

RURAL MUNICIPALITY OF BIG ARM, No. 251

BYLAW NO 01/2016

A BYLAW TO
LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the R.M. of Big Arm, No. 251 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 (.0004 inches) in diameter;
 - e. "Municipality" shall mean the [full name of municipality];
 - 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 (Schedule B) 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 gravelexcavated 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.
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. That Bylaw No. 02/2014 is hereby repealed.



Larry Waldaw
Reeve

[Signature]
Chief Administrative Officer
Subsection 9(2) *The Municipalities Act*

Read a third time and adopted
this 11 day of January, 2016

[Signature]
Chief Administrative Officer

Certified a True Copy of Bylaw 01/2016
Dated At Stalwart, Sask this 11th day of
January 2016

[Signature]
Chief Administrative Officer

SCHEDULE "A"

DECLARATION
IN THE MATTER OF LICENCE BYLAW NO. 01/2016

I, _____

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

1. During the year 20____, I excavated _____ from the gravel pit located on land
described as _____ 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____

Contractor

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

APPLICATION
IN THE MATTER OF LICENCE BYLAW NO. 01/2016

I, _____

As signing representative of the following business:

Name: _____

Address: _____

Phone Number: _____

Cell Number: _____

Do hereby make application for a Gravel Extraction License for the year _____ per Bylaw No. 01/2016 of the Rural Municipality of Big Arm, No. 251 from the following location(s) and in the following estimated quantities:

Location

Quantity to be Excavated

Contractor