

NATIONAL ASSEMBLY
Thirty-second Legislature, fourth session

1983, chapter 74

AN ACT TO ANNEX A TERRITORY TO THE TERRITORY OF THE TOWN OF MONT-JOLI

Bill 211

Introduced by Mr Léopold Marquis

First reading: 30 November 1983

Second reading: 21 December 1983

Third reading: 21 December 1983

Assented to: 22 December 1983

Coming into force: 1 January 1984

Act amended:

None





CHAPTER 74

An Act to annex a territory to the territory of the town of Mont-Joli

[Assented to 22 December 1983]

Preamble **WHEREAS** it is in the interest of the town of Mont-Joli that the limits of its territory be changed;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Annexation **1.** The territory described in the schedule is annexed to that of the town of Mont-Joli.

Ward **2.** The annexed territory forms part of ward number 3 of the town of Mont-Joli.

Annual indemnity **3.** The town of Mont-Joli shall pay annually to the municipality of Saint-Jean-Baptiste an indemnity for an amount equal to the higher of the following amounts:

(1) \$75 000;

(2) an amount equivalent to 25% of the amount paid to the town of Mont-Joli under Division V of Chapter XVIII of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) in respect of the immovables situated in the territory referred to in section 1. However, in the case of an immovable enlarged or erected after 1 January 1984, the amount is equivalent to 10%.

Annual amount **4.** The town of Mont-Joli shall pay to the municipality of Saint-Jean-Baptiste, on 1 May and 1 September of each fiscal year, an amount of \$37 500.

- Payment of the difference If the municipality of Saint-Jean-Baptiste has received, under the first paragraph, an amount that is less than the amount to which it is entitled under section 3, the difference shall be paid within 30 days after the last payment made to the town of Mont-Joli under Division V of Chapter XVIII of the Act respecting municipal taxation.
- Interest The payments bear interest from the date they are due at the rate fixed by the municipality of Saint-Jean-Baptiste under article 687 of the Municipal Code and in force on the date each payment is due.
- Lighting cost **5.** The municipality of Saint-Jean-Baptiste shall repay 50% of the cost of lighting that part of Chemin du Sanatorium situated in the territory referred to in section 1.
- Sidewalk The municipality may require that the town of Mont-Joli build a sidewalk along that portion of Chemin du Sanatorium. The building of the sidewalk shall be charged to the municipality of Saint-Jean-Baptiste and its maintenance shall be charged to the town of Mont-Joli.
- Application to the Commission **6.** For the purposes of section 5, the town of Mont-Joli or the municipality of Saint-Jean-Baptiste may apply to the Commission municipale du Québec under subsection 2 of section 22 of the Act respecting the Commission municipale (R.S.Q., chapter C-35).
- Provision applicable Section 34 of the Environment Quality Act (R.S.Q., chapter Q-2) applies, *mutatis mutandis*, to the town of Mont-Joli and the municipality of Saint-Jean-Baptiste in respect of the waterworks and sewer services situated in that part of Chemin du Sanatorium referred to in section 5.
- Territory of annexation **7.** In no case may the territory referred to in section 1 be taken into consideration for the purpose of carrying out, under the Municipal Code and the Cities and Towns Act (R.S.Q., chapter C-19), the annexation of another part of the territory of the municipality of Saint-Jean-Baptiste. For that purpose only, the territory referred to in section 1 shall be deemed to be not contiguous to that of the town of Mont-Joli, notwithstanding this Act.
- Renunciation Notwithstanding the foregoing, the council of the municipality of Saint-Jean-Baptiste may, by by-law, renounce the application of the provision referred to in the first paragraph. Once in force such a by-law may in no case be repealed.
- Provisions applicable **8.** Sections 44, 46.2 and 46.3 of the Cities and Towns Act apply, *mutatis mutandis*, to this annexation.
- Authorized payment **9.** The Minister of Municipal Affairs is authorized to pay to the town of Mont-Joli, for the period extending from 1 January 1980 to

31 December 1983, an amount of \$90 000 to stand in lieu of part of the amount of money that would have been paid to the town under Division V of Chapter XVIII of the Act respecting municipal taxation if the annexation of the territory referred to in section 1 had been carried out on 1 January 1980.

Exception **10.** 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 **11.** This Act comes into force on 1 January 1984.

SCHEDULE

Description of the limits of the territory detached from the municipality of Saint-Jean-Baptiste and annexed to that of the town of Mont-Joli, in the regional county municipality of La Mitis.

A territory presently forming part of the municipality of Saint-Jean-Baptiste, in the regional county municipality of La Mitis, comprising, with reference to the cadastre of the parish of Sainte-Flavie, the lots or parts of lots and their subdivisions, present and future, and the roads, streets, watercourses or parts thereof, the whole enclosed within the limits hereinafter described, to wit: starting at the point of intersection of the dividing line between lots 506 and 505-1-1-2 and the southeast side of the right of way of du Sanatorium avenue or Chemin du Troisième rang; thence, successively, the following lines and demarcations: the southeast side of the right of way of the said avenue, southwesterly, to the dividing line between lots 525 and 526; the extension of the said dividing line between lots across du Sanatorium avenue to the northwest side of the right of way of the said avenue; the said northwest side, northeasterly, to the southwest line of lot 522-1; the said southwest line; the broken line limiting on the northwest lots 522-1, 521-1, 520-1, 519-2, 518-1 and 517-1; the northeast line of lot 517-1; the northwest side of the right of way of du Sanatorium avenue, northeasterly, to the southwest line of lot 514-1; the southwest, northwest and northeast lines of the said lot; the northwest side of the right of way of du Sanatorium avenue, northeasterly, to the southwest line of lot 509-1; the southwest and northwest lines of the said lot; part of the northwest line of lot 509, northeasterly, to the dividing line between lots 508 and 509; part of the northwest line of lot 508 for a distance of twenty-six metres and forty-nine hundredths (26.49 m); on lot 508, a straight line along an azimuth of $131^{\circ} 59'$ and measuring twenty-six metres and twelve hundredths (26.12 m), that is, the northwest side of the right of way of du Sanatorium avenue; the northwest side of the right of way of the said du Sanatorium avenue, northeasterly, to the extension of the dividing line between lots 506 and 505-1-1-2; finally, the said extension, southeasterly, to the starting point; which territory is annexed to that of the town of Mont-Joli.

In this description, azimuths are astronomical and distances are expressed in the international system of units (SI).