

# GRAVEL LICENSING BYLAW

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## RURAL MUNICIPALITY OF EYEBROW NO. 193

### BYLAW NO 02-2016

#### A BYLAW TO LICENSE THE EXCAVATION OF

#### GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Eyebrow No. 193 in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be referred to as the Gravel Licensing Bylaw.
2. In the 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" included rock, stone, sand and other material in excess of 105 microns in diameter;
  - e. "Municipality" shall mean the Rural Municipality of Eyebrow No.193;
  - 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 in the form shown in Schedule "B" attached.
4. Any contractor requiring a license under provision of this bylaw shall each year, make written application 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. 16.0 cents per cubic metre for each cubic metre; or
  - b. 12.2 cents per cubic yard for each cubic yard; or
  - c. 8.6 cents per tonne for each tonne; or
  - d. 8.0 cents per ton for each ton of gravel excavated from the premise.
5. Where the contractor estimated that the volume of gravel to be extracted will exceed 10,000 tonnes, the sum of, the contractor shall pay a pre-extraction fee of \$430.00 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 31<sup>st</sup> 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 this 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. Bylaw No. 03/2013 is hereby repealed

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Reeve

(SEAL)

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Administrator

*Certified to be a true copy of Bylaw #02-2016 adopted by  
the Rural Municipality of Eyebrow No. 193  
on this 10<sup>th</sup> day of February, 2016.*

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Administrator

**RURAL MUNICIPALITY OF EYEBROW NO. 193**

**SCHEDULE "A"**

**TO BYLAW NO. 02-2016**

**GRAVEL LICENSE FEE**

I, \_\_\_\_\_ OF \_\_\_\_\_,

In the Province of Saskatchewan, do solemnly declare:

THAT, during the year \_\_\_\_\_, 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  
Saskatchewan. My commission expires

\_\_\_\_\_.

APPLICATION FOR LICENSE TO REMOVE GRAVEL

SCHEDULE "B"  
TO BYLAW NO. 02-2016

GRAVEL LICENSE APPLICATION

HEREBY make application to the Rural Municipality of Eyebrow No. 193 for a license to remove gravel during the current year as follows:

I/We \_\_\_\_\_

of \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Location from which gravel is to be removed: \_\_\_\_\_

Date removal will commence: \_\_\_\_\_

Estimated amount of gravel to removed this year: \_\_\_\_\_

cubic yards ( )      tons ( )      Cubic metres ( )      tonnes ( )

In consideration of the issue of the requested license I/We \_\_\_\_\_

\_\_\_\_\_, hereby agree that, not later than **December 31**, \_\_\_\_\_,

I/we will provide the Municipality with a written statement showing the amount of gravel removed under this application and pay to the municipality any amount still outstanding in accordance with the prescribed fee as set out in paragraph 4 of Bylaw #02-2016.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

(Contractor signature(s)) \_\_\_\_\_

\_\_\_\_\_

.....  
**The contractor shall pay a pre-extraction fee of \$430.00.**

The license fee, based on the estimate, is to be paid in advance of excavation. The Municipality will refund any overpayment at the end of the year upon receipt of declaration showing the quantity actually excavated.

- Fees under Bylaw #02-2016 are: 16.0 cents per cubic metre for each cubic metre; or
- 12.2 cents per cubic yard for each cubic yard; or
- 8.6 cents per tonne for each tonne; or
- 8.0 cents per ton for each ton of gravel excavated from the premise.

Administration upon receipt of Schedule "A" will either refund the difference of the deposit or the licensee will pay the amount outstanding for the total gravel extracted that year.

Amount enclosed: \$ \_\_\_\_\_