

BYLAW NO. 1 - 2016

A BYLAW TO LICENCE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Moose Mountain No. 63,
in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be referred to as the Gravel Licensing Bylaw.
2. In this bylaw:
 - a) “**Administrator**” shall mean the administrator of the municipality;
 - b) “**Contractor**” includes any person, firm or corporation, including those persons, firms or corporations engaged by the crown, but does not include the crown;
 - c) “**Council**” shall mean the council of the municipality;
 - d) “**Gravel**” includes rock, stone, sand and other material in excess of 105 microns in diameter;
 - e) “**Municipality**” shall mean *The Rural Municipality of Moose Mountain No. 63*
 - f) “**Premise**” includes any pit, site, or location within the municipality, in which gravel is naturally situated and from which gravel is excavated.
3. No contractor shall operate or offer for hire any machine, tractor, truck or other appliance used in excavation of gravel from any premise within the municipality without having first obtained a license to do so from the municipality.
4. Any contractor requiring a license under provision of this bylaw shall each year, make written application to the Administrator of the municipality stating the name and address of the applicant, the location of each premise from which the gravel is to be excavated and an estimate of the amount of gravel to be excavated within the current year; and paying in advance a fee of:
 - a) \$0.160 per cubic metre or each cubic metre; or
 - b) \$0.122 per cubic yard for each cubic yard; or
 - c) \$0.086 per tonne for each tonne; or
 - d) \$0.080 per ton for each ton of gravel excavated from the premise.
5. Where the contractor estimates that the volume of gravel to be extracted will exceed 10,000 tonnes, the contractor shall pay a pre-extraction fee equal to the product of the estimated volume of gravel to be extracted multiplied by the rate prescribed in Section 4 of this bylaw.
6. Subject to the right of the council to suspend or revoke the same as provided by *The Municipalities Act*, every license shall remain in force or in effect until and including the 31st day of December of the year of issue.

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- 7. On or before December 31 of the year in which the license has been issued, the contractor shall make a return under oath, in the form shown in Schedule "A" attached thereto, to the Administrator of the municipality showing the quantity of gravel, in the agreed units of measurement, excavated from each premise and pay the prescribed fee as set out in Section 4 of the bylaw.
- 8. The municipality shall refund to the contractor any fees collected under this bylaw for estimated quantities of gravel not excavated from the premise and for which the license fee has been paid.
- 9. Any person found guilty of an infraction of any of the provisions of this bylaw shall be liable on summary conviction to the penalties imposed by the general penalty bylaw of the municipality.
- 10. Bylaw No. 2-2015 is hereby repealed.



 Reeve

Read a first time this 28th day of January, 2016.

Read a second time this 28th day of January, 2016.



 Administrator

Read a third time and adopted this 28th day of January, 2016.





 Reeve

Certified a True Copy of Bylaw No. _____



 Administrator

Adopted by Resolution of Council on the _____

Day of _____, _____



SCHEDULE "A"

DECLARATION
IN THE MATTER OF LICENCE BYLAW NO. 1-2016

I, _____
of the _____ of _____ in the Province of _____
do solemnly declare that:

1. During the year 20____, I excavated _____^[1] from the gravel pit located on land described as _____^[2] and;
2. I make this solemn declaration, conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at the _____ of _____ in the Province of _____ Saskatchewan this _____ day of _____, 20____
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Contractor

A Commissioner for Oaths in and for the Province of Saskatchewan
My commission expires _____

1. State quantity and units of measurement
2. State location of pit