

Licensing – Gravel Extraction
Rural Municipality of Nipawin No. 487
Bylaw No. 2-2008

A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Nipawin No. 487 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 Nipawin No. 487
 - 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 provisions of this bylaw shall each year, make written application, in the form shown in 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 and an estimate of the amount of gravel to be excavated within the current year; any paying in advance a fee of
 - \$0.08 per cubic metre for each cubic metre; or
 - \$0.061 per cubic yard for each cubic yard; or
 - \$0.043 per tonne for each tonne; or
 - \$0.04 per ton for each ton of gravelexcavated from the premise.
5. Notwithstanding Section 4 of this bylaw where the estimated amount of gravel to be excavated exceeds 10,000 tonnes, the sum of \$430.00 shall be payable on the date the license is issued and the balance shall be payable on a monthly basis calculated on the amount of gravel excavated each month.
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 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 any pay the prescribed fee as set out in Section 4 of the bylaw.

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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.



SEAL




Reeve



Administrator

Read a third time and adopted
this 15th day of January, 2008.



Administrator

Certified to be a true copy of
Bylaw No. 2-2008 adopted by the
Council of the Rural Municipality of
Nipawin No. 487 on the 15th day of
January, 2008.





Reeve



Administrator

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Schedule "A"
Gravel License

Name of Applicant: _____

Address _____

Location of premise from which gravel is to be excavated:

Estimated Quantity to be excavated:

_____ cubic metres (\$0.08 per cubic metre) or

_____ cubic yards (\$0.061 per cubic yard) or

_____ tones (\$0.043 per tonne) or

_____ ton (\$0.04 per ton)

I, _____, submit \$ _____
(contractor)

as payment in advance for the estimated quantity of gravel to be excavated in
the year 20____.

Signature of Contractor

License to excavate gravel issued this ____ day of _____, 20____

Signature of Administrator
Rural Municipality of Nipawin No. 487

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Schedule "B"

DECLARATION

IN THE MATTER OF LICENSE BYLAW NO. 2-2008

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

THAT during the year 20____, I excavated _____
from the gravel pit located on the _____
and 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 _____*