

RURAL MUNICIPALITY OF HEART'S HILL NO. 352

BYLAW NO. 1/22

A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Heart's Hill No. 352 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 (0.004 inches) in diameter;
 - e. "Municipality" shall mean the Rural Municipality of Heart's Hill No. 352; and
 - 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 an approval, in writing, to do so from the municipality.
4. Any contractor requiring an approval under the 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 the maximum gravel extraction fee as determined by the rates set out in Section 8.1 of the *Municipalities Regulations* for gravel excavated from the premise.
5. Where the contractor estimates that the volume of gravel to be extracted will exceed the equivalent of 10,000 tonnes, 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 the council to suspend or revoke the same as provided by *The Municipalities Act*, every approval 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 approval 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 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 fee has been paid in advance.

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. That Bylaw No. 3/20 be hereby repealed.

[SEAL]

Reeve

Administrator

Read a third time and adopted this 10th day of February, 2022.

SCHEDULE "A"

DECLARATION

IN THE MATTER OF LICENSE BYLAW NO. 3/20

OF THE RURAL MUNICIPALITY OF HEART'S HILL NO. 352

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] 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 for the Province of Saskatchewan

My commission expires _____

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