

1985, chapter 48

**AN ACT RESPECTING THE CITIES OF
ROUYN AND NORANDA**

Bill 190

Introduced by Mr Gilles Baril, Member for Rouyn-Noranda-Témiscamingue

Introduced 14 May 1985

Passage in principle 20 June 1985

Passage 20 June 1985

Assented to 20 June 1985

Coming into force: 20 June 1985

Act amended: None





CHAPTER 48

An Act respecting the cities of Rouyn and Noranda

[Assented to 20 June 1985]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

City of
Rouyn-
Noranda

1. Subject to section 14 and from the date of coming into force of the letters patent contemplated in section 15, the inhabitants and ratepayers of the territories of the cities of Rouyn and Noranda are incorporated as a city under the name of city of Rouyn-Noranda, which is governed by the Cities and Towns Act (R.S.Q., chapter C-19).

Succession

2. The city of Rouyn-Noranda shall succeed to the rights, obligations and charges of the cities of Rouyn and Noranda. It shall become, without continuance of suit, a party to all proceedings in the place and stead of such cities.

By-laws in
force

The by-laws, resolutions, minutes, assessment rolls, collection rolls, existing collective agreements and other deeds of each city shall remain in force within the territory for which they have been made until they are amended, quashed or repealed and to the extent that they are consistent with the provisions of this Act or any other Act.

Officers and
employees

3. With the benefit of their past service with the cities of Rouyn and Noranda, the officers and employees of those cities shall continue their service as officers or employees of the city of Rouyn-Noranda in the positions assigned by the council, without reduction in salary, and shall remain in office subject to the provisions of the law.

Draft agree-
ment

4. Subject to section 16, the cities of Rouyn and Noranda shall, before 1 November 1985, present to the Minister of Municipal Affairs, a draft agreement including the elements prescribed in paragraphs *b*, *d*, *e*, *f*, *g*, *i* and *l* of subsection 2 of section 5 of the Act to promote the regrouping of municipalities (R.S.Q., chapter R-19).

Amendment Where the Minister considers it to be expedient, he may amend, by order, all or part of the content of the draft agreement. The draft agreement amended by the Minister shall be in lieu of the draft agreement contemplated in the first paragraph.

Order Failing a draft agreement as contemplated in the first paragraph, the Minister shall determine, by order, the elements contemplated in the first paragraph. The order shall be in lieu of the draft agreement contemplated in the first paragraph.

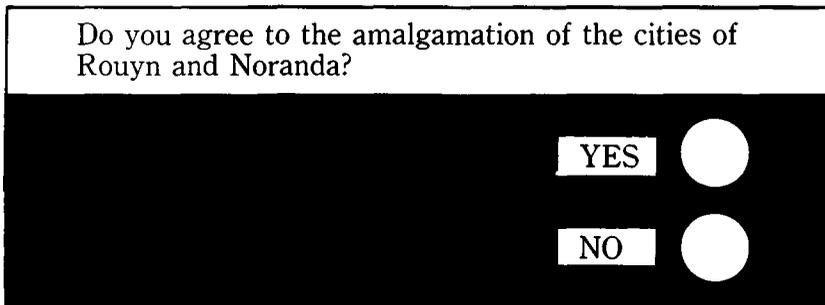
Adoption The order contemplated in the second or third paragraph shall be adopted before 21 January 1986.

Referendum **5.** On 23 March 1986, the clerk of each city contemplated in section 4 shall, each in his own territory, hold a referendum for the interested persons on the advisability of amalgamating the two cities.

Provisions applicable **6.** Sections 385 to 396 of the Cities and Towns Act, adapted as required, apply to the referendum to the extent that they are consistent with this Act.

Hours **7.** The referendum shall last from nine o'clock in the morning to seven o'clock in the evening.

Ballot paper **8.** The ballot-papers used for the referendum shall include the following particulars:



Result **9.** The result of the poll shall be sent to the Minister without delay.

Tariff of fees **10.** The tariff of fees payable to the election officers, established under section 303 of the Cities and Towns Act and in force on the date contemplated in section 5 applies, adapted as required, to the referendum.

Interested persons **11.** For the purposes of this Act, the interested persons are the persons who, on 14 February 1986, are owners or lessees of an

immovable in the territory of a city contemplated in section 4 or who are domiciled in that city. Natural persons are also required to be of full age and Canadian citizens.

Registration Property-owners must be entered on the assessment roll and lessees must be entered on the schedule to the list of electors after it has been revised in accordance with the Cities and Towns Act.

List of electors Those persons who are domiciled in the cities must be registered on the list of electors after it has been revised in accordance with the Cities and Towns Act.

Date of deposit For the purposes of the second and third paragraphs, the date that is considered to be the day of deposit of the schedule to the list of electors and the list of electors is 14 February 1986.

Powers of the Commission municipale **12.** Where a city contemplated in section 4 or any of its officers fails to perform any act necessary for the carrying out of sections 5 to 11, the Commission municipale du Québec shall be substituted for the city or the officer.

Exercise of powers For the purposes of the first paragraph, the Commission may exercise any power of the city or of its officer, even after the date prescribed for the exercise of the power or after the expiry of the time limit fixed for that purpose.

Costs **13.** The costs incurred by the Commission under section 12 are payable by the city in respect of which they are incurred.

Letters patent **14.** Where the result of the poll is, in each city contemplated in section 4, in favour of the amalgamation, the Government shall order, before 1 May 1986, the issue of letters patent reproducing the content of the draft agreement contemplated in the first paragraph of section 4, as amended, where such is the case, under the second paragraph of that section or the content of the order made by the Minister pursuant to the third paragraph of that section.

Publication **15.** The Minister shall give notice of the issue of the letters patent by publishing them in the *Gazette officielle du Québec*; the letters patent shall come into force on the date of the publication or on any later date mentioned in the notice.

First election **16.** The first general election for the city of Rouyn-Noranda shall be held on the date fixed by the Minister.

- Procedure The election shall be conducted in all respects as any general election provided for by the Cities and Towns Act; subsequent general elections shall be held every four years, on the date fixed by the said Act.
- Provisions applicable **17.** Sections 15, 17, 18.1, 18.2, 22 and the second paragraph of section 24 of the Act to promote the regrouping of municipalities apply to the city of Rouyn-Noranda.
- Application of c. E-2.1 **18.** The Minister may determine the date on which the city of Rouyn-Noranda becomes subject to Chapters II and III of Part I of the Act respecting elections in certain municipalities (R.S.Q., chapter E-2.1).
- Change of time limits For the purpose of the election contemplated in section 16, the Minister may change the time limits provided in section 3 of the said Act for the putting into force of the by-law dividing the city into electoral districts.
- Time limits applicable The date determined under the first paragraph and the time limits fixed under the second paragraph apply to the city for the purposes of the said Act.
- Notice of election **19.** The Minister of Municipal Affairs may postpone, for not more than eight months, the date of publication of a notice of any general election or by-election to be held in a city contemplated in section 4.
- Officers and employees **20.** The officers and employees who become officers and employees of the cities contemplated in section 4 from 14 May 1985 shall not continue their service as officers and employees of the city of Rouyn-Noranda, notwithstanding any general law or special Act, any collective agreement or any individual contract of employment.
- Exception **21.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).
- Coming into force **22.** This Act comes into force on 20 June 1985.