

BYLAW 5/2023

A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Hillsdale No. 440, 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) "chief administrative officer" 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 Hillsdale No. 440;
 - (f) "premise" includes any pit, site or location within the municipality, in 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 Chief Administrative Officer 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 to be excavated within the current year; and paying in advance a fee of:
 - (a) \$0.194 per cubic meter for each cubic metre, or
 - (b) \$0.148 per cubic yard for each cubic yard, or
 - (c) \$0.104 per tonne for each tonne, or
 - (d) \$0.097 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 exceeds 10,000 tonnes, the contractor shall pay a pre-extraction fee equal to the estimated volume of gravel to be extracted multiplied by the rate prescribed in section 4.
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 in 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 form shown in Schedule "A" attached hereto, to the Chief Administrative Officer 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. This bylaw shall come into effect on January 1, 2024.
11. Bylaw 10/2021 is hereby repealed.



Glenn Goodfellow
Reeve

K. McCallachie
Chief Administrative Officer

I certify this to be a true copy
of the original document

Date: December 7, 2023
Name: Janet Hollingshead - Leslie Position: CAO

Janet Hollingshead Leslie
Signature

SCHEDULE "A"

DECLARATION
IN THE MATTER OF LICENSE BYLAW NO. 5/2023

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

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_____.))
_____))
_____))
_____))

A Commissioner for Oaths in and for the Province of Saskatchewan

R.M. OF HILLSDALE NO. 440

GRAVEL EXCAVATION LICENSE APPLICATION
FOR THE YEAR _____

Applicant: Name _____

Address _____

I, the above named applicant, hereby apply for a Gravel Excavation License and I declare that I will be excavating the following estimated amounts of gravel from the following locations:

PIT LOCATION	ESTIMATED EXCAVATION
_____	_____
_____	_____
_____	_____
Total excavation estimate	_____
Gravel License Fee/Unit	_____
Total fee payable upon application	_____

I agree that:

- If the amount of gravel I excavated during 20__ exceeds 10,000 tonnes or the above estimate I will pay to the R.M. of Hillsdale No. 440 the gravel license fee on this excess amount on a monthly basis.
- I will on or before December 31st of this year make a return under oath to the Chief Administrative Officer of the R.M. of Hillsdale No. 440 showing the quantity of gravel excavated from each premise and pay the prescribed fee.

Applicant

Chief Administrative Officer

Approved this _____ day of _____, 20__.