

BYLAW 2019-10

Rural Municipality of Lajord No. 128

A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Lajord No. 128 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 Lajord No. 128
 - 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, in the form of Schedule "A" attached hereto, 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 from, an estimate of the amount of gravel to be excavated within the current year; and paying in advance a fee of:
 - a) \$0.171 per cubic metre or each cubic metre; or
 - b) \$0.131 per cubic yard for each cubic yard; or
 - c) \$0.092 per tonne for each tonne; or
 - d) \$0.086 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 5,000 yards, 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 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 31st 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 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.

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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. This bylaw will come into effect on January 1, 2020. Bylaw No. ²⁰¹⁸⁻⁰³ 345 will hereby be repealed on this date.



Z. Bill
Reeve

[Signature]
Administrator

Certified a true copy of Bylaw 2019-10 adopted by resolution on the 10th day of December, 2019.

[Signature]
Administrator

SCHEDULE "A"

APPLICATION FOR LICENSE TO REMOVE GRAVEL

I/we, _____ of _____

HEREBY make application to the Rural Municipality of Lajord No. 128 for a license to remove gravel from within the municipality during the current year, from the following land locations:

- Part _____ Section _____ Township _____ Range _____ West of 2nd Meridian
- Part _____ Section _____ Township _____ Range _____ West of 2nd Meridian
- Part _____ Section _____ Township _____ Range _____ West of 2nd Meridian
- Part _____ Section _____ Township _____ Range _____ West of 2nd Meridian

I/We estimate that _____ of gravel will be removed during the current year. *(Please specify the measuring unit i.e., yards, tons, tonnes or metres)*

In consideration of the issue of the requested license, I/we hereby agree to pay all required fees as set out in Bylaw No. 2019-10 and I/we further agree to complete the enclosed statutory declaration showing thereon the total amount of gravel removed under this application license not later than December 31st of the current year, along with the balance of funds owing.

Dated this _____ day of _____, _____.

Signature of Applicant

Dated this _____ day of _____, _____.

Lynette Herauf, Administrator

SCHEDULE "B"

DECLARATION

IN THE MATTER OF LICENSE BYLAW NO. 2019-10

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] A certificate must be provided from the end user stating the final total quantity of gravel hauled out and be attached to this declaration, 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 _____

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

(SEAL)

Reeve

Administrator