

BYLAW NO. 7-2016

RURAL MUNICIPALITY OF MARIOTT NO. 317

LICENCE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

Title:

This Bylaw shall be cited as the:

Rural Municipality of Marriott No. 317 – Gravel Excavation and Extraction Bylaw No. 07-2016

Purpose:

The purpose of this bylaw is to regulate the excavation and extraction of gravel located within the Rural Municipality of Marriott No. 317

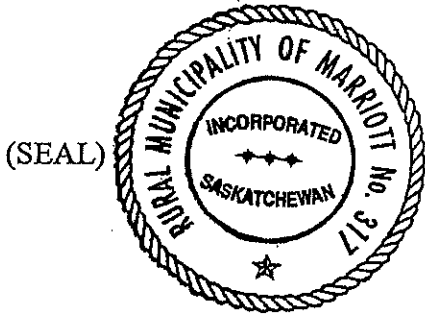
The Council of the Rural Municipality of Marriott No. 317, in the Province of Saskatchewan enacts as follows:

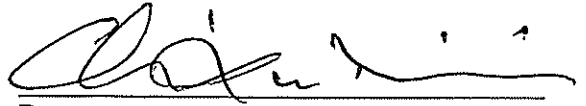
1. In this bylaw the:
 - a. (a) "contractor" includes any person, firm or corporation, including those persons firms or corporation engaged by the crown, but does not include the crown;
 - b. (b) "gravel" includes rock, stone, sand and other material in excess of 105 Microns in diameter; and the word
 - c. (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 license to do so from the municipality.
3. 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 as identified with the Saskatchewan Municipal Regulations, which is set by the Ministry of Government Relations.
4. Notwithstanding Section 3 of this bylaw where the estimated amount of gravel to be excavated exceeds 10,000 tonnes, the maximum amount as identified within the Municipal Regulations 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.
5. 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.
6. 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 cubic metres, cubic yards, tonnes or tons) excavated from each 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 licensee 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.

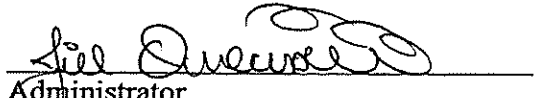
Coming Into Force:

This Bylaw shall come into force on the day of its final passing.

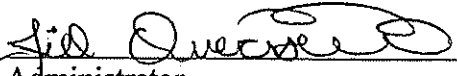
Read a first time this	<u>13</u> day of <u>December</u> , 2016
Read a second time this	<u>13</u> day of <u>December</u> , 2016
Read a third time and passed this	<u>13</u> day of <u>December</u> , 2016



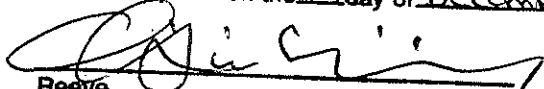

 Reeve

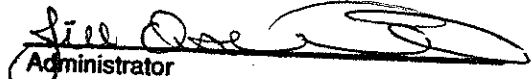

 Administrator

Read a third time and
 Adopted this 13th day of
 December, 2016


 Administrator

Certified a true and correct copy of Bylaw No. 07-2016
 passed by the Council of the Rural Municipality of
 Marriott No. 317 on the 13 day of December, 2016


 Reeve


 Administrator

SCHEDULE "A"

IN THE MATTER OF LICENCE BYLAW NO. 07-2016

CANADA) TO WIT:

Province of Saskatchewan)

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 _____, A.D. 20 _____.

_____)

A Commissioner for Oaths in and for the)
Province of Saskatchewan.)

Contractor

My commission expires November 30, 20____)