

BY-LAW #16/22

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to deal with the issuance of Aggregate Transport Licences, Aggregate Mining Licences and the Fees prescribed thereunder.

WHEREAS the provisions of *The Municipal Act*, L.M. 1996, c.58 – Chap. M225, subsection 232(2)(e) provides as follows:

- (e) subject to the regulations, provide for a system of licences, permits or approvals, including any or
all of the following:
 - (i) establishing fees, and terms for payment of fees, for inspections, licences, permits and approvals, ...;
 - (iii) prohibiting a development, activity, industry, business or thing until a licence, permit or approval is granted;
 - (iv) providing that terms and conditions may be imposed on any licence, permit or approval, and providing for the nature of the terms and conditions and who may impose them;
 - (v) providing for the duration of licences, permits and approvals and their suspension or cancellation or any other remedy, including undertaking remedial action, and charging and collecting the costs of such action, for failure to pay a fee or to comply with a term or condition or with the by-law or for any other reason specified in the by-law”;

NOW THEREFORE the Council of the Rural Municipality of Rockwood, in Council duly assembled, enacts as a By-Law the following:

1. DEFINITIONS:

“Aggregate” shall mean a quarry mineral that is used solely for construction purposes or as a constituent of concrete other than in the manufacture of cement and includes sand, gravel and crushed stone or rock;

“Aggregate Mining Licence” shall mean a licence issued under clause (2) of this By-Law;

“Aggregate Transport Licence” shall mean a licence issued under clause (3) of this By-Law;

“Highway” means a highway over which the Rural Municipality of Rockwood has jurisdiction;

“Municipality” means the Rural Municipality of Rockwood.

- 2. That, within the Municipality, any person, firm or corporation mining aggregate from land, except in respect of aggregate owned by the Crown or a Crown agency, whether or not mined by a third party under a quarry permit, quarry lease or otherwise, shall be required to obtain an Aggregate Mining Licence in the form and substance hereto attached as Schedule “A”;
- 3. That, within the Municipality, any person, firm or corporation transporting aggregate on a highway shall be required to obtain an Aggregate Transport Licence in the form and substance hereto attached as Schedule “B”;

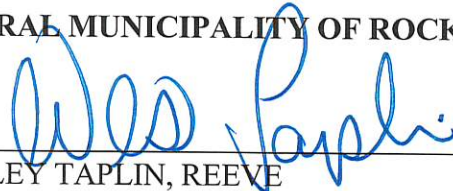
4. That the Municipality requires the payment of annual fees for Aggregate Mining Licences and Aggregate Transporting Licences in the amount of \$200.00 per annum for each licence.
 5. That the Municipality requires the payment of fees by the holder of an Aggregate Mining Licence based on the quantity of aggregate removed from land in the Municipality by the holder as outlined in Schedule "C" attached.
 6. That the Municipality requires the payment of fees by the holder of an Aggregate Transport Licence for the shortened lifetime of, and maintenance, repair and restoration of, highways in respect of transporting aggregate as outlined in Schedule "D" attached.
 7. For the purposes of calculating the funds required to be paid pursuant to No. 6 above, the minimum number of kilometres travelled shall be one kilometre and thereafter any partial kilometres travelled which are half of a kilometre or greater shall be rounded up to the next highest kilometre and anything less than half of a kilometre shall be rounded down to the next lowest kilometre.
 8. That the Municipality requires the holder of an Aggregate Mining Licence to pay any fee referred to in clauses 5 and 6 respecting aggregate mined by the holder of the Aggregate Mining Licence and transported by the holder or another person.
 9. That any person, firm or corporation transporting aggregate with the Municipality, regardless of the origin of the aggregate, is subject to the requirements of clauses 3, 4, 5, and 6 of this By-Law.
 10. That any person, firm or corporation who is required to remit a fee pursuant to this By-Law shall remit quarterly as follows:
 - i) For the period January 1 – March 31 in each year, remittances shall be submitted by April 15th of that year;
 - ii) For the period April 1 – June 30 in each year, remittances shall be submitted by July 15th of that year;
 - iii) For the period July 1 – September 30 in each year, remittances shall be submitted by October 15th of that year; and
 - iv) For the period October 1 – December 31 in each year, remittances shall be submitted by January 15th of the following year.
- Any person, firm or corporation who fails to remit the applicable fee due by the deadline as stated is guilty of an offence. Every day of late remittance is a separate offence.
11. That any person, firm or corporation who mines aggregate from land in the Municipality without first obtaining an Aggregate Mining Licence or transports aggregate on a highway in the Municipality without first obtaining an Aggregate Transport Licence is guilty of an offence. The offender is liable to a fine of not more than TWO HUNDRED DOLLARS (\$200.00).
 12. That any person, firm or corporation who contravenes, refuses, neglects, omits or fails to obey or observe any provision of this By-Law is guilty of an offence and, where no other penalty is provided, is liable to a fine not exceeding FIVE HUNDRED DOLLARS (\$500.00) or to imprisonment for a term not exceeding ONE (1) MONTH, or to both. Where this contravention, refusal, neglect, omission or failure continues for more than one (1) day, the person, firm or corporation is guilty of a separate offence for each day that it continues.

13. That By-Law #23/09 is hereby repealed.

DONE AND PASSED in Council assembled at the Council Chamber of the Rural Municipality of Rockwood, at Stonewall, in the Province of Manitoba, this 11th day of ~~February~~, A.D., 2023.

January

THE RURAL MUNICIPALITY OF ROCKWOOD



J. WESLEY TAPLIN, REEVE



CHRIS LUELLEMAN, CAO

GIVEN First Reading this 14th day of December, A.D., 2022.

GIVEN Second Reading this 11th day of January, A.D., 2023.

GIVEN Third Reading this 11th day of January, A.D., 2023.

SCHEDULE “A”
TO
BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD

AGGREGATE MINING LICENCE

(Name of Person, Firm or Corporation)

of

(Mailing Address of Person, Firm or Corporation)

IS HEREBY LICENCED, PURSUANT TO THE PROVISIONS OF BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD, FOR THE PURPOSES OF MINING AGGREGATE WITHIN THE MUNICIPALITY.

LICENCE EXPIRY DATE: _____

LICENCE FEE: **\$200.00**

DATED IN THE TOWN OF STONEWALL, IN THE PROVINCE OF MANITOBA, THIS
_____ DAY OF _____, A.D., 20____.

THE RURAL MUNICIPALITY OF ROCKWOOD

CHRIS LUELLMAN, CAO

**SCHEDULE “B”
TO
BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD**

AGGREGATE TRANSPORTING LICENCE

(Name of Person, Firm or Corporation)

of

(Mailing Address of Person, Firm or Corporation)

IS HEREBY LICENCED, PURSUANT TO THE PROVISIONS OF BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD, FOR THE PURPOSES OF TRANSPORTING AGGREGATE WITHIN THE MUNICIPALITY.

LICENCE EXPIRY DATE: _____

LICENCE FEE: **\$200.00**

**DATED IN THE TOWN OF STONEWALL, IN THE PROVINCE OF MANITOBA, THIS
_____ DAY OF _____, A.D., 20____.**

THE RURAL MUNICIPALITY OF ROCKWOOD

CHRIS LUELLMAN, CAO

**SCHEDULE “C”
TO
BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD
RATES
PURSUANT TO REGULATIONS 48/97 & 112/2022**

FEES FOR MINING AGGREGATE:

Fee for mining of aggregate shall be based on either

- i) Per tonne

- OR

- i) Per cubic metre

calculated for each applicable year as follows:

Time Period	Column 1 Rate per Tonne	Column 2 Rate per Cubic Metre
2018	\$0.150	\$0.267
2019	\$0.150	\$0.267
2020	\$0.150	\$0.267
2021	\$0.150	\$0.267
2022 and following	\$0.28159	\$0.50124

**SCHEDULE “D”
TO
BY-LAW #16/22 OF THE RURAL MUNICIPALITY OF ROCKWOOD
RATES
PURSUANT TO REGULATIONS 48/97 & 112/2022**

FEE FOR TRANSPORTING AGGREGATE:

Time Period	Column 1 Rate per tonne	Column 2 Rate per cubic metre
March to November	\$0.06398	\$0.11188
January, February and December	\$0.03193	\$0.05610