

## The Rural Municipality of North Battleford No. 437

### Bylaw 4-2009

## A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of North Battleford No. 437 in the Province of Saskatchewan enacts as follows:

In this bylaw:

- (a) "contractor" includes any person, firm or corporation, including those persons, firms or corporations engaged by the Crown, but does not include the Crown;
  - (b) "gravel" includes rock, stone, sand and other material in excess of 105 Microns in diameter;
  - (c) "premise" includes any pit, site, or location within the municipality, in which gravel is naturally situated and from which gravel is excavated.
2. No contractor shall operate or offer for hire any machine, tractor, truck or other appliance used in excavation of gravel from any other premise within the municipality without having first obtained a license to do so from the municipality in the form of Schedule "A" attached hereto.
  3. Any contractor requiring a license under provision of this bylaw shall each year, make written application to the Administrator of the location of each premise from which the gravel is to be excavated and an estimate of the amount to be excavated within the current year; and paying in advance a fee of:
    - (a) 10.5 cents per cubic yard of gravel excavated from the premise; or
    - (b) 13.7 cents per cubic meter; or
    - (c) .74 cents per tonne; or
    - (d) .69 cents per ton for each ton of gravel
  4. Notwithstanding Section 3 of this bylaw where the estimated amount of gravel to be excavated exceeds 6,000 yards, the sum of \$366.00 shall be payable the date the license is issued and the balance shall be payable by December 31<sup>st</sup> of each year calculated on the amount of gravel excavated each year.
  5. 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 31<sup>st</sup> day of December of the year of issue.
  6. On or before December 31<sup>st</sup> of the year in which the license has been issued the contractor shall make a return under oath, in the form shown in Schedule "B" attached hereto, to the Administrator of the Municipality showing the quantity of gravel (in cubic yards) excavated from each premise and pay the prescribed fee as set out in paragraph 3 of the bylaw.

7. 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.
8. 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.
9. Bylaw 1-82 is hereby repealed.
10. This bylaw shall come into effect on July 1, 2009.



*Lois Kay*

Reeve

*Robin Assareet*

Administrator