



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 81

**An Act respecting the amalgamation of
Municipalité de Mont-Tremblant,
Ville de Saint-Jovite, Municipalité de
Lac-Tremblant-Nord and Paroisse de
Saint-Jovite**

Introduction

**Introduced by
Madam Louise Harel
Minister of Municipal Affairs and Greater Montréal**

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EXPLANATORY NOTES

This bill provides that the Minister of Municipal Affairs and Greater Montréal is to send to Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite a proposal for the amalgamation of the territories of the municipalities. The municipalities will be then required to transmit their opinion on the amalgamation proposal to the Minister within the time the Minister fixes.

The bill authorizes the Government to order, on the conditions it determines, the constitution of a local municipality formed by the amalgamation of the municipalities, and specifies that certain provisions of the Act respecting municipal territorial organization will be applicable.

The bill establishes the approval procedure for land use planning by-laws that apply to the part of the territory of the new municipality corresponding to the territory of the former Municipalité de Lac-Tremblant-Nord. It also sets out the rules applicable to the by-law passed by the council of Municipalité de Mont-Tremblant to protect the site known as “Domaine Saint-Bernard”, located in the territories of both Municipalité de Mont-Tremblant and Paroisse de Saint-Jovite. The bill also establishes how costs are to be apportioned in the event of legal proceedings to which a former municipality may be a party.

Lastly, the bill contains a provision relating to the conditions of employment applicable to the officers and employees of the municipalities affected by the proposed amalgamation between the date on which this bill is introduced and the date on which the amalgamation becomes effective.

Bill 81

AN ACT RESPECTING THE AMALGAMATION OF MUNICIPALITÉ DE MONT-TREMBLANT, VILLE DE SAINT-JOVITE, MUNICIPALITÉ DE LAC-TREMBLANT-NORD AND PAROISSE DE SAINT-JOVITE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Minister of Municipal Affairs and Greater Montréal shall send, by registered or certified mail, to the mayor and to the secretary-treasurer or clerk of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite a proposal for the amalgamation of the territories of those municipalities. The mayor and the secretary-treasurer or clerk must refer the amalgamation proposal to the council at its next regular sitting following receipt of the proposal.

Section 86 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) applies, with the necessary modifications, to the amalgamation proposal.

As soon as possible after being so required by the Minister, the clerk of Ville de Saint-Jovite shall publish the amalgamation proposal in a newspaper circulated in the territories of the municipalities referred to in the first paragraph.

2. The municipalities referred to in section 1 must transmit their opinion on the amalgamation proposal to the Minister of Municipal Affairs and Greater Montréal before the expiry of the time fixed by the Minister.

3. The Government may, on the conditions it determines and upon the Minister's recommendation, order the constitution of a local municipality formed by the amalgamation of the municipalities referred to in section 1.

4. Sections 30, 109, 110, 110.1, 113 to 125 and 214.3 of the Act respecting municipal territorial organization apply, with the necessary modifications.

For the purposes of section 122 of that Act, the officers and employees of the municipalities referred to in section 1 are the officers and employees in the employ of the municipalities on (*insert here the date of introduction of this bill*).

5. Every provision of a by-law passed by the council of the new municipality under Chapter IV of Title I of the Act respecting land use planning and

development (R.S.Q., chapter A-19.1) and to which Division V of that chapter applies must be set out in a by-law that is applicable to all or part of the territory of the former Municipalité de Lac-Tremblant-Nord before the amalgamation, and that is not applicable to any other part of the territory of the new municipality. For the purposes of sections 128 to 137 of that Act as regards such a provision,

(1) “the territory of the municipality” refers to the territory that constituted the territory of Municipalité de Lac-Tremblant-Nord before the amalgamation ;

(2) “all the qualified voters” refers to the qualified voters of that territory ;
and

(3) “contiguous zone” excludes any zone not included in that territory.

6. By-law 99-11 passed by the council of Municipalité de Mont-Tremblant on 29 June 1999 is deemed to have come into force on the date of its approval by the Minister of Municipal Affairs and Greater Montréal. As of (*insert here the date of introduction of this bill*), section 2 of the by-law may not be repealed, amended or replaced.

7. As of (*insert here the date of introduction of this bill*), by-law 99-11 may not be invalidated on the ground that the acquisition of immovables forming part of “Domaine Saint-Bernard” for the purpose of establishing a park involves immovables situated outside its territory.

Any debt arising from the application of the by-law is, from the coming into force of the order made under section 3, a charge on the aggregate of the taxable immovables situated in the territory of the local municipality constituted by that order.

8. The costs relating to a dispute or legal proceedings to which a municipality referred to in section 1 is a party shall remain, after the coming into force of the order referred to in section 3, a charge on the taxable immovables of the sector comprising the territory of the former municipality.

The Government may reapportion the costs referred to in the first paragraph and any reapportionment shall be made according to the nature of the costs and the nature of the dispute or legal proceedings.

9. No increase in the salary of the officers and employees of a municipality referred to in section 1 may be granted and no modification to seniority rules or employee benefits may be made by such a municipality between (*insert here the date of introduction of this bill*) and the date of coming into force of the amalgamation order.

If it appears that the amalgamation will not become effective, the Government may by order fix the date on which the first paragraph ceases to apply.

10. The provisions of this Act come into force on (*insert here the date of assent to this Act*) except sections 5 and 8, which come into force on the date on which the order made under section 3 comes into force.