

## **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 31<sup>st</sup> 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.



**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\_\_\_\_ )

## **SCHEDULE “B”**

### **IN THE MATTER OF LICENCE BYLAW NO. 07-2016**

The following schedule reflects the current 2016-2017 maximum gravel extraction licence fees that will be charged by the R.M. of Marriott No. 317 as set out in *The Municipalities Act* & will differ as updated by the Saskatchewan Ministry of Government Relations.

#### **Extraction Rates for 2016 and 2017:**

- \$0.160 per cubic metre
- \$0.122 per cubic yard
- \$0.086 per cubic tonne
- \$0.080 per ton