

**RURAL MUNICIPALITY OF EXCEL NO. 71**

**BYLAW NO. 12-2023**

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

The Council of the Rural Municipality of Excel No. 71, in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be referred to as “The Gravel Licensing Bylaw”.
2. In this bylaw, the following definitions apply:
  - a) “Administrator” means 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” means the council of the municipality;
  - d) “Gravel” includes rock, stone, sand and other material in excess of 0.004 inches in diameter;
  - e) “Municipality” means the Rural Municipality of Excel No. 71; and
  - 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, in the form shown in Schedule “B”, 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 pay a fee of
  - a) \$0.194 per cubic metre; or
  - b) \$0.148 per cubic yard; or
  - c) \$0.104 per tonne; or
  - d) \$0.097 per ton of gravel excavated from the premise.
5. All fees calculated in Section 4 are required to be paid as pre-extraction fees due on the date the license is issued up to a maximum of \$940, equal to 10,000 tonnes of gravel, as per Section 8.1 (5) and (6) of *The Municipalities Act*. Any fees for estimated quantities exceeding this amount are subject to Section 7 of this bylaw.
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<sup>st</sup> 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 remaining prescribed fee, if applicable, 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 No. 5-2022 is hereby repealed.
11. This bylaw shall come into force on January 1, 2024.

Read a first time the 14<sup>th</sup> day of November, 2023.

Read a second time the 14<sup>th</sup> day of November, 2023.

Read a third time and adopted the 13<sup>th</sup> day of December, 2023.



*Quinn Montgomery*  
Reeve

*[Signature]*  
Administrator

CERTIFIED A TRUE COPY OF  
BYLAW NO. 12-2023, ADOPTED BY  
RESOLUTION OF COUNCIL ON  
DECEMBER 13, 2023.

*Quinn Montgomery*  
Reeve

*[Signature]*  
Administrator



SCHEDULE A

# DECLARATION

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

\_\_\_\_\_  
Contractor

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

SCHEDULE B

# APPLICATION FOR GRAVEL EXTRACTION LICENSE

Applicant Name \_\_\_\_\_ Company Name \_\_\_\_\_  
Address \_\_\_\_\_ Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
(if different than Address) \_\_\_\_\_  
Postal Code \_\_\_\_\_ Postal Code \_\_\_\_\_

Contact Name \_\_\_\_\_ Contact Phone # \_\_\_\_\_  
Contact Cell # \_\_\_\_\_ Contact Fax # \_\_\_\_\_  
Contact Email Address \_\_\_\_\_

I/we, \_\_\_\_\_ of \_\_\_\_\_

DO HEREBY make application to the Rural Municipality of Excel No. 71 for a license to remove gravel from within the municipality during the current year, from the following land locations:

\_\_\_\_\_

In consideration of the license issued as a result of this request, I/we hereby agree to pay all required fees as set out in the Gravel Licensing Bylaw and I/we further agree to complete "Schedule A" Declaration of the Gravel Licensing Bylaw showing thereon the total amount of gravel removed under this application license no later than December 31<sup>st</sup> of the current year, along with the remaining balance of funds owing, if applicable.

I/we, or my hired gravel hauling company, hereby agree to enter into a Road Maintenance Agreement with the R.M. of Excel No. 71 to remove the above said gravel, if applicable, and pay all required fees of the Agreement no later than December 31<sup>st</sup> of the current year.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Applicant

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Administrator