

**BYLAW NO. 2024-01**

**RURAL MUNICIPALITY OF ROCANVILLE**

**BYLAW TO LICENSE EXCAVATION OF GRAVEL FROM GRAVEL PITS**

The Council of the R.M. of Rocanville No. 151 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" means the administrator of the Municipality, and includes an acting administrator;
  - (b) "Council" means the council of the Municipality;
  - (c) "Excavation" means the removal of gravel from a premise;
  - (d) "Gravel" includes rock, stone, sand and other material in excess of 105 microns in diameter;
  - (e) "Licensee" means a person who has been issued a license to excavate gravel within the Municipality in accordance with this Bylaw;
  - (f) "Municipality" means the R.M. of Rocanville No. 151;
  - (g) "Person" includes a firm or corporation; and
  - (h) "Premise" includes any pit, site or location within the Municipality in which gravel is naturally situated.
3. No person shall:
  - (a) excavate any gravel from any premise; or
  - (b) operate or offer for hire within the Municipality any machine, tractor, truck or other appliance used in the excavation of gravel, without having obtained a license to do so from the Municipality for the applicable calendar year in accordance with this Bylaw.
4. Any person applying for a license pursuant to this Bylaw shall:
  - (a) apply to the Administrator in a form acceptable to the Administrator;
  - (b) provide the Administrator with an estimate of the quantity of gravel the person will excavate from premises within the Municipality in the calendar year, reporting each and every month;
  - (c) comply with any terms and conditions imposed by the Administrator; and
  - (d) pay the fee provided for under section 6 of this Bylaw as a pre-extraction fee based on the estimate of the quantity of gravel to be excavated multiplied by the rate prescribed in section 6 of this Bylaw, to a maximum of the fee applicable to the excavation of 10,000 cubic yards of gravel.
5. As a condition of issuing a license, the Administrator may impose any terms and conditions that it considers appropriate.
6. Each person who excavates gravel from any premise shall pay to the Municipality the amount of **\$0.148 per cubic yard or \$0.194 per cubic metre, or \$0.104 per tonne, or \$0.097 per ton, for the gravel excavated.**
7. Upon cessation of excavation of gravel in each calendar year, payment will be made each month of the calendar year, each licensee:
  - (a) shall make a return under oath to the Administrator (in the form attached as Schedule "A" to this Bylaw) showing the quantity of gravel excavated from premises within the Municipality during the calendar year; and
  - (b) shall pay to the Municipality the prescribed fee set out in section 6 of this Bylaw respecting the quantity of gravel excavated by the person, less the amount of any pre-extraction fee paid concurrently with the person's license application under section 4(d) of this Bylaw.

8. Upon receipt of a licensee's return under section 7(a), the Municipality shall refund to that licensee any pre-extraction fees collected under this bylaw for estimated quantities of gravel not excavated from premises within the Municipality within the calendar year.

9. Subject to the right of the Council to suspend or revoke any license under this Bylaw as provided for in the *Municipalities Act*, every license issued under this Bylaw shall remain in force and effect until and including the 31<sup>st</sup> day of December of the year in which such license was issued.

10. No licensee shall fail to comply with any term or condition of the license.

11. Any person who violates section 3, 6, 7 or 10 of this Bylaw shall be liable on summary conviction to the penalties provided for in the Municipality's General Penalty Bylaw.

12. Bylaw No. 1200 is hereby repealed.



Read a Third Time and Adopted  
This 18<sup>th</sup> day of January, 2024.

Melissa Stukend  
Reeve

[Signature]  
Administrator

A certified copy of Bylaw No. 2024-01  
read a third time and adopted  
this 18<sup>th</sup> day of January, 2024.

[Signature]  
Administrator



SCHEDULE "A"

DECLARATION

IN THE MATTER OF LICENCE BYLAW NO. 2024-01

I, \_\_\_\_\_  
Of \_\_\_\_\_

In the Province of \_\_\_\_\_ do

Solemnly declare that:

1. During the year \_\_\_\_\_, I excavated \_\_\_\_\_  
from the gravel pit located on the land described as \_\_\_\_\_  
\_\_\_\_\_  
And give you final yardage at the end of haul or year-end whichever  
comes first, 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.

Contractor \_\_\_\_\_  
Date \_\_\_\_\_