

**RURAL MUNICIPALITY OF LEASK NO. 464**

**BYLAW NO. 19-2023**

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

The Council of the Rural Municipality of Leask No. 464 in the Province of Saskatchewan, in open meeting hereby 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 Rural Municipality of Leask No. 464;
  - f. "Premises" 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 premises 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 in the form shown in Schedule "A" attached hereto, to the Administrator of the municipality stating the name and address of the applicant, the location of each premises 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 for 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. \$0.087 per ton for each ton  
(GST additional)Excavated from the premise, no later than March 31<sup>st</sup> of each year.
5. Where the contractor estimates that the volume of gravel to be extracted will exceed 10,000 cubic yards, 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. For the purpose of this section, the equivalent volume of 10,000 yds shall mean, 7,645 cubic meters, 14,200 tonnes or 15,300 tons.
7. Upon request, the contractor shall provide load reports to verify the amount of goods or commodities hauled for the period specified by the municipality. Failure to do so within a 30 days period shall result in an immediate suspension.
8. 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.
9. 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 "B" attached hereto, to the Administrator of the municipality showing the quantity of gravel, in the agreed units of measurement, excavated from each premises and pay the prescribed fee as set out in Section 4 of the bylaw.
10. Applicants shall adhere to Appendix "A"; requirements of Sand and Gravel Operations as provided under the municipal Zoning Bylaw 02/2020.
11. The municipality shall refund to the contractor any fees collected under this bylaw for estimated quantities of gravel not excavated from the premises and for which the license fee has been paid.
12. 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.

That Bylaw 12/2023 is hereby repealed.



  
 \_\_\_\_\_  
 Reeve:

  
 \_\_\_\_\_  
 Administrator:

Read a 3<sup>rd</sup> time and adopted on this 13 day of Decemb., 2023.

Certified a true copy of the Original,  
 this 8 day of December 2023.

  
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**SCHEDULE "A"**

**APPLICATION FOR LICENSE**

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Name of Applicant

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Address

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City

Province

Postal Code

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Location of Premises from which Gravel is to be Excavated

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Estimate of the Amount of Gravel to be Excavated

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Signature of Applicant

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Date

*JK*

*A*

SCHEDULE "B"

DECLARATION

IN THE MATTER OF LICENSE BYLAW No. 19/2023

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

of the \_\_\_\_\_ of \_\_\_\_\_ in the Province

of \_\_\_\_\_ do solemnly declare that:

1. During the year 20\_\_\_\_, I excavated \_\_\_\_\_ from the gravel pit

located on land described as \_\_\_\_\_ 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*.

Declared before me at the \_\_\_\_\_ }

of \_\_\_\_\_ in the Province of \_\_\_\_\_ }

\_\_\_\_\_  
Contractor

\_\_\_\_\_ }  
Saskatchewan this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ }

\_\_\_\_\_  
*A Commissioner for Oaths in and for the Province of Saskatchewan*

*My commission expires* \_\_\_\_\_

*[Handwritten signature]*

*[Handwritten mark]*