

## **BYLAW NO 2023-03**

### **A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS**

The Council of the RM of Francis 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 in diameter;
    - e. "Municipality" shall mean the RM of Francis No. 127
    - 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 a license to do so from the municipality.
  4. Any contractor requiring a license under provision of this bylaw shall each year, make written application<sup>1</sup> 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) \$0.194 per cubic metre or each cubic metre; or
    - b) \$0.148 per cubic yard for each cubic yard; or
    - c) \$0.104 per tonne for each tonne; or
    - d) \$0.097 per ton for each ton of gravelexcavated from the premise.
  5. Where the contractor estimates that the volume of gravel to be extracted will exceed 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.
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6. 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.
7. 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 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 license fee has been paid.
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. Bylaw #2021-10 is hereby repealed.
11. Coming into Force  
 This bylaw shall come into force and take effect on January 1, 2024.



1<sup>st</sup> Reading NOV. 14/23  
 2<sup>nd</sup> Reading NOV. 14/23  
 3<sup>rd</sup> Reading NOV. 14/23

[Signature]  
 Reeve

[Signature]  
 Administrator

Read a third time and adopted

**Certified to be a true copy of Bylaw No. 2023-03 adopted by the council of the Rural Municipality of Francis No. 127 on the**

this 14th day of November 2023 14th day of November, 2023.

[Signature]  
 Administrator

[Signature]  
 Administrator/Reeve

SCHEDULE "A"

**DECLARATION**

**IN THE MATTER OF LICENCE BYLAW NO. 2023-03**

I, \_\_\_\_\_  
of the \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_  
do solemnly declare that:

1. During the year 20\_\_\_\_, I excavated \_\_\_\_\_<sup>[1]</sup> from the gravel pit located on land described as \_\_\_\_\_<sup>[2]</sup> 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*.

\_\_\_\_\_  
Name of Contractor Printed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of signature

\_\_\_\_\_  
Witness Name Printed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of signature