

Licensing – Gravel Extraction Fee

RURAL MUNICIPALITY OF KELLROSS NO. 247

BYLAW NO 2025-02

A BYLAW TO LICENSE THE EXCAVATION OF GRAVEL FROM GRAVEL PITS

The Council of the Rural Municipality of Kellross No. 247 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 ¹ in diameter;
 - e. “Municipality” shall mean The Rural Municipality of Kellross No. 247;
 - 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 application² 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) \$0.205 per cubic metre for each cubic metre; or
 - b) \$0.156 per cubic yard for each cubic yard; or
 - c) \$0.110 per tonne for each tonne; or
 - d) \$0.102 per ton for each ton of gravel³ excavated 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.⁴
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 31st day of December of the year of issue.

¹ 105 microns = 0.004 inches

² The municipality may wish to develop an application form, which would then be referenced and appended to this bylaw.

³ The units of measurement can be agreed upon by the municipality and the contractor. The maximum rates which a municipality may charge can be found in Section 8.1 of *The Municipalities Regulations*.

⁴ This provision is a discretionary power which may be exercised by the municipality. The maximum pre-extraction fee that a municipality may assess is based on a volume of 10,000 tonnes, or equivalent volume. The volume specified in this provision, which may be less than 10,000 tonnes, will then require the contractor to pay the pre-extraction fee. Review Subsections 8.1 (5)-(6) of *The Municipalities Regulations*.

- 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 No. 2024-02 is hereby repealed.

Read a first time this _____ day of _____, 2025
Read a second time this _____ day of _____, 2025
Read a third time and adopted this _____ day of _____, 2025

[SEAL]

Reeve

Administrator

SCHEDULE "A"

DECLARATION
IN THE MATTER OF LICENCE BYLAW NO. 2025-02

I, _____
of the _____ of _____ in the Province of _____
do solemnly declare that:

1. During the year 20____, I excavated _____^[1] from the gravel pit
located on land described as _____^[2] 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____

A Commissioner for Oaths in and for the Province of Saskatchewan
My commission expires _____

Contractor

1. State quantity and units of measurement
2. State location of pit