a guarantee or dispose of them for the price and amount deemed appropriate;

(3) hypothecate or use as collateral the present or future immovables and movables of the bureau, to ensure the payment of such debentures or other securities, or give only part of the guarantees for those purposes;

(4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of surety, to ensure the payment of loans secured other than by the issue of debentures, as well as the payment or execution of other debts, contracts 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 deemed necessary or useful for the internal management of the bureau.

The employees of the dissolved bureau 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) shall no longer apply with respect to the bureau referred to in the second paragraph. The time limit within which any succeeding bureau must comply with this section shall be 36 months from the date of determination of the last bargaining unit.

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

26. The proceeds from the sale of an immovable that had been owned by a former municipality shall be used primarily to pay the balance of the loan contracted by that former municipality to acquire and develop the immovable. Any balance shall be paid into the general fund of the new municipality.

27. For no less than ten years following the coming into force of this Order in Council, the new municipality shall maintain in the sector made up of the territory of the former Partie sud de la Paroisse de Sacré-Coeur-de-

Marie, as it existed before the coming into force of Order in Council 69-2001 dated 31 January 2001, the use of a community hall and a municipal garage, including equipment to effectively service that sector.

28. For a period covering no less than the first ten full fiscal years of the new municipality, an amount of \$16 000 or 19% of the recreation and culture budget account, whichever is greater, shall be allocated to recreational activities for the sector made up of the territory of the former *Partie sud de la Paroisse de Sacré-Coeur-de-Marie* as it existed before the coming into force of Order in Council 69-2001 dated 31 January 2001.

29. For a period of no less than ten years following the coming into force of this Order in Council, the new municipality shall maintain, in the sector made up of the territory of the former *Village de Sainte-Anne-du-Lac*, the use of the community hall and existing sports facilities. The new municipality shall assign the administration of the community hall and sports facilities to a community organization.

30. For a period of no less than ten years following the coming into force of this Order in Council, the new municipality shall pay a yearly contribution for water quality monitoring activities and any other initiatives to improve environmental quality in the sector made up of the territory of the former *Village de Sainte-Anne-du-Lac*. The yearly contribution shall amount to \$38 000 or 25% of the proceeds from the general property tax levied in the territory of the former *Village de Sainte-Anne-du-Lac*, once the contribution to the *Sûreté du Québec* is deducted, whichever is greater. The yearly contribution shall be paid to a local non-profit associative organization that meets the requirements of the new municipality's policies and by-laws.

31. 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 NEW MUNICIPALITÉ D'ADSTOCK IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'AMIANTE

The current territory of *Municipalité d'Adstock* and *Village de Sainte-Anne-du-Lac*, in *Municipalité régionale de comté de L'Amiante*, comprising, in reference to the cadastres of the townships of *Adstock*, *Broughton* and *Thetford* and of *Paroisse de Saint-Éphrem-de-Tring*, the lots or parts of lots and their present and future subdivi-

sions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits hereinafter described, namely: starting from the meeting point of the dividing line between ranges 7 and 6 of the cadastre of *Canton de Thetford* with the dividing line between the cadastres of the townships of *Thetford* and *Broughton*; thence, successively, the following lines and demarcations: southeasterly, part of the dividing line between the cadastres of the said townships to the apex of the west angle of *Lot 17A* of *Rang 11* of the cadastre of *Canton de Broughton*, that line crossing the abandoned railway right-of-way (*Lot 29* of the cadastre of *Canton de Thetford*) that it meets; in reference to the cadastre of *Canton de Broughton*, northeasterly, the northwest line of *Lot 17A* of *Rang 11* to the dividing line between ranges 11 and 10, that line crossing *Rue Principale* that it meets; southeasterly, part of the dividing line between the said ranges to the apex of the east angle of *Lot 24D* of *Rang 11*, that line crossing *Chemin de l'Ancienne Route* that it meets; southwesterly, part of the southeast line of the said lot to the northeast limit of the *Chemin de la Grande-Ligne* right-of-way; in a general southeasterly direction, part of the northeast limit of the said road right-of-way to the southeast line of *Lot 26B* of *Rang 11*; southwesterly, part of the said southeast line to the apex of the south angle of the said lot, that line crossing *Chemin de la Grande-Ligne* that it meets; southeasterly, part of the dividing line between the cadastres of the townships of *Thetford* and *Adstock* and the cadastres of *Canton de Broughton* and *Paroisse de Saint-Éphrem-de-Tring* to the apex of the west angle of *Lot 537* of the cadastre of the said parish; in reference to that cadastre, northeasterly, the northwest line of the said lot; southeasterly, the northeast line of lots 537, 536, 535, 534, 533, 532, 531, 530, 529A and 529; southwesterly, the southwest line of *Lot 529*; southeasterly, part of the dividing line between the cadastres of *Canton d'Adstock* and *Paroisse de Saint-Éphrem-de-Tring* to the apex of the east angle of *Lot 4* of *Rang 13* of the cadastre of *Canton d'Adstock*; in reference to that cadastre, southwesterly, the southeast line of *Lot 4* in ranges 13 and 12, that line extended across *Route 269* that it meets; southeasterly, part of the dividing line between ranges 11 and 12 to the dividing line between the cadastres of the townships of *Adstock* and *Forsyth*; southwesterly, part of the dividing line between the cadastres of the said townships to the dividing line between ranges 10 and 9 of the cadastre of *Canton d'Adstock*; in reference to that cadastre, northwesterly, part of the dividing line between the said ranges to the centre line of a public road (*Route des Hamann*) situated between lots 10 and 11A of *Rang 9*; southwesterly, successively, the centre line of the said road, the southeast line of *Lot 11A* of *Rang 8* then the southeast line of *Lot 11* in ranges 7, 6, 5 and 4; southeasterly, part of the

dividing line between ranges 3 and 4 to the apex of the east angle of Lot 11 of Rang 3; southwesterly, the south-east line of the said lot; successively northwesterly and southwesterly, part of the dividing line between the cadastres of the townships of Adstock and Lambton then its extension to the centre line of Lac Saint-François; in a general northwesterly direction, the centre line of the said lake to its meeting with a straight southerly line that starts at the extremity of the centre line of Rivière de l'Or at its mouth in Lac Saint-François; in a general northerly direction, the said straight line and the centre line of the said river to the dividing line between the cadastres of the townships of Thetford and Adstock, the said centre line also being the dividing line between the cadastres of the townships of Adstock and Coleraine; northeasterly, part of the dividing line between the cadastres of the townships of Adstock and Thetford to the apex of the south angle of Lot 20B of Rang 11 of the cadastre of Canton de Thetford; in reference to that cadastre, northwesterly, successively, the southwest line of Lot 20B of Rang 11, the extension of that line in Lac à la Truite, the southwest line of Lot 20A of the said range then the line bounding on the southwest lots 20 of Rang 10, 20B of Rang 9, 20C of Rang 8 and 20D of Rang 7 to the dividing line between ranges 7 and 6; lastly, northeasterly, part of the dividing line between the said ranges to the starting point.

The said limits define the territory of the new Municipalité d'Adstock, in Municipalité régionale de comté de L'Amiante.

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

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