

A BYLAW TO LICENCE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The council of the Rural Municipality of Lumsden No. 189, in the Province of Saskatchewan enacts as follows:

1. in this bylaw the:
 - (a) "contractor" includes any person, firm or corporation, including those persons, firms or corporations engaged by the crown, but does not include the crown;
 - (b) "gravel" includes rock, stone, sand and other material in excess of .105 microns in diameter;
 - (c) "premise" includes any pit, site or location within the municipality, in which gravel is naturally situated and from which gravel is excavated.

2. 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 licence to do so from the municipality.

3. Any contractor requiring a licence 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) 8.0 cents per cubic metre for each cubic metre or
 - (b) 6.1 cents per cubic yard for each cubic yard, or
 - (c) 4.3 cents per tonne for each tonne, or
 - (d) 4.0 cents per ton for each ton of gravel excavated from the premise.

4. Notwithstanding Section 3 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 licence is issued and the balance shall be payable on a monthly basis calculated on the amount of gravel excavated each month.

5. Subject to the right of the council to suspend or revoke the same as provided by the Rural Municipality Act every licence shall remain in force or in effect until and including the 31st day of December of the year of issue.

6. On or before December 31st of the year in which the licence 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 cubic metres, cubic yards, tonnes, or tons) excavated from premise and pay the prescribed fee as set out in paragraph 3 of the bylaw.

7. 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 licence fee has been paid.

8. 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.
9. Bylaw No. 79/80 adopted March 24, 1980 is hereby repealed.

K R Busby

Reeve

J E Spier

Administrator.

Certified a true copy of the bylaw No. 2/87 adopted by resolution of council on the 5th day of January, 1987.

K R Busby

REEVE

J E Spier

ADMINISTRATOR



SCHEDULE "A"

IN THE MATTER OF LICENCE BYLAW NO. 2/87

CANADA)
Province of Saskatchewan) TO WIT:

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

That during the year 19____, I excavated _____
(quantity of gravel removed)
from the gravel pit located on the _____ and I
(state location of pit)
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 _____, A.D. 19_____.

_____)
A Commissioner for Oaths in and for the)
Province of Saskatchewan.)
My commission expires December 31, 19____)

CONTRACTOR