

# RURAL MUNICIPALITY OF PAYNTON NO. 470

## BYLAW NO. 3, 2008

### COMMERCIAL GRAVEL EXCAVATION & HAUL BYLAW

THE COUNCIL FOR THE RURAL MUNICIPALITY OF PAYNTON NO. 470 IN THE PROVINCE OF SASKATCHEWAN ENACTS AS FOLLOWS:

#### TITLE

1. This Bylaw shall be cited as the "Rural Municipality of Paynton No. 470 – Commercial Gravel Excavation & Haul Bylaw No. 3, 2008".

#### PURPOSE

2. The purpose of this Bylaw is to provide for the licencing of gravel excavation from gravel pits which are located within the Rural Municipality of Paynton No. 470; and
3. To impose Material Haul Fees for product hauled within the Rural Municipality of Paynton No. 470 in order to assist with increased maintenance and oiling costs due to this type of activity on the rural roads.

#### DEFINITIONS

4. In this Bylaw:
  - a. **Contractor** includes any person, firm or corporation that hauls "gravel" (as defined below), those persons, firms or corporations engaged by the Crown, but does not include the Crown;
  - b. **Gravel** includes rock, clay, stone, sand and other material;
  - c. **Municipality** means the Rural Municipality of Paynton No. 470;
  - d. **Pit Owner** includes any person, firm or corporation, that owns, leases and/or operates a gravel "premise" as defined below;
  - e. **Premise** includes any pit, site, or location within the municipality, in which gravel is naturally situated and from which gravel is excavated.

#### LICENCES

5. No Pit Owner shall operate or offer for hire any machine, tractor, truck or other appliance used in the excavation of gravel from any premise within the Municipality without having first obtained a licence to do so from the Municipality.
6. Any Pit Owner requiring a licence under provision of this Bylaw shall make a written application each year, in the form of Schedule "A" which is attached to and forms part of this Bylaw, and submit their application to the Administrator of the Municipality stating:
  - a. the name and address of the applicant,
  - b. the phone, fax, and email information of the applicant;
  - c. the location of each premise for which the gravel is to be excavated; and
  - d. payment of a licence fee of \$500.00 per year.
7. 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 31<sup>st</sup> day of December of the year of issue.

#### MATERIAL HAUL FEES

8. No Contractor shall operate or offer for hire any machine, tractor, truck or other appliance used in the hauling of gravel within the Municipality without registering with the Municipality, keeping records of material haul quantities, and payment of Material Haul Fees for each cubic yard of gravel hauled within or through the Municipality, at the rate of \$0.10 per cubic yard.

D.F. EK

9. On or before March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup> of the year, the Contractor shall make a quarterly return under oath, in the form of Schedule "B" attached hereto and forming part of this Bylaw, to the Administrator of the Municipality, showing the quantity of gravel in cubic yards hauled from each premise and pay the prescribed fee as set out in section 8 of this Bylaw.
10. The Contractor shall submit quarterly payments to the Municipality by the 15<sup>th</sup> of April, July, October and December of each year.

**INFRACTION OF BYLAW**

11. 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.

**REPEAL OF PREVIOUS BYLAW**

12. This Bylaw repeals and replaces Bylaw No. 2, 2008.

**BYLAW IN FORCE**


13. This Bylaw shall come into force on January 1, 2009.

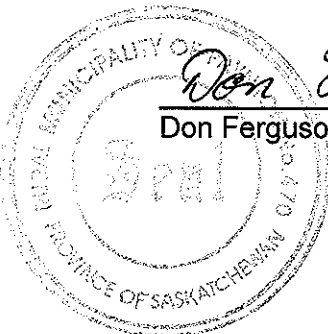
**READ A FIRST TIME THIS 19<sup>th</sup> day of November, 2008.**

**READ A SECOND TIME THIS 19<sup>th</sup> day of November, 2008.**

**READ A THIRD AND FINAL TIME THIS 19<sup>th</sup> day of November, 2008.**

  
\_\_\_\_\_  
Elaine Knowlson, Administrator

  
\_\_\_\_\_  
Don Ferguson, Reeve



Certified a true copy of Bylaw No. 3, 2008  
adopted by resolution of Council on the  
19th day of November, 2008.

  
\_\_\_\_\_  
Administrator



SCHEDULE "A" TO BYLAW NO. 3, 2008

GRAVEL EXCAVATION LICENCE

(One Licence per Gravel Pit per Year)

CANADA )  
Province of Saskatchewan )

TO WIT:

I, \_\_\_\_\_  
(NAME)

of \_\_\_\_\_  
(COMPANY)

of \_\_\_\_\_  
(ADDRESS - Civic, Legal Description & Mailing)

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

DO SOLEMNLY DECLARE:

THAT during the year \_\_\_\_\_,

- I will be operating a gravel pit located at the \_\_\_\_\_  
\_\_\_\_\_ (state location of pit)

which is situated within the Rural Municipality of Paynton #470; and

- Last year, \_\_\_\_\_ cubic yards were excavated from this pit;

AND THEREFORE, 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.

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CONTRACTOR

Phone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Email Address: \_\_\_\_\_

Declared before me at the \_\_\_\_\_  
of \_\_\_\_\_ in the Province of  
Saskatchewan, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

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

*D. J. EK*

SCHEDULE "B" TO BYLAW NO. 3, 2008

MATERIAL HAUL FEES  
QUARTERLY REPORT

CANADA )  
Province of Saskatchewan )

TO WIT:

I, \_\_\_\_\_  
(NAME)

of \_\_\_\_\_  
(COMPANY)

of \_\_\_\_\_  
(ADDRESS)

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

DO SOLEMNLY DECLARE:

THAT during the quarterly period of \_\_\_\_\_ to \_\_\_\_\_

I hauled a total of \_\_\_\_\_ cubic yards of gravel, rock, clay, stone, sand and/or any other material within the Rural Municipality of Paynton #470 as follows:

\_\_\_\_\_ cubic yards from \_\_\_\_\_ (pit) to location within RM #470

\_\_\_\_\_ cubic yards from \_\_\_\_\_ (pit) to location within RM #470

\_\_\_\_\_ cubic yards from \_\_\_\_\_ (pit) to another RM.

\_\_\_\_\_ cubic yards from \_\_\_\_\_ (pit) to other Province.

\_\_\_\_\_ cubic yards from \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_ cubic yards from \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_ cubic yards from \_\_\_\_\_ to \_\_\_\_\_

THEREFORE, hereby submit \$\_\_\_\_\_ to the RM of Paynton #470, representing the total number of cubic yards times \$0.10/cu.yard;

AND THEREFORE 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  
Phone No. \_\_\_\_\_  
Fax No. \_\_\_\_\_  
Email Address: \_\_\_\_\_

Declared before me at the \_\_\_\_\_  
of \_\_\_\_\_ in the Province of  
Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

D. J. EK