

RURAL MUNICIPALITY OF SHERWOOD NO. 159

BYLAW NO. 06/09

A BYLAW TO LICENCE THE EXTRACTION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Sherwood No. 159 in the Province of Saskatchewan enacts as follows:

1. In this Bylaw:
 - 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:

\$0.10.5 cents per cubic yard for each cubic yard, of gravel excavated from the premise
4. Notwithstanding Section 3 of this bylaw where the estimated amount of gravel to be excavated exceeds 7, 167 cubic yards, the sum of \$752.53 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 Municipalities Act*, every licence shall remain in force or in effect until and including the 31st day of December of the year issued.
6. On or before December 31 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 Administrator of the municipality showing the quantity of gravel excavated from each premise and pay the prescribed fee as set out in paragraph 3 of this 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 Municipalities Act*.
9. Bylaw No. 1/91 is hereby repealed.

S E A L

Reeve

Read a third time and adopted

This ____ day of _____, 2009

Administrator
(Section 8.1(1) of the *Municipalities Act*)

Administrator

SCHEDULE "A"

IN THE MATTER OF LICENCE BYLAW NO. 06/09

CANADA)
Province of Saskatchewan)

TO WIT:

I, _____ of the _____ in

the Province of Saskatchewan, do solemnly declare:

That during the year _____, I excavated _____ from the
(quantity of gravel removed)

gravel pit located on the NW ¼ 23-18-21-W2 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 Evident Act*.

Declared before me at the
City of Regina
In the Province of Saskatchewan,

This ____ day of _____, _____.

A commissioner for Oaths in and for
The Province of Saskatchewan.
My commission expires _____, _____.

CONTRACTOR