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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-THIRD LEGISLATURE

Draft Bill

## **An Act respecting municipal territorial organization**

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### **Introduction**

**Introduced by  
Mr André Bourbeau  
Minister of Municipal Affairs**



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## EXPLANATORY NOTES

*This draft bill introduces the second part of the revision of the municipal legislation. All the provisions of existing municipal laws relating to the organization of a local municipality are either reformulated or adjusted.*

*The rules governing the constitution of a municipality or the annexation or merger of territory are unified, updated or simplified.*

*In the future the Government will have the power to authorize the erection of a local municipality in any unorganized territory having a population of 300 inhabitants or more. Applications for the constitution of a local municipality will require the signatures of a majority of the persons qualified to be entered on the referendum list of the unorganized territory.*

*Specific rules to facilitate the first activities of a new municipality and to terminate the administration of a territory by a county regional municipality or by the Kativik Regional Government are proposed.*

*A single procedure for the annexation of the territory of a local municipality or of an unorganized territory by another local municipality is introduced. The annexing municipality will be required to forward an annexation by-law to the municipality which includes the territory it wishes to annex and the qualified voters of that territory will be consulted by referendum or by petition.*

*A mechanism to facilitate the transfer of jurisdiction over the annexed territory is introduced and, when the Minister of Municipal Affairs signifies his intention to authorize the requested annexation, the municipalities concerned will be invited to negotiate a settlement for the apportionment of the assets and liabilities of the territory to be annexed.*

*The existing provisions concerning the merger or grouping of territory in local municipalities are unchanged except for minor amendments and merger by mutual agreement will remain the rule and will result from the joint decision of the municipal councils concerned.*

*Finally, a new procedure will enable the Minister of Municipal Affairs to rectify the territorial boundaries of a municipality where the description is unclear or inaccurate or where a municipality has acted in a territory other than its own.*

*The Minister will also have the power to refuse to change the territorial boundaries of a municipality and to determine circumstances in which the administration of a territory by a municipality that has acted without right is terminated.*

#### ACTS AMENDED BY THIS DRAFT BILL

- (1) The Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- (2) the Cultural Property Act (R.S.Q., chapter B-4);
- (3) the Cities and Towns Act (R.S.Q., chapter C-19);
- (4) the Municipal Code of Québec (R.S.Q., chapter C-27.1);
- (5) the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1);
- (6) the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- (7) the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- (8) the Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- (9) the Act to authorize municipalities to collect duties on transfers of immovables (R.S.Q., chapter M-39);
- (10) the Police Act (R.S.Q., chapter P-13);
- (11) the Act respecting the town of Shefferville (1986, chapter 51);
- (12) the Act respecting elections and referendums in municipalities (1987, chapter *insert here the chapter number of Bill 100*).

#### ACTS REPEALED BY THIS DRAFT BILL

- (1) The Act respecting municipal organization of certain territories (R.S.Q., chapter O-8);
- (2) the Act to promote the regrouping of municipalities (R.S.Q., chapter R-19);

- (3) the Mining Villages Act (R.S.Q., chapter V-6);
- (4) the Mining Towns Act (R.S.Q., chapter V-7);
- (5) the Act respecting the formation of municipalities in the territory of the county of Abitibi and Témiscamingue, situate to the north of the 48<sup>th</sup> parallel of latitude (R.S.Q., 1925, chapter 104).

## Draft bill

### **An Act respecting municipal territorial organization**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### TITLE I

##### DIVISION OF THE TERRITORY OF QUÉBEC FOR MUNICIPAL PURPOSES

**1.** The territory of Québec divided for municipal purposes comprises the territory of regional county municipalities, of urban and regional communities and of the Kativik Regional Government.

It also comprises the territory of the municipality of the North Shore of the Gulf of St. Lawrence, of Cree village municipalities, of the municipality of Baie James and that of the enclosed cities or towns.

**2.** The municipalities of Québec include regional county municipalities and local municipalities.

**3.** A municipality that is not a regional county municipality is a local municipality.

**4.** The territory of a regional county municipality, of an urban or regional community and of the Kativik Regional Government consists of the combined territories of several local municipalities.

The territory of a regional county municipality and of the Kativik Regional Government may also include a territory that is not that of a local municipality.

Notwithstanding the foregoing, the territory of a regional county municipality may consist solely of the territory of one local municipality.

**5.** The description of the territory of a regional county municipality is made in accordance with the Act respecting land use planning and development (R.S.Q., chapter A-19.1) and that of the territory of a local municipality is made in accordance with this Act.

Notwithstanding the first paragraph, the description of the territory of a regional county municipality consisting of the territory of a local municipality is made by way of separate legislation.

**6.** The description of the territory of an urban or regional community, of the Kativik Regional Government, of the municipality of Baie James, of the municipality of the North Shore of the Gulf of St. Lawrence and of a Cree village municipality is made by way of separate legislation.

**7.** Any part of the territory of Québec not included in that of a local municipality is an unorganized territory.

**8.** A regional county municipality which includes an unorganized territory is deemed, unless the context indicates otherwise, to be, in respect of that territory, a local municipality governed by the Municipal Code of Québec (R.S.Q., chapter C-27.1).

In that case, the council of the regional county municipality shall act as the council of a local municipality and only the representatives of the local municipalities governed by the Municipal Code of Québec may take part in the council's deliberations and votes. Notwithstanding the foregoing, all council members may take part in the deliberations and votes where the council includes no representative of a local municipality governed by that code.

**9.** The regional county municipality may pass by-laws, resolutions or ordinances which may vary in respect of parts of the unorganized territory that are not contiguous.

**10.** The council of the regional county municipality may establish a local committee of elected members in the unorganized territory. Where that is the case, it determines the number of members, their terms of office, the rules governing their election and the rules governing the functioning of the committee.

Every natural person who would be qualified to vote at a referendum if the date of reference, within the meaning of the Act respecting

elections and referendums in municipalities (1987, chapter *insert here the chapter number of Bill 100 of 1987*), were that of the poll is qualified to hold office as member of the local committee or qualified to vote to elect its members.

**11.** The council of the regional county municipality may confer on the local committee the powers to conduct studies and make recommendations.

## TITLE II

### LOCAL MUNICIPALITIES

#### CHAPTER I

##### SCOPE

**12.** This Title applies to the whole territory of Québec with the exception of the territory of a Northern, Cree or Naskapi village municipality.

#### CHAPTER II

##### JURIDICAL PERSONALITY AND POPULATION

**13.** A local municipality is a legal person of public right and it includes the inhabitants and ratepayers of its territory.

**14.** The name of a local municipality consists of the word “municipality” followed by a place-name.

Where a municipality is predominantly urban, its name may include the word “city” or “town” instead of the word “municipality”.

**15.** The name of a new local municipality is given by the Government by way of an order.

The Government may give the municipality a name that has not been approved by the Commission de toponymie. The name is deemed to be officialized pursuant to the Charter of the French language (R.S.Q., chapter C-11).

**16.** The Minister of Municipal Affairs may, at the request of a local municipality, change the name of the municipality by way of an order.

**17.** As soon as practicable after the passage of the resolution authorizing the presentation of an application for a change of name, the clerk or secretary-treasurer of the municipality shall forward a certified true copy of the resolution to the Commission de toponymie to enable it to state its opinion on the proposed name.

Within 60 days of receiving copy of the resolution, the Commission must inform the municipality in writing of its opinion, failing which it is presumed to be favourable.

The clerk or secretary-treasurer shall draw up a certificate attesting the Commission's failure to state its opinion, where that is the case.

**18.** The clerk or secretary-treasurer of the municipality shall forward the application for a change of name to the Minister of Municipal Affairs accompanied with

(1) a certified true copy of the resolution authorizing the presentation of the application for the change of name;

(2) an attestation of the date of transmission of a copy of the resolution to the Commission de toponymie;

(3) the opinion of the Commission de toponymie or the certificate of the clerk or secretary-treasurer attesting the Commission's failure to state its opinion.

**19.** The clerk or secretary-treasurer of the municipality shall publish, in a newspaper circulated in the territory of the municipality, a notice containing

(1) the resolution of the council;

(2) the change of name proposal submitted to the Minister;

(3) a statement to the effect that any person has the right to inform the Minister in writing of his opposition to the application for a change of name within 30 days of publication of the notice;

(4) the address of the place where writings expressing opposition must be sent.

He shall forward a certified true copy of the notice to the Minister as soon as practicable after its publication, accompanied with an attestation of the date of publication.



**20.** Any person may, within 30 days of publication of the notice, inform the Minister in writing of his opposition to the application for a change of name.

**21.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the application for a change of name.

After the hearing, the Commission shall send a report to the Minister who shall forward a certified true copy thereof to the council of the municipality.

**22.** The Minister may, following the report submitted by the Commission, or on its own initiative, order the consultation of the qualified voters of the municipality. The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. All expenses incurred for or by reason of the consultation shall be borne by the municipality.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by a person designated by the latter.

The statement of the final results of the poll must be transmitted to the Minister as soon as practicable.

**23.** The Minister may approve the application for a change of name even if the name has not been approved by the Commission de toponymie.

The name is deemed to be officialized pursuant to the Charter of the French language.

**24.** The Minister may, on the recommendation of the Commission de toponymie, correct the spelling of the name of a local municipality by way of an order.

Not later than 30 days before the date of the coming into force of his decision, the Minister shall notify in writing the municipality of his intention to correct the spelling of its name.

**25.** The Minister shall publish a notice of his decision in the *Gazette officielle du Québec*.

Every change of name or correction of the spelling of the name of a municipality comes into force on the date of publication of the notice.

**26.** As soon as practicable after publication of the notice, the clerk or secretary-treasurer shall give public notice of the change of name or correction of the spelling of the name of the municipality.

**27.** The population of a local municipality is the number of inhabitants in its territory according to the most recent census carried out for the whole territory of Québec or for the territory of the municipality and recognized as valid by government order.

The order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

**28.** In the case of the constitution of a local municipality, its population and, where such is the case, the population of the unorganized territory affected by the constitution shall be established by the Minister of Municipal Affairs. The Minister shall inform the local municipality and, as the case may be, the regional county municipality of the figure he has established.

In the case of a merger or total annexation, the population of the municipality resulting from the merger or of the annexing municipality is the combined population of the municipalities affected by the merger or annexation.

In the case of the annexation of part of the territory of a municipality or the annexation of an unorganized territory, the population of the municipality or of the unorganized territory affected by the annexation is established by the Minister of Municipal Affairs. The Minister shall communicate the figure he has established to each local municipality and, as the case may be, to the regional county municipality.

The population figure established pursuant to the first, second or third paragraph is valid until it is replaced by the population figure established pursuant to section 27 on the basis of a census which takes into account any constitution, merger or annexation.

**29.** Subject to any contrary legislative provision, a local municipality has jurisdiction over its territory.

## CHAPTER III

### CONSTITUTION

**30.** A local municipality is constituted on the date of coming into force of the order establishing the boundaries of its territory.

**31.** A majority of the interested persons in an unorganized territory may, by signing an application drawn up for that purpose, apply to the Government for the constitution of a local municipality.

The Government may exercise such power in respect of any unorganized territory having a population of 300 inhabitants or over on the day of receipt by the Minister of Municipal Affairs of an application for constitution.

The Government may, in special circumstances, exercise such power in respect of an unorganized territory having less than 300 inhabitants.

**32.** The Government shall not constitute a local municipality if part of the unorganized territory is situated within the territory of the Kativik Regional Government.

The Government shall not constitute a local municipality if the unorganized territories form part of the territory of more than one regional county municipality, unless they are contiguous.

**33.** An application for constitution must contain the following information:

- (1) the population figure of the future municipality;
- (2) the name of the future municipality;
- (3) the technical description of the territory;
- (4) whether the municipality will be governed by the Municipal Code of Québec or by the Cities and Towns Act (R.S.Q., chapter C-19);
- (5) the name of the person designated by the applicants to be their representative in charge of transmitting and receiving documents under this chapter and, as the case may be, of negotiating a settlement;
- (6) the name of the person who will act as clerk or secretary-treasurer of the future municipality until the council appoints a person to hold that office;
- (7) the name of the regional county municipality in the territory of which the unorganized territory affected by an application for constitution is situated or, as the case may be, the name of the Kativik Regional Government.

**34.** For the purposes of this chapter, an interested person is a person who would be a qualified voter entitled to have his name entered on the referendum list of the territory referred to in the application if the date of reference, within the meaning of the Act respecting elections and referendums in municipalities, were the date of receipt of a copy of the application by the secretary-treasurer of the regional county municipality or, as the case may be, by the secretary of the Kativik Regional Government.

The provisions of the said Act which pertain to the manner in which legal persons are to exercise their rights and to the method of counting qualified voters entitled to have their names entered on the referendum list and applications for the holding of a referendum poll apply, adapted as required, to the application.

**35.** Every interested person shall enter his name, address and capacity on the application and affix his signature opposite those entries.

The address of the interested person shall be, according to the capacity entitling him to have his name entered on the referendum list of the territory, the address of the immovable where he is domiciled, of the immovable of which he is the owner or of the place of business of which he is the occupant. The address of the immovable shall include the apartment or room number, if any. If the immovable has no number, the cadastral number shall be used.

**36.** The power of attorney designating which of the undivided co-owners of an immovable or of the co-occupants of a place of business is entitled to have his name entered on the referendum list of the territory as the owner of the immovable or the occupant of the place of business must be transmitted at the same time as the copy of the application is sent to the secretary-treasurer of the regional county municipality or, as the case may be, to the secretary of the Kativik Regional Government.

It remains valid for the purposes of elections and referendums that will be held in the future municipality, until it is replaced.

**37.** The resolution designating the representative of a legal person entitled to be entered on the referendum list of the territory must be transmitted at the same time as the copy of the application is sent to the secretary-treasurer of the regional county municipality or, as the case may be, to the secretary of the Kativik Regional Government.

It remains valid for the purposes of elections and referendums that will be held in the future municipality, until it is replaced.

**38.** The representative of the applicants shall transmit a copy of the application to the secretary-treasurer of the regional county municipality in the territory of which the territory referred to in the application is situated or, if the territory is situated in that of the Kativik Regional Government, to the secretary of the latter.

The copy of the application must be accompanied with a copy of the technical description of the territory of the future municipality and a copy of the plan on tracing cloth prepared by a land surveyor.

**39.** The representative shall also forward a copy of the application to the Commission de toponymie to enable it to state its opinion on the proposed name.

Within 60 days of receiving copy of the application, the Commission must inform the representative in writing of its opinion, failing which it is deemed to be favourable.

The representative shall draw up a certificate attesting the Commission's failure to state its opinion on the proposed name, where that is the case.

**40.** As soon as practicable after receiving copy of the application, the secretary-treasurer of the regional county municipality or the secretary of the Kativik Regional Government, as the case may be, shall draw up a certificate attesting that the signatories of the application constitute a majority of the interested persons.

He shall transmit a certified true copy of the certificate to the representative.

Where the territory forms part of more than one regional county municipality a common certificate is drawn up.

**41.** The secretary-treasurer of the regional county municipality or the secretary of the Kativik Regional Government shall draw up a certificate stating the population figure of the territory referred to in the application.

He shall transmit a certified true copy of the certificate to the representative.

Where the territory forms part of more than one regional county municipality, a common certificate is drawn up.

**42.** Within three months of receiving copy of the application, the regional county municipality or the Kativik Regional Government must state its opinion on the application for constitution.

The secretary-treasurer of the regional county municipality or the secretary of the Kativik Regional Government shall transmit a certified true copy of the council's resolution to the representative.

The representative shall draw up a certificate attesting the failure of the regional county municipality or the Kativik Regional Government to state its opinion, where that is the case.

**43.** The representative shall transmit the application to the Minister of Municipal Affairs together with

(1) the original of the technical description of the territory of the future municipality and of the plan on tracing cloth prepared by a land surveyor;

(2) a copy of the certificate of the secretary-treasurer of the regional county municipality or of the secretary of the Kativik Regional Government attesting that the application bears the signature of a majority of the interested persons;

(3) a copy of the certificate of the secretary-treasurer of the regional county municipality or of the secretary of the Kativik Regional Government stating the population figure of the territory referred to in the application;

(4) a copy of the opinion of the regional county municipality or of the Kativik Regional Government or the certificate of the representative attesting its failure to state its opinion;

(5) a copy of the opinion of the Commission de toponymie or the certificate of the representative attesting its failure to state its opinion.

**44.** Where the Minister is of opinion that the application requires an amendment, he shall transmit a written notice setting forth the amendment he intends to make to the application.

Within 30 days of receiving the notice, the interested persons of the territory referred to in the application must state their opinion on the amendment proposal.

The amendment proposal is deemed approved by the interested persons of the territory if a majority of those persons are in favour of the proposal.

**45.** The representative shall transmit a copy of the decision made by the interested persons to the secretary-treasurer of the regional county municipality or to the secretary of the Kativik Regional Government.

As soon as practicable after receiving copy of the decision, the secretary-treasurer of the regional county municipality or the secretary of the Kativik Regional Government shall draw up a certificate attesting that the decision was made by a majority of the interested persons of the territory referred to in the application, where that is the case.

Where the territory forms part of the territory of more than one regional county municipality, a common certificate is drawn up.

The representative shall transmit a copy of the decision of the interested persons and, as the case may be, of the certificate, to the Minister.

**46.** At the request of the Minister, the representative shall transmit a copy of the latter's opinion to the regional county municipality or to the Kativik Regional Government.

Within 60 days of receiving copy of the opinion, the regional county municipality or the Kativik Regional Government may inform the Minister in writing of its opposition to the amendment proposal.

**47.** As soon as practicable after the Minister so requires, the representative shall publish, in a newspaper circulated in the territory referred to in the application, a notice containing

- (1) a summary of the object of the application;
- (2) the amendment proposal submitted by the Minister;
- (3) the decision of the interested persons of the territory referred to in the application;
- (4) a statement to the effect that any interested person has the right to inform the Minister in writing of his opposition to the amendment proposal within 30 days of publication of the notice;
- (5) the address of the place to which statements of opposition must be sent.

The representative shall transmit a certified true copy of the notice to the Minister as soon as practicable after its publication, with an attestation of the date of publication.

**48.** Any interested person of the territory may, within 30 days of publication of the notice, inform the Minister in writing of his opposition to the amendment proposal.

**49.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the amendment proposal.

After the hearing, the Commission shall transmit a report to the Minister who shall forward a certified true copy thereof to the representative.

**50.** The Minister may, following the report submitted by the Commission or on his own initiative, order the consultation of the qualified voters of the territory referred to in the application.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies to the extent that it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by the person designated by the latter.

The question appearing on the ballot paper shall be as follows: "Do you approve of the amendment proposal submitted by the Minister of Municipal Affairs?"

The statement of the final results of the poll must be transmitted to the Minister as soon as practicable.

The Minister shall determine who pays the expenses incurred for or by reason of the consultation.

**51.** The Minister shall notify the representative and the regional county municipality or the Kativik Regional Government of his intention to recommend to the Government that the application be granted with or without amendment.

The notice indicates the time limit allowed for the presentation of a proposal for the negotiation of a settlement on the apportionment of the assets and liabilities relating to the territory referred to in the application.

**52.** Where the Minister receives, within the time prescribed, copy of the decision of the representative or of the resolution of the regional county municipality or, as the case may be, the Kativik Regional Government, proposing the negotiation of a settlement, he shall appoint a conciliator.



The Minister shall transmit to the representative and to the regional county municipality or the Kativik Regional Government a written notice stating the name of the person designated and the time granted for reaching a settlement.

**53.** At the expiry of the time granted, the conciliator shall transmit to the Minister a copy of the settlement or, if there is no settlement, a report of the situation.

The Minister may, following the report submitted by the conciliator, impose a settlement.

**54.** The Minister may approve the negotiated settlement with or without amendment.

Sections 44 to 50, adapted as required, apply to the settlement.

Notwithstanding the foregoing, the Minister is required to make the request referred to in section 46.

**55.** The settlement binds the future municipality and the regional county municipality or, as the case may be the Kativik Regional Government.

**56.** The Government may, by way of an order, constitute the local municipality as proposed in the application.

**57.** The order must contain

- (1) the name of the municipality;
- (2) the technical description of its territory;
- (3) a statement to the effect that the municipality is governed by the Municipal Code of Québec or by the Cities and Towns Act;
- (4) the date of the first regular election and the calendar year in which the second regular election will be held;
- (5) the name of the person acting as clerk or secretary-treasurer of the municipality until the council appoints a person to hold that office;
- (6) the date, time and place of the first sitting of the council;
- (7) the regional county municipality the territory of which includes that of the municipality or, as the case may be, the Kativik Regional Government.

**58.** The technical description of the territory and the plan on tracing cloth must be approved by the Minister of Energy and Resources before the order is made by the Government.

The technical description approved by the Minister of Energy and Resources is deemed to replace the description that accompanied the application.

**59.** The order comes into force on 1 January following its publication in the *Gazette officielle du Québec*.

**60.** The conditions of the constitution set forth in the settlement may, for a period of not more than five years, establish a rule of law or make exception to any legislative provision under the administration of the Minister of Municipal Affairs or to any special legislation governing a local municipality or any instrument under such legislation.

**61.** As soon as practicable after publication of the order, the secretary-treasurer of the regional county municipality or the secretary of the Kativik Regional Government, as the case may be, shall give public notice of the publication in the territory of the municipality in accordance with the legislation that governs the new municipality.

He shall transmit free of charge all the documents concerning the former unorganized territory to the clerk or secretary-treasurer of the municipality.

**62.** The new municipality shall succeed to the rights and obligations of the regional county municipality or the Kativik Regional Government which concern the territory described in the order.

The municipality becomes, without continuance of suit, party to any proceeding in place of the regional county municipality or the Kativik Regional Government in respect of its territory.

**63.** All by-laws, resolutions or ordinances passed by the regional county municipality or by the Kativik Regional Government in respect of the territory of the new municipality remain in force in the territory of the new municipality, except where they are inconsistent with the settlement, until the date prescribed for the cessation of their effect, until their objects are fulfilled or until they are replaced or repealed.

They are deemed to be by-laws, resolutions or ordinances of the municipality.

Notwithstanding the foregoing, in the case of a loan by-law, the tax imposed by the by-law shall be levied by the municipality and remitted by the latter to the regional county municipality.

**64.** Every act made by the regional county municipality or by the Kativik Regional Government shall retain its effects in respect of the territory of the new municipality.

Every such act is deemed to be an act of the municipality.

**65.** The first election shall be held as a regular election.

For the purposes of determining whether a person is qualified as an elector or a candidate at an election in the territory of the municipality, any period, prior to the constitution, during which the person was domiciled in the territory described in the order or was the owner of an immovable or the occupant of a place of business situated in the territory is counted as if he had been domiciled or an owner or occupant in the territory of the municipality from the beginning of such period.

**66.** The regional county municipality shall administer, in accordance with section 8, the affairs of the municipality until a majority of the council members elected during the first election make their oath of office.

The first paragraph applies subject to the jurisdiction of the clerk or secretary-treasurer of the municipality.

**67.** The council shall, within 60 days from the day a majority of the members elected at the first election take office, adopt the budget of the municipality for the first fiscal year.

The clerk or secretary-treasurer of the municipality shall transmit the budget to the Minister of Municipal Affairs within 30 days of its adoption by the council.

The Minister may grant an extension on sufficient proof that the council cannot adopt or transmit its budget within the prescribed time. Where the Minister grants an extension for transmission of the budget, permission to send notices of assessment and tax accounts within an equivalent period calculated from the expiry of the time limit prescribed in section 68 is presumed.

**68.** Within 60 days after the adoption of the budget for the first fiscal year, the clerk or secretary-treasurer of the municipality shall mail to each person in whose name an assessment unit is entered on

the roll a notice of assessment and a municipal real estate tax account consistent with the regulations made under paragraph 2 of section 263 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1).

The clerk or secretary-treasurer shall also, within the same time limit and in the same manner, send to the Minister of Municipal Affairs the notice of assessment in respect of any immovable referred to in section 255 of the said Act.

Any information required on the notice of assessment may appear on the tax account and, in that case, the tax account is in lieu of the notice of assessment.

The Minister may, on sufficient proof that the notice of assessment or the municipal real estate tax account cannot be sent within the prescribed time, allow it to be sent before such later date as he may fix.

## CHAPTER IV

### MERGER

**69.** Municipalities wishing to merge their contiguous territories may, by way of a joint application to that effect, request the Government to constitute a new local municipality.

The Government shall not exercise that power in respect of a territory forming part of the territory of the Kativik Regional Government and another territory situated outside that territory.

**70.** The council of each of the municipalities wishing to merge their territories may, by the affirmative vote of the absolute majority of its members, pass a by-law authorizing the filing of a joint application with the Government.

The by-law cannot be repealed after the publication of the joint application referred to in section 75.

**71.** The joint application shall contain

- (1) the name of the future municipality;
- (2) the technical description of its territory;

(3) a statement to the effect that the municipality will be governed, as the case may be, by the Municipal Code of Québec, the Cities and Towns Act or by the Charter of the city of Montréal or the Charter of the City of Québec, if either of the two cities is a party to the application for merger;

(4) the special legislative provisions governing each municipality before the merger which will apply to the future municipality, where that is the case;

(5) the composition of the provisional council which will be empowered to administer the municipality until a majority of the members elected at the first regular election take office;

(6) the date, time and place of the first sitting of the provisional council;

(7) the name of the person who will act as the clerk or secretary-treasurer of the municipality until the end of the first sitting of the provisional council;

(8) the division of the territory of the municipality into electoral districts or the manner in which the division will be made;

(9) the date of the first regular election and the calendar year in which the second regular election will be held;

(10) the regional or urban community or the regional county municipality which includes the territories of the applying municipalities or, as the case may be, the Kativik Regional Government.

The joint application may set forth any condition applicable to the merger.

**72.** As soon as practicable after the coming into force of all the by-laws authorizing the filing of a joint application, the clerk or secretary-treasurer of the applying municipality having the largest population shall transmit a certified true copy of the joint application to the secretary-treasurer of the regional county municipality which includes the territories of the applying municipalities or, where the territories are included in that of a community or of the Kativik Regional Government, to the secretary of that community or Government.

The copy of the application must be accompanied with a copy of the technical description of the territory of the future municipality and of the plan on tracing cloth prepared by a land surveyor.

**73.** Within three months of receiving copy of the joint application, the regional county municipality, the community or the Kativik Regional Government, as the case may be, must state its opinion on the application for merger.

The secretary-treasurer of the regional county municipality or the secretary of the community or Kativik Regional Government shall transmit a certified true copy of the resolution to the clerk or secretary-treasurer of the applying municipality having the largest population.

The clerk or secretary-treasurer shall draw up a certificate attesting the failure of the regional county municipality, the community or the Kativik Regional Government to state its opinion, where that is the case.

**74.** The clerk or secretary-treasurer of the applying municipality having the largest population shall transmit a certified true copy of the joint application to the Commission de toponymie to enable it to state its opinion on the proposed name.

Within 60 days of receiving copy of the joint application, the Commission shall forward its opinion in writing to the clerk or secretary-treasurer, failing which it is presumed to be favourable.

The clerk or secretary-treasurer shall draw up a certificate attesting the Commission's failure to state its opinion, where that is the case.

**75.** The clerk or secretary-treasurer of the applying municipality having the largest population shall publish the text of the joint application in a newspaper circulated in the territory of the applying municipalities with a notice stating that any interested person has the right to inform the Commission municipale du Québec in writing of his opposition to the merger within 30 days of the publication.

**76.** Within 30 days of publication of the notice, any interested person may inform the Commission municipale du Québec in writing of his opposition to the merger.

**77.** For the purposes of this chapter, an interested person is a person who would be a qualified voter entitled to have his name entered on the referendum list of the applying municipality, if the date of reference, within the meaning of the Act respecting elections and referendums in municipalities, were the date of passage of the by-law authorizing the application by the applying municipality having the largest population.

The provisions of the said Act which pertain to the manner in which legal persons are to exercise their rights and to the method of counting qualified voters entitled to have their names entered on the referendum list and applications for the holding of a referendum poll apply, adapted as required, in the case of opposition.

**78.** No regular election or by-election may be held in an applying municipality within six months of publication of the joint application.

The Minister of Municipal Affairs shall fix the date of any election scheduled to be held during the six months following publication of the joint application.

At the request of the applying municipality, the Minister may fix for the said election a date other than the date fixed under the second paragraph.

**79.** As soon as practicable after publication of the joint application, the clerk or secretary-treasurer of the applying municipality having the largest population shall transmit a certified true copy of the joint application to the Minister of Municipal Affairs and to the Commission municipale du Québec, accompanied with

(1) the original of the technical description of the territory of the future municipality and of the plan on tracing cloth prepared by a land surveyor for the Minister and a copy of those documents for the Commission;

(2) a copy of each notice of motion;

(3) a certified true copy of each by-law authorizing the filing of a joint application;

(4) a certified true copy of the public notice in which the by-law is published and, where it is not included in the notice, of the certificate of publication of the notice;

(5) a copy of the opinion of the regional county municipality, of the community or of the Kativik Regional Government, as the case may be, or the certificate of the clerk or secretary-treasurer attesting the failure of the regional county municipality to state its opinion;

(6) a copy of the opinion of the Commission de toponymie or the certificate of the clerk or secretary-treasurer attesting the failure of the Commission to state its opinion;

(7) proof of the publication of the joint application and notice.

**80.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the application for merger.

The Commission shall also hold hearings where the number of objections received within the prescribed time is equal to or greater than

(1) one-third of the total number of interested persons, where the number is less than 60;

(2) 20, where the total number of interested persons is 60 or over but not over 200;

(3) one-tenth of the total number of interested persons, where the number is over 200 but not over 3 000;

(4) 300, where the total number of interested persons is over 3 000.

If the result of the computation under the second paragraph includes a fraction, the fraction is counted as a unit.

As soon as practicable after the hearing, the Commission shall transmit a report to the Minister who shall transmit a certified true copy thereof to each applying municipality.

**81.** The Minister may, following the report submitted by the Commission or on his own initiative, order the consultation of the qualified voters of the applying municipalities.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies to the extent that it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by the person designated by the latter.

The question appearing on the ballot paper shall be as follows: “Do you approve of the merger of the territories of the following municipalities: (*insert here the names of the applying municipalities*)?”.

The statement of the final results of the poll of each of the applying municipalities must be transmitted to the Minister as soon as practicable.

The expenses incurred for or by reason of the consultation shall be borne by the applying municipality having the largest population and shall be apportioned among the applying municipalities in proportion to their fiscal potential.

**82.** For the purposes of section 81, the expression “fiscal potential” means the total of the following assessments:

(1) the standardized taxable assessment of all the immovables;



(2) the standardized nontaxable assessment of all the immovables referred to in the first paragraph of section 255 of the Act respecting municipal taxation;

(3) the percentage of the standardized nontaxable assessment of all the immovables referred to in the second, third or fourth paragraph of section 255 of the said Act corresponding to the percentage stated in the said paragraph;

(4) the standardized nontaxable assessment of all farmland;

(5) any part of the standardized nontaxable assessment of all the immovables referred to in paragraph 1.1 of section 204 of the said Act in respect of which amounts in lieu of taxes must be paid; that part of the standardized assessment is that corresponding to the proportion represented by the amounts paid for the reference fiscal year in relation to the total amount of the municipal real estate taxes which could have been imposed for that fiscal year in respect of those immovables if they had not been tax-exempt; for the purposes of this subparagraph the reference fiscal year, in respect of an immovable, is the last municipal fiscal period for which the amounts in lieu of taxes in respect of the immovable are paid up;

(6) the standardized nontaxable assessment of all the immovables contemplated in the first paragraph of section 208 of the said Act;

(7) the assessment equivalent to the capitalization, based on the standardized aggregate taxation rate of the municipality for the fiscal year preceding the fiscal year considered, of the revenues of the municipality derived from the application of section 222 of the said Act for the said preceding fiscal year and of its revenues derived from the application of the second paragraph of section 230 of the said Act for the year considered; for the purposes of this subparagraph, the standardized aggregate taxation rate is that which is computed in accordance with the regulation made under paragraph 7 of section 262 of the said Act on the basis of the data appearing in the budget of the preceding fiscal year.

For the purposes of this section, “standardized assessment” means the product obtained by multiplying the values entered on the assessment roll of a municipality by the factor established for the roll under the Act respecting municipal taxation.

**83.** Where the Minister is of opinion that the joint application requires an amendment, he shall transmit to each applying municipality a written notice containing the amendment he intends to make to the joint application.

Within 30 days of receiving the notice, the council of each applying municipality must state its opinion on the amendment proposal.

The clerk or secretary-treasurer of the applying municipality shall transmit a certified true copy of the resolution of the council to the Minister.

**84.** At the request of the Minister, the clerk or secretary treasurer of the applying municipality having the largest population shall transmit a copy of the Minister's notice and of the resolutions of the applying municipalities to the regional county municipality, the community or the Kativik Regional Government.

Within 60 days of receiving copy of the notice and resolutions, the regional county municipality, the community or the Kativik Regional Government may inform the Minister in writing of its opposition to the amendment proposal.

**85.** As soon as practicable after being so required by the Minister, the clerk or secretary-treasurer of each of the applying municipalities shall give a public notice containing

- (1) the amendment proposal submitted by the Minister;
- (2) the decision of the council of the municipality;
- (3) a statement to the effect that any interested person has the right to inform the Minister in writing of his opposition to the amendment proposal within 30 days of publication of the notice;
- (4) the address of the place to which statements of opposition must be sent.

The clerk or secretary-treasurer shall transmit a certified true copy of the notice to the Minister as soon as practicable after its publication with an attestation of the date of publication.

**86.** Any interested person may, within 30 days of publication of the notice, inform the Minister in writing of his opposition to the amendment proposal.

**87.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the amendment proposal.

After the hearing, the Commission shall transmit a report to the Minister who shall forward a certified true copy thereof to the clerk or secretary-treasurer of the applying municipality having the largest population.

**88.** The Minister may, following the report submitted by the Commission or on his own initiative, order the consultation of the qualified voters of the applying municipalities.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies where it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by the person designated by the latter.

The question appearing on the ballot paper shall be as follows: "Do you approve of the amendment proposal submitted by the Minister of Municipal Affairs?"

The statement of the final results of the poll of each applying municipality must be transmitted to the Minister as soon as practicable.

The Minister shall determine who pays the expenses incurred for or by reason of the consultation.

**89.** The Minister shall notify the applying municipality having the largest population and, as the case may be, the regional county municipality, the community or the Kativik Regional Government of his intention to recommend to the Government that the application be granted with or without amendment.

**90.** The Government may constitute the local municipality by way of an order reproducing the text of the joint application with or without amendment.

Where the territory of the municipality forms part of that of more than one regional county municipality or of the territory of a community and of a regional county municipality, the order shall specify which regional county municipality or community will include the territory of the municipality.

**91.** The technical description of the territory and the plan on tracing cloth must be approved by the Minister of Energy and Resources before the order is made by the Government.

The technical description approved by the Minister of Energy and Resources is deemed to replace the description that accompanied the joint application.

**92.** The order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein.

**93.** The conditions of the merger set forth in the joint application may, for a period of not more than five years, establish a rule of law or make exception to any legislative provision under the administration of the Minister of Municipal Affairs or to any special legislation governing a local municipality or any instrument under such legislation.

**94.** The applying municipalities cease to exist on the date of coming into force of the order and are replaced by the municipality.

**95.** The municipality shall succeed to the rights and obligations of the applying municipalities.

The municipality shall, without continuance of suit, become a party to any proceedings in place of the applying municipalities.

**96.** All by-laws, resolutions or ordinances passed by an applying municipality remain in force in the territory of the said municipality, except where they are inconsistent with the conditions of the merger contained in the order, until the date prescribed for the cessation of their effects, until their objects are fulfilled or until they are replaced or repealed.

They are deemed to be by-laws, resolutions or ordinances of the municipality.

**97.** Every act made by an applying municipality shall retain its effects in respect of its territory.

Every such act is deemed to be an act of the municipality.

**98.** For the purposes of determining whether a person is qualified as an elector or a candidate at an election in the territory of the municipality, any period, prior to the merger, during which the person was domiciled in the territory of an applying municipality or was the owner of an immovable or the occupant of a place of business situated in the territory is counted as if he had been domiciled or an owner or occupant in the territory of the municipality from the beginning of such period.

**99.** The council shall, within 60 days of the coming into force of the order, adopt the budget of the municipality for the first fiscal year.

The clerk or secretary-treasurer of the municipality shall transmit the budget to the Minister of Municipal Affairs within 30 days of its adoption by the council.

The Minister may grant an extension on sufficient proof that the council cannot adopt or transmit its budget within the prescribed time. Where the Minister grants an extension for transmission of the budget, permission to send notices of assessment and tax accounts within an equivalent period calculated from the expiry of the time limit prescribed in section 100 is presumed.

**100.** Within 60 days after the adoption of the budget for the first fiscal year, the clerk or secretary-treasurer of the municipality shall mail to each person in whose name an assessment unit is entered on the roll a notice of assessment and a municipal real estate tax account consistent with the regulations made under paragraph 2 of section 263 of the Act respecting municipal taxation.

The clerk or secretary-treasurer shall also, within the same time limit and in the same manner, send to the Minister of Municipal Affairs the notice of assessment in respect of any immovable referred to in section 255 of the said Act.

Any information required on the notice of assessment may appear on the tax account and, in that case, the tax account is in lieu of the notice of assessment.

The Minister may, on sufficient proof that the notice of assessment or the municipal real estate tax account cannot be sent within the prescribed time, allow it to be sent before such date as he may fix.

**101.** The values entered on the real estate assessment roll or on the roll of rental values in force in the territory of the applying municipalities shall be adjusted from the date of coming into force of the order.

The adjustment shall be made as follows: the values entered on a roll are divided by the median proportion of the roll and multiplied by that of the roll of the applying municipality having the largest population.

The first and second paragraphs do not apply to values entered on the real estate assessment roll or on the roll of rental values in force in the territory of the applying municipality having the largest population.

This section applies to the rolls of the fiscal year in which the order comes into force. It also applies to the rolls of the next fiscal year if no assessment roll or roll of rental values taking the merger into account is filed according to law in the office of the clerk or secretary-treasurer of the municipality.

**102.** The roll in force in the territory of the applying municipality having the largest population and the rolls amended in accordance with section 101 constitute the roll of the municipality for the relevant fiscal year.

The median proportion and the factor of that roll are those of the roll of the applying municipality having the largest population.

**103.** The officers and employees of the applying municipalities shall be transferred to the municipality without salary reduction and shall retain their seniority and social benefits.

No officer or employee may be dismissed by reason only of the merger.

**104.** The Government may, on the recommendation of the Minister of Municipal Affairs, fix an earlier polling date than the date fixed in the order.

## CHAPTER V

### ANNEXATION

**105.** The council of a local municipality, by the affirmative vote of the absolute majority of its members, may make by-laws to extend the limits of its territory by annexing thereto the whole or part of the contiguous territory of another local municipality or of any contiguous unorganized territory.

Notwithstanding the foregoing, the council of a municipality may not pass any annexation by-law that would cause its territory to be situated in part in the territory of the Kativik Regional Government and in part outside that territory.

**106.** The by-law must contain a technical description of the territory to be annexed and may set forth any condition applicable to the annexation.

**107.** The clerk or secretary-treasurer of the annexing municipality shall transmit a certified true copy of the by-law to the municipality which includes the territory to be annexed.

The clerk or secretary-treasurer shall also transmit a certified true copy of the by-law to the regional county municipality or regional or urban community which includes the territory to be annexed or, as the case may be, to the Kativik Regional Government.

The copy of the by-law must be accompanied with a plan on tracing cloth prepared by a land surveyor.

**108.** Within 30 days of receiving copy of the by-law, the council of the municipality which includes the territory to be annexed must state its opinion on the application for annexation.

The clerk or secretary-treasurer of the latter municipality shall transmit a certified true copy of the resolution of the council to the annexing municipality.

The clerk or secretary-treasurer of the annexing municipality shall draw up a certificate attesting the failure of the municipality which includes the territory to be annexed to state its opinion, where that is the case.

**109.** The clerk or secretary-treasurer of the municipality which includes the territory to be annexed shall draw up a certificate stating the population figure of the territory concerned and transmit it to the annexing municipality as soon as practicable.

**110.** If the council of the municipality which includes the territory to be annexed approves the by-law, the by-law must be submitted to the qualified voters of the territory for approval.

The Act respecting elections and referendums in municipalities applies for the purposes of the approval as if the by-law had been passed by the council of the municipality which includes the territory to be annexed.

The clerk or secretary-treasurer of the latter municipality shall transmit, as soon as practicable, to the annexing municipality a copy of the certificate stating the results of the registration procedure held to determine whether a referendum poll is necessary or a notice attesting that all the qualified voters entitled to have their names entered on the referendum list of the territory have waived the holding of the poll;

he shall also, if a poll is held, transmit to the annexing municipality, as soon as practicable, a copy of the statement of the final results of the poll.

Only the council of the annexing municipality may fix the date of the poll or withdraw the by-law and only the mayor of that municipality may give a voice vote to break a tie in the votes cast.

**111.** Where the council of the municipality which includes the territory to be annexed disapproves the by-law or fails to state its opinion in that respect, the council of the annexing municipality may consider the by-law to be approved as if it had been approved under section 110 if a petition signed by a majority of the interested persons of the territory to be annexed is transmitted to it within 45 days after the date of disapproval of the by-law or, as the case may be, the date of expiry of the time prescribed for stating an opinion in that respect.

The clerk or the secretary-treasurer of the annexing municipality shall, as soon as practicable, transmit a copy of the petition to the other municipality.

**112.** As soon as practicable after receiving copy of the petition, the clerk or secretary-treasurer of the municipality which includes the territory to be annexed shall draw up a certificate attesting that the signatories of the petition constitute a majority of the interested persons of the territory.

The clerk or secretary-treasurer shall transmit the certificate to the annexing municipality.

Where the territory of the proposed annexation forms part of the territory of more than one local municipality, a joint certificate is prepared.

**113.** For the purposes of this chapter, an interested person is a person who would be a qualified voter entitled to have his name entered on the referendum list of the territory of the proposed annexation, if the date of reference, within the meaning of the Act respecting elections and referendums in municipalities, were the date of disapproval of the by-law or the date of expiry of the time prescribed for stating an opinion in that respect or, in case of opposition to the amendment proposal submitted by the Minister, the date of publication of the notice prescribed in section 121.



The provisions of the said Act which pertain to the manner in which legal persons are to exercise their rights and the method of counting qualified voters entitled to have their names entered on the referendum list and applications for the holding of a referendum poll apply, adapted as required, to the petition and, as the case may be, to the application for a hearing by the Commission municipale du Québec under section 116.

**114.** Within three months of receiving copy of the by-law, the regional county municipality, the regional or urban community or the Kativik Regional Government, as the case may be, must state its opinion on the application for annexation.

The secretary-treasurer of the regional county municipality or the secretary of the community or of the Kativik Regional Government shall transmit a certified true copy of the resolution to the clerk or secretary-treasurer of the annexing municipality.

The clerk or the secretary-treasurer of the annexing municipality shall draw up a certificate attesting the failure of the regional county municipality, the community or the Kativik Regional Government to state its opinion, where that is the case.

**115.** The clerk or secretary-treasurer of the annexing municipality shall transmit a certified true copy of the by-law to the Minister of Municipal Affairs accompanied with

- (1) the original plan on tracing cloth prepared by a land surveyor;
- (2) a copy of the notice of motion;
- (3) a certified true copy of the public notice in which the by-law is published and, where it is not included in the notice, of the certificate of publication of the notice;
- (4) a certified true copy of the resolution of the council of the municipality which includes the territory to be annexed or the certificate attesting its failure to state its opinion;
- (5) a copy of the certificate attesting the population figure of the territory to be annexed;
- (6) a copy of the notice attesting that all the qualified voters have waived the holding of the referendum poll, where that is the case;
- (7) a copy of the certificate of the results of the registration procedure, if any;

(8) a copy of the statement of the final results of the poll, if any;

(9) the original of the petition signed by the interested persons of the territory to be annexed and a copy of the certificate attesting that the signatories of the petition constitute a majority of the interested persons of the territory, where that is the case;

(10) a copy of the opinion, if any, of the regional county municipality, the community or the Kativik Regional Government or the certificate attesting the failure to state it.

**116.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the application for annexation.

The Commission shall also hold such a hearing where the by-law is considered approved under section 108 and an application is filed to that effect with the Commission by at least

(1) one-third of the total number of interested persons, if that number is less than 60;

(2) 20, where the total number of interested persons is 60 or over but not over 200;

(3) one-tenth of the total number of interested persons, where the number is over 200 but not over 3 000;

(4) 300, where the total number of interested persons is over 3 000.

If the result of a computation under the second paragraph includes a fraction, the fraction is counted as a unit.

As soon as practicable after the hearing, the Commission shall transmit a report to the Minister who shall transmit a certified true copy thereof to the annexing municipality and to the municipality whose territory is to be annexed.

**117.** The Minister may, following the report submitted by the Commission or on his own initiative, order the consultation of the qualified voters of the territory to be annexed.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies to the extent that it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by the person designated by the latter.

The statement of the final results of the poll shall be transmitted to the Minister as soon as practicable.

All expenses incurred for or by reason of the consultation shall be borne by the annexing municipality.

**118.** Where the Minister is of opinion that the by-law requires an amendment, he shall transmit to the annexing municipality a written notice containing the amendment he intends to make to the by-law.

Within 30 days of receiving the notice, the council of the annexing municipality shall state its opinion on the amendment proposal.

The clerk or the secretary-treasurer of the annexing municipality shall transmit a certified true copy of the resolution of the council to the Minister.

**119.** At the request of the Minister, the clerk or the secretary-treasurer of the annexing municipality shall transmit a copy of the Minister's notice and of the resolution of the annexing municipality to the municipality which includes the territory to be annexed.

Within 30 days of receiving copy of the notice and resolution, the municipality which includes the territory to be annexed may notify the Minister in writing of its opposition to the amendment proposal.

**120.** At the request of the Minister, the clerk or secretary-treasurer of the annexing municipality shall also transmit a copy of the Minister's notice and of the resolution of the annexing municipality to the regional county municipality, the community or the Kativik Regional Government.

Within 60 days of receiving copy of the notice and resolution, the regional county municipality, the community or the Kativik Regional Government may inform the Minister in writing of its opposition to the amendment proposal.

**121.** As soon as practicable after the Minister so requires, the clerk or secretary-treasurer of the annexing municipality shall give to the interested persons of the territory to be annexed a public notice containing

- (1) the number, title, object and date of passage of the by-law;
- (2) the amendment proposal submitted by the Minister;
- (3) the decision of the council of the annexing municipality;
- (4) a statement to the effect that any interested person has the right to inform the Minister in writing of his opposition to the amendment proposal within 30 days of publication of the notice;
- (5) the address of the place to which statements of opposition must be sent.

The notice shall be given in accordance with the Act governing the municipality which includes the territory to be annexed.

The clerk or secretary-treasurer of the annexing municipality shall transmit a certified true copy of the notice to the Minister as soon as practicable after its publication with an attestation of the date of publication.

**122.** Any interested person may, within 30 days of publication of the notice, inform the Minister in writing of his opposition to the amendment proposal.

**123.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the amendment proposal.

After the hearing, the Commission shall send a report to the Minister who shall transmit a certified true copy thereof to the annexing municipality and to the municipality which includes the territory to be annexed.

**124.** The Minister may, following the report submitted by the Commission or on his own initiative, order the consultation of the qualified voters of the territory to be annexed.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies where it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by a person designated by the latter.

The question appearing on the ballot paper shall be as follows: "Do you approve of the amendment proposal submitted by the Minister of Municipal Affairs?"

The statement of the final results of the poll shall be transmitted to the Minister as soon as practicable.

The Minister shall determine who pays the expenses incurred for or by reason of the consultation.

**125.** The Minister shall notify in writing the annexing municipality and the municipality which includes the territory to be annexed of his intention to approve the by-law with or without amendment.

The notice indicates the time limit allowed for the presentation of a proposal for the negotiation of a settlement on the apportionment of the assets and liabilities relating to the territory to be annexed.

**126.** Where the Minister receives, within the prescribed time, a copy of a resolution proposing the negotiation of a settlement, he shall appoint a conciliator.

The Minister shall transmit to the annexing municipality and to the municipality which includes the territory to be annexed a written notice stating the name of the designated person and the time granted for reaching a settlement.

**127.** At the expiry of the time granted, the conciliator shall transmit to the Minister a copy of the settlement or, if there is no settlement, a report of the situation.

The Minister may, following the report submitted by the conciliator, impose a settlement.

**128.** The Minister may approve the negotiated settlement with or without amendment.

Sections 118 and 124, adapted as required, apply to the settlement.

Notwithstanding the foregoing, the Minister is required to make the request referred to in section 119.

**129.** The settlement binds the municipalities.

**130.** The technical description of the territory and the plan on tracing cloth must be approved by the Minister of Energy and Resources before the publication of the notice by the Minister of Municipal Affairs.

The technical description approved by the Minister of Energy and Resources is deemed to replace the description that accompanied the by-law.

**131.** The Minister of Municipal Affairs shall publish in the *Gazette officielle du Québec* a notice stating that he has approved, by order, the annexation by-law, with or without amendment and that he has imposed or, as the case may be, approved a settlement with or without amendment.

The notice must include a technical description of the annexed territory.

**132.** The by-law and, as the case may be, the settlement come into force on the date of publication of the notice or on any later date indicated therein.

**133.** As soon as practicable after publication of the notice, the clerk or secretary-treasurer of each municipality shall give public notice of the annexation.

**134.** The conditions of annexation contained in the by-law and, as the case may be, in the settlement may, for a period of not more than five years, establish a rule of law or make exception to any legislative provision under the administration of the Minister of Municipal Affairs or to any special legislation governing a local municipality or any instrument under such legislation.

**135.** All by-laws, resolutions or ordinances passed by the municipality whose territory is annexed remain in force in the annexed territory except where they are inconsistent with the conditions of annexation, until the date prescribed for the cessation of their effects, until their objects are fulfilled or until they are replaced or repealed.

They are deemed to be by-laws, resolutions or ordinances of the annexing municipality.

Notwithstanding the foregoing, in the case of a loan by-law, the tax imposed by the by-law shall be levied by the annexing municipality and remitted by the latter to the municipality whose territory is annexed.

**136.** Every act made by the municipality whose territory is annexed shall retain its effects in respect of the annexed territory.

Every such act is deemed to be an act of the annexing municipality.

**137.** For the purposes of determining whether a person is qualified as an elector or a candidate at an election in the territory of the annexing municipality, any period, before the annexation, during which the person was domiciled in the annexed territory or was the owner of an immovable or the occupant of a place of business situated in the territory is counted as if he had been domiciled or an owner or occupant in the territory of the annexing municipality from the beginning of such period.

**138.** In the case of the annexation of the whole territory of a municipality, the values entered on the real estate assessment roll or on the roll of rental values in force in the annexed territory of the municipality shall be adjusted from the date of coming into force of the annexation.

The adjustment shall be made as follows: the values entered on a roll are divided by the median porportion of the roll and multiplied by that of the roll of the annexing municipality.

In the case of the annexation of only part of the territory of a municipality or the annexation of an unorganized territory, the first and second paragraphs apply to the values of the immovables or places of business situated in the annexed territory.

This section applies to the rolls of the fiscal year in which the annexation comes into force. It also applies to the rolls of the next fiscal year if no real estate assessment roll or roll of rental values taking the annexation into account is filed according to law in the office of the clerk or secretary-treasurer of the annexing municipality.

**139.** The roll in force in the territory of the annexing municipality before the coming into force of the annexation and the rolls or parts of a roll amended in accordance with section 138 constitute the roll of the annexing municipality.

**140.** The territory of a municipality which, on the date of the coming into force of the annexation, is situated in the territory of more than one regional county municipality or in the territories of a regional county municipality and of an urban or regional community shall form part, in its entirety, of the territory of the regional county municipality or of the community where the territory of the annexing municipality was situated before the annexation.

## CHAPTER VI

RECTIFICATION OF TERRITORIAL  
LIMITS AND VALIDATION OF ACTS

**141.** The Minister of Municipal Affairs may, on request or on his own initiative, rectify, by way of an order, the territorial boundaries of a local municipality where the description is erroneous or imprecise or where a municipality has acted without right in a territory other than its own.

**142.** Before rectifying the territorial limits of a local municipality, the Minister shall transmit to the municipalities affected a written notice containing the proposed rectification and a statement to the effect that they may inform him in writing of their opposition within 90 days of receipt of the notice.

The Minister shall also transmit the notice to the secretary-treasurer of the regional county municipality which includes the territory affected by the proposed rectification or, where the territory is included in the territory of a regional or urban community or of the Kativik Regional Government, to the secretary thereof.

**143.** The local municipality, the regional county municipality, the community or the Kativik Regional Government, as the case may be, may, within 90 days of receiving the notice, inform the Minister in writing of its opposition to the proposed rectification.

**144.** As soon as practicable after the Minister so requires, the clerk or secretary-treasurer of the local municipality shall publish in a newspaper circulated in the territory of that municipality a notice containing

(1) the technical description of the rectified territorial boundaries prepared by a land surveyor and the map or sketch showing the proposed rectification;

(2) a statement to the effect that any person may inform the Minister in writing of his opposition to the proposed rectification within 60 days of publication of the notice;

(3) the address of the place to which statements of opposition must be sent.



The clerk or secretary-treasurer shall transmit a certified true copy of the notice to the Minister as soon as practicable after its publication with an attestation of the date of publication.

**145.** Any interested person may, within 60 days of publication of the notice, inform the Minister in writing of his opposition to the proposed rectification.

**146.** The Commission municipale du Québec shall, at the Minister's request, hold a public hearing for the purpose of hearing any person on the proposed rectification.

After the hearing, the Commission shall transmit a report to the Minister who shall forward a certified true copy thereof to the municipality whose territory is affected by the proposed rectification.

**147.** The Minister may, following the report submitted by the Commission, or on his own initiative, order the consultation of the qualified voters of the territory affected by the proposed rectification.

The consultation shall be made by way of a referendum poll conducted in accordance with the Act respecting elections and referendums in municipalities. The said Act applies where it is not inconsistent with this section.

The referendum poll shall be held on the date fixed by the Minister and shall be presided by a person designated by the latter.

The question appearing on the ballot paper shall be as follows: "Do you approve of the proposed rectification of the territorial boundaries of your municipality?".

The statement of the final results of the poll shall be transmitted to the Minister as soon as practicable.

The Minister shall determine who pays the expenses incurred for or by reason of the consultation.

**148.** The Minister shall publish a notice of his decision to rectify the territorial boundaries of municipalities in the *Gazette officielle du Québec*.

The notice must contain a technical description of the rectified boundaries. The description must be approved by the Minister of Energy and Resources before publication of the notice.

**149.** The Minister may rectify the territorial limits of municipalities retroactively.

The notice shall then contain every description of territorial boundaries applicable from the retroactive date of the coming into force of the Minister's decision and indicate the period during which the description is deemed to have applied.

**150.** The decision comes into force from the date of publication of the notice or on any previous date indicated therein.

**151.** As soon as practicable after publication of the notice, the clerk or secretary-treasurer of the municipality whose territorial boundaries are rectified shall give public notice of the Minister's notice.

**152.** Where a municipality has acted without right in a territory other than its own, the Minister may, by order, validate the acts done by the municipality in respect of that territory.

The Minister may also determine conditions applicable to the termination of the administration of the territory by the municipality. The conditions may, for a specified period, establish a rule of law or make exception to any provision of a general law or special Act or to any instrument made under such legislation.

**153.** All by-laws, resolutions or ordinances passed by the municipality in respect of a territory other than its own remain in force in the territory, except where they are inconsistent with the conditions applicable to the termination of the administration of the territory, until the date prescribed for the cessation of their effects, until their objects are fulfilled or until they are replaced or repealed.

They are deemed to be by-laws, resolutions or ordinances of the municipality having jurisdiction over the territory.

Notwithstanding the foregoing, in the case of a loan by-law, the tax imposed by the by-law shall be levied by the municipality having jurisdiction over the territory and remitted by the latter to the municipality having acted without right.

**154.** The Minister shall publish in the *Gazette officielle du Québec* a notice of his decision to validate the acts performed by the municipality.

## TITLE III

## MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

## CHAPTER I

## MISCELLANEOUS PROVISIONS

**155.** For the purposes of any other Act, the words “village, country, rural or local municipality or corporation” mean, according to the context, a municipality governed by the Municipal Code of Québec or the territory of such a municipality.

For the purposes of any other Act, the terms “rural municipality” or “country municipality” mean a parish municipality, a municipality of part of a parish, a township municipality, a municipality of part of a township, a united township municipality or a local municipality governed by the Municipal Code of Québec other than a village municipality.

**156.** The inobservance of a formality prescribed by this Act does not invalidate an act, unless it causes serious prejudice.

**157.** Every person who is required to sign his name on a document prescribed by this Act and who is unable to do so shall affix his mark in the presence of a witness who shall affix his signature.

**158.** Personal information required on a document prescribed by this Act is public information for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

**159.** For the purposes of this Act, the municipality of the parish of Notre-Dame-des-Anges shall form part of the territory of the Communauté urbaine de Québec.

## CHAPTER II

## LEGISLATIVE AMENDMENTS

## ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

**160.** The Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by replacing paragraph 5 of section 1 by the following paragraph:

“(5) “municipality” means a local municipality;”.

**161.** Section 1.1 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

“**1.1** The provisions of this Act, adapted as required, other than those specifically applicable to an unorganized territory, apply to such a territory, in accordance with the Act respecting municipal territorial organization (1987, chapter *insert here the chapter number of this Act*).”;

(2) by replacing the third paragraph by the following paragraph:

“Where the council of the regional county municipality exercises the powers referred to in any provision of this Act specifically applicable to an unorganized territory, all the members of the council are empowered to take part in the deliberations and to vote.”

**162.** The title of Chapter II of Title I of the said Act is replaced by the following: “UNORGANIZED TERRITORIES”.

**163.** Section 76 of the said Act is amended by replacing the words “territories contemplated in article 36 of the Municipal Code (chapter C-27.1)” in the third and fourth lines of the first paragraph by the words “unorganized territories”.

**164.** Section 77 of said Act is amended by replacing the words “territories contemplated in article 36 of the Municipal Code (chapter C-27.1)” in the third and fourth lines of the first paragraph by the words “unorganized territories”.

**165.** Section 79 of the said Act, amended by section (*insert here the section number of the assented version of Bill 100 of 1987 corresponding to section 666 of its reprinted version as tabled for introduction*) of chapter (*insert here the chapter number of Bill 100 of 1987*) of the statutes of 1987, is again amended by replacing the words “a territory contemplated in article 36 of the Municipal Code (chapter C-27.1)” in the first and second lines by the words “an unorganized territory”.

**166.** Section 170 of the said Act is amended by replacing the second sentence by the following sentence: “For the purposes of any Act, the regional county municipality is a municipal county corporation and its territory is a county municipality.”

**167.** Section 171 of the said Act is amended by replacing the words “municipalities governed by the Cities and Towns Act or by a special charter, territories contemplated in article 36 of the Municipal Code (chapter C-27.1), and municipalities constituted under the Act respecting municipal organization of certain territories (chapter O-8),” in the sixth, seventh, eighth, ninth and tenth lines by the words “and unorganized territories”.

**168.** Section 186 of the said Act is amended by replacing the second paragraph by the following paragraph:

“The apportionment of assets and liabilities between the regional county municipalities concerned is made as provided by letters patent.”

**169.** Section 186.1 of the said Act is amended by replacing the word “any” in the first line of the first paragraph by the words “The constitution of a municipality, the rectification of territorial boundaries, the”.

**170.** Section 189.1 of the said Act is amended by replacing the words and figures “territories contemplated in article 36 of the Municipal Code (chapter C-27.1)” in the second and third lines of the second paragraph by the words “unorganized territories”.

**171.** Section 204.1 of the said Act is amended

(1) by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) that of the offices referred to in section 1.1 of this Act and in the Act respecting municipal territorial organization (1987, chapter *insert here the chapter number of this Act*) in respect of an unorganized territory or, as the case may be, of a newly constituted municipality having a majority of the members of its council elected at the first election who have not made the oath.”;

(2) by striking out subparagraph 4 of the first paragraph.

**172.** Section 242 of the said Act is amended

(1) by striking out the first paragraph;

(2) by replacing the words and figure “territories contemplated in article 36 of the Municipal Code” in the fourth line of the second paragraph by the words “unorganized territories”.

**173.** Section 245 of the said Act is amended

- (1) by striking out the third paragraph;
- (2) by striking out the fifth paragraph.

CULTURAL PROPERTY ACT

**174.** The Cultural Property Act (R.S.Q., chapter B-4) is amended by replacing section 60 by the following section:

**“60.** This chapter applies to every local municipality.”

CITIES AND TOWNS ACT

**175.** The Cities and Towns Act (R.S.Q., chapter C-19) is amended

- (1) by replacing subparagraph *d* of the first paragraph of section 1 by the following subparagraph:

“(d) To every city or town municipality incorporated by letters patent under this Act, from the date of the coming into force of the Revised Statutes of Québec for 1977 until the date of the coming into force of section 179 of the Act respecting municipal territorial organization (1987, chapter *insert here the chapter number of this Act*);”;

- (2) by replacing subparagraph *e* of the first paragraph of section 1 by the following subparagraph:

“(e) To every local municipality incorporated under the Act respecting municipal territorial organization and governed by this Act.”

**176.** Section 2 of the said Act, amended by section (*insert here the section number of the assented version of Bill 100 of 1987 corresponding to section 684 of the reprinted version as tabled for introduction*) of chapter (*insert here the chapter number of Bill 100 of 1987*) of the statutes of 1987, is again amended by striking out the first paragraph.

**177.** Section 3 of the said Act is amended

- (1) by replacing the words “to strike from its charter any provision for which this act contains no corresponding provision, or to change its name” in the fourth, fifth and sixth lines of the first paragraph by the words “or to strike from its charter any provision for which this Act contains no corresponding provision”;
- (2) by striking out the third paragraph.

**178.** Section 4 of the said Act is repealed.

**179.** Section 7 of the said Act is repealed.

**180.** Divisions II and III of the said Act are repealed.

**181.** The heading of subdivision 1 of Division IV of the said Act is replaced by the following heading:

«§ 1.—*General powers of the municipality*”.

**182.** Section 27 of the said Act is repealed.

**183.** Subdivision 2 of Division IV of the said Act is repealed.

**184.** Subdivision 4 of Division IV of the said Act is repealed.

#### MUNICIPAL CODE OF QUÉBEC

**185.** The Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by inserting the words “or to municipalities constituted under the Act respecting municipal territorial organization (1987, chapter *insert here the chapter number of this Act*) and governed by the Cities and Towns Act (R.S.Q., chapter C-19)” in the fourth line of article 1 after the word “towns”.

**186.** Article 3 of the said Code is amended by replacing the words and figure “organization of certain territories (chapter O-8)” in the seventh and eighth lines of the second paragraph by the words “territorial organization and governed by the Cities and Towns Act”.

**187.** Article 4 of the said Code is amended by replacing the words “or town” in the fourth line of the first paragraph by the words “, a town or a municipality established under the Act respecting municipal territorial organization and governed by the Cities and Towns Act”.

**188.** Article 5 of the said Code is replaced by the following article:

“**5.** The inhabitants and ratepayers of each county municipality form a county corporation.”

**189.** Article 25 of the said Code is amended by striking out paragraphs 1 and 2.

**190.** Article 26 of the said Code is amended by striking out the first paragraph.

**191.** Chapters II, III and IV of Title I of the said Code are repealed.

**192.** Article 119 of the said Code is repealed.

**193.** Article 143 of the said Code is repealed.

**194.** Article 145 of the said Code is amended by replacing the words and figure “under article 143” in the second line of the first paragraph by the words “in accordance with the Act respecting municipal territorial organization”.

**195.** Article 987 of the said Code is repealed.

#### ACT RESPECTING THE COMMUNAUTÉ RÉGIONALE DE L'OUTAOUAIS

**196.** The Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1) is amended by replacing the words and figures “according to the last census recognized as valid by the Government under the Cities and Towns Act (chapter C-19) and under the Municipal Code (chapter C-27.1) in the third, fourth and fifth lines of section 262 by the words “of its territory”.

#### ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

**197.** The Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended by striking out the words and figures “the population of a municipality is that indicated in the last census recognized as valid by the Government under the Cities and Towns Act (chapter C-19) or the Municipal Code (chapter C-27.1), as the case may be, and” in the first, second, third and fourth lines of section 332.

#### ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

**198.** The Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is amended by striking out the eighth paragraph of section 29.

**199.** Section 247 of the said Act is amended by replacing the words and figures “according to the last census recognized as valid by the Government under the Cities and Towns Act (chapter C-19) and under the Municipal Code (chapter C-27.1)” in the third, fourth and fifth lines by the words “of its territory”.



ACT RESPECTING MUNICIPAL TAXATION

**200.** The Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by replacing the first paragraph of section 8 by the following paragraph:

**“8.** Jurisdiction in real estate assessment in an unorganized territory belongs to the county corporation having jurisdiction according to the Act respecting municipal territorial organization (1987, chapter *insert here the chapter number of this Act*).”

ACT TO AUTHORIZE MUNICIPALITIES TO COLLECT DUTIES ON TRANSFERS OF IMMOVEABLES

**201.** The Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) is amended by replacing the definition of the word “municipality” in section 1 by the following definition:

““municipality” means a local municipality;”.

ACT RESPECTING MUNICIPAL ORGANIZATION OF CERTAIN TERRITORIES

**202.** The Act respecting municipal organization of certain territories (R.S.Q., chapter O-8) is repealed.

POLICE ACT

**203.** The Police Act (R.S.Q., chapter P-13) is amended by striking out the words and figures “For the application of this paragraph, the census of the population of a municipality is established in accordance with section 7 of the Cities and Towns Act (chapter C-19) or article 26 of the Municipal Code (chapter C-27.1).”, in the fourth, fifth, sixth and seventh lines of the first paragraph of section 64.

ACT TO PROMOTE THE REGROUPING OF MUNICIPALITIES

**204.** The Act to promote the regrouping of municipalities (R.S.Q., chapter R-19) is repealed.

MINING VILLAGES ACT

**205.** The Mining Villages Act (R.S.Q., chapter V-6) is repealed.

MINING TOWNS ACT

**206.** The Mining Towns Act (R.S.Q., chapter V-7) is repealed.

AN ACT RESPECTING THE FORMATION OF MUNICIPALITIES  
IN THE TERRITORY OF THE COUNTIES OF ABITIBI  
AND TEMISCAMINGUE, SITUATE TO THE NORTH OF THE 48th PARALLEL OF LATITUDE

**207.** The Act respecting the formation of municipalities in the territory of the counties of Abitibi and Témiscamingue, situate to the north of the 48th parallel of latitude (R.S.Q., 1925, chapter 104) is repealed.

ACT RESPECTING THE TOWN OF SCHEFFERVILLE

**208.** The Act respecting the town of Schefferville (1986, chapter 51) is amended by replacing the first paragraph of section 2 by the following paragraph:

“**2.** The territory of the town of Schefferville shall become, from the date determined under section 1, an unorganized territory forming part of the territory of the regional county municipality of Caniapiscau.”

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**209.** The Act respecting elections and referendums in municipalities (1987, chapter *insert here the chapter number of the said Act*) is amended by inserting the words “the constitution or” in the first line of subparagraph *c* of paragraph 1 of section 514 after the words “in the case of”.

**210.** Section 515 of the said Act is amended

(1) by inserting the word “local” in the first line of the first paragraph before the word “municipalities”;

(2) by striking out the second paragraph.

**211.** Section 654 of the said Act is repealed.

IMPLIED AMENDMENTS

**212.** Every provision of any general law, special Act, letters patent, proclamation, order, order in council, ordinance, regulation, by-law or resolution that is in force on 30 June 1988 is inoperative where it is inconsistent with this Act.

**213.** Every provision of the charter of a municipality which on 30 June 1988 becomes inoperative through the effect of the first paragraph of section 2 of the Cities and Towns Act remains inoperative notwithstanding the striking out of that paragraph by section 176 of this Act, even if the provision is not inconsistent with this Act.

**214.** Every reference in any general law or special Act to a provision replaced or repealed by this Act is a reference to the corresponding provision of this Act, if any.

### CHAPTER III

#### TRANSITIONAL PROVISIONS

**215.** Every local municipality incorporated before 1 July 1988 shall continue to exist under its name and with the same territory as if it were constituted under this Act.

Notwithstanding the first paragraph, any municipality incorporated under the Act respecting municipal organization of certain territories shall cease to exist and its territory shall become an unorganized territory within the meaning of this Act.

**216.** Every local municipality incorporated by or under the Municipal Code of Québec shall continue to be governed by the said Code.

The same rule applies to every local municipality incorporated by or under an Act repealed by this Act.

**217.** Every local municipality incorporated by or under the Cities and Towns Act shall continue to be governed by the said Act.

The same rule applies to every local municipality incorporated by or under an Act repealed by this Act.

**218.** Notwithstanding the striking out of paragraph 1 of article 25 of the Municipal Code of Québec and the repeal of section 32 of the Cities and Towns Act, every local municipality whose territory is bounded by water on 30 June 1988 and which, on that date, has, under those provisions, jurisdiction over the aquatic territory concerned shall retain such jurisdiction until 30 June 1990 or, as the case may be, until the date of the coming into force of the Minister's decision made under section 219 of this Act.

**219.** On the application of a local municipality whose territory is bounded by water, the Minister of Municipal Affairs may amend the description of its territorial boundaries so as to include all or part of the water.

**220.** The clerk or secretary-treasurer of the municipality shall transmit a certified true copy of the application to the Minister before 1 July 1990.

The copy of the application must be accompanied with the original of a technical description of the proposed territorial boundaries and of the plan on tracing cloth prepared by a land surveyor.

**221.** The Minister shall publish a notice of his decision in the *Gazette officielle du Québec*.

The notice must contain a technical description of the territorial boundaries of the municipality.

The description must be approved by the Minister of Energy and Resources before the publication of the notice.

**222.** The decision comes into force on the date of publication of the notice or on any later date indicated therein.

**223.** As soon as practicable after publication of the notice, the clerk or secretary-treasurer of the municipality shall give public notice of the Minister's notice.

**224.** The school corporation established under section 15 of the Mining Towns Act and the school municipality incorporated under the said section are deemed to be established by or under the Education Act (R.S.Q., chapter I-14).

**225.** Proceedings brought on or before 30 June 1988 in accordance with any provision amended, replaced or repealed by this Act are continued in accordance with that provision as it stood on that date.

**226.** All letters patent, orders, proclamations, regulations, by-laws, resolutions or ordinances in force on 30 June 1988 and issued or made under any provision replaced or repealed by this Act remain in force until the date provided for the cessation of their effects, until their objects are fulfilled or until they are replaced or repealed by this Act. Where such is the case, they are deemed to have been issued or made under the corresponding provision of this Act.

**227.** Every act performed before 1 July 1988 under any provision replaced or repealed by this Act retains its effects and is deemed to have been performed under the corresponding provision of this Act.

The first paragraph does not apply to the regrouping units established under the Act to promote the regrouping of municipalities.

## CHAPTER IV

### FINAL PROVISIONS

**228.** The Minister of Municipal Affairs is responsible for the administration of this Act.

**229.** Paragraph 1 of section 173 and section 180 come into force on the date fixed by the Government.

**230.** This Act comes into force on 1 July 1988.