

# 1317/GEN/94

**TOWN OF INUVIK  
BY-LAW 94-1317**

**BEING A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK IN THE NORTHWEST TERRITORIES FOR THE LEVYING OF FEES FOR MATERIALS TAKEN FROM THE TOWN OF INUVIK PITS AND QUARRIES.**

PURSUANT to Section 169 of the Cities, Towns and Villages Act, R.S.N.W.T. 1988 c.C-8, Council may, by by-law, provide for the establishment, levy and collection of charges provided by the Municipal Corporation.

WHEREAS the Council of the Municipal Corporation of the Town of Inuvik wishes to issue permits to user's of the Town's Pits and Quarries for the purpose of delivery of quarry material to the Town's residents;

NOW THEREFORE, the Council of the Municipal Corporation of the Town of Inuvik, in a regular session duly assembled, enacts as follows.

APPLICATION

1.0 This by-law may be cited as the "Quarry By-law".

INTERPRETATION

2.0 In this by-law:

- a) "Application" means the form of application, as attached hereto, to the Town of Inuvik for a permit to purchase and remove quarry material.
- b) "Town" means the Municipal Corporation of the Town of Inuvik;
- c) "Applicant" means a person or organization who makes application to the Town for a permit to purchase and remove quarry material from the Town's pits and quarries;
- d) "Senior Administrative Officer" means the Senior Administrative Officer of the Town, appointed pursuant to Section 43 of the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c. C-8, or his delegate;
- e) "Public Service Manager" means the Public Service Manager of the Town;
- f) "Town Pit or Quarry" means all borrow pit, either owned by the Town or the Commissioner of the N.W.T., and managed by the Town, where granular material is extracted.

3.0 Except in the case of material removed, pursuant to Section 32 of the Commissioner's Land Regulations, no material shall be removed from Town quarries or pits by an individual, corporation, municipality, government or person unless a quarrying permit authorizing the removal has been issued by the Town.

4.0 Where, in the case material may be removed, pursuant to Section 32 of the Commissioner's Land Regulations, such material shall only be removed from areas allocated to the Town and designated by the Town.

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5.0 The Senior Administrative Officer and the Public Services Manager are hereby authorized to approve on behalf of the Town, applications for Pit and Quarry Permits, in the form appendant hereto as Schedule "A", by inscribing their names in the space provided for the purpose in the said form of application.

6.0 The Public Services Manager is hereby authorized to issue Quarry Permits in the form appendant hereto as Appendix I of Schedule "A" by inscribing his/her name in the space provided for the purpose in the said Quarry Permit.

#### OFFENSES

7.0 Every person who contravenes any provision of this by-law is guilty of an offence and is liable, upon summary conviction, to:

- a) For an individual or person, to a fine not exceeding Five Hundred (\$500.00) Dollars or Three (3) months imprisonment in default of payment of the fine; and
- b) For a corporation, municipality or government, a fine not exceeding Two Thousand (\$2,000.00) Dollars.

#### REVOCATION

8.0 The Senior Administrative Officer may revoke the permit(s) issued under this by-law where he/she is satisfied that:

- a) The permit was issued in error, whether due to misrepresentation or otherwise;
- b) The applicant has breached the conditions of the permit;
- c) The applicant has violated any provisions of this by-law.

#### REPEAL

9.0 By-law 262 ~~is~~ hereby repealed.

#### COMING INTO FORCE

10.0 This by-law shall come into effect upon the day of final passing thereof.

READ A FIRST TIME THIS 27TH DAY OF APRIL, 1994, A.D.

READ A SECOND TIME THIS 27TH DAY OF APRIL, 1994, A.D.

READ A THIRD TIME AND FINALLY PASSED with the unanimous consent of members of Council present this 08TH day of JUNE, 1994, A.D.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
SENIOR ADMINISTRATIVE OFFICER



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SCHEDULE "A"

APPLICATION FOR PIT/QUARRY

PERMIT: ALL TOWN OF INUVIK PITS AND QUARRIES

\*\*\*\*\*

PERMIT # 9\_\_-\_\_\_\_ DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (Pit or Quarry)  
YR MO DA

\*\*\*\*\*  
NOTE: This Application shall serve as the Permit.  
**THIS PERMIT EXPIRES DECEMBER 31, 199\_\_.**

REGISTRATION FEE: \$50.00 per allocated area. Complete two (2) copies of this three part Permit.  
( Copy # 1 - Town of Inuvik, Copy # 2 - Contractor)

\*\*\*\*\*  
**APPLICANT - PART ONE**  
\*\*\*\*\*

Business Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Town Business Licence Number: \_\_\_\_\_

Allocated Areas: \_\_\_\_\_

\*\*\*\*\*  
**TERMS AND CONDITIONS - PART TWO**  
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- 1.0 Normal hours of operation are 08:00 a.m. to 11:00 p.m. Monday to Sunday for the season which will commence on the date of this Permit being issued and ending on Dec. 31 of the same Calendar Year.
- 2.0 The first of the season permit fee (or Registration Fee) shall be \$50.00 per allocated area.
  - 2.1 This fee shall cover Town expenses in establishing files to register plus allocation of previous year's area(s).
  - 2.2 The registration fee referred to in section 2.0 must be paid prior to "first entry" of the season into the Gravel Pit. The season shall be defined as the time period set forth in section 1.0.

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3.0 Fee Schedule:

<b>SEASON PERMIT FEE</b> (per Allocated Area)	\$50.00
<b>ROYALTY</b> (per cubic meter)	\$ 0.25
<b>QUARRY RESTORATION</b> (per cubic meter)	\$ 0.50
<b>ROAD MAINTENANCE</b> (per cubic meter)	\$ .025
<b>QUARRY ADMINISTRATION</b> ( per cubic meter)	\$ 0.50

3.1 Quarry Material Requisition Form identified as **Appendix I** to this Application and attached hereto, shall be completed for material quantity requested by the applicant and submitted with payment prior to "first entry" of the season for removal of quarry materials from the Gravel Pit.

Upon removal of material quantities requested, an additional Quarry Materials Removal Permit, **Appendix I** must be completed and submitted prior to removal of additional materials from the gravel pit.

4.0 Allocated area(s) in the pit are based on the following:

4.1 The Town shall retain first right to any allocated area(s).

4.2 The Applicant beginning in 199\_\_ shall have 15 days from date of notification by the Town Office, to submit their request for the previous year's allocated area(s).

4.3 Any Applicant who has not requested an area(s) in part 4.2 above shall be allocated an area(s) by the Public Services Manager and the allocation shall be final. The method of allocation shall be on a first come first serve basis.

4.4 All disputes over boundaries of the Gravel Pit in relation to allocated area(s) shall be resolved by the Public Services Manager.

4.5 Applicant's allocated area(s) shall consist of one (1) or more parcels of land. Each parcel shall consist of a 50 meter wide section with a level of tolerance of +5 meters width of the land parcel allocated that shall act as a buffer zone to the adjoining allocated parcel of land.

4.6 Any and all stockpiles established during the year this Permit is issued and left in the Gravel/Quarry Pit beyond December 31 of the same year shall revert to the Town and become the property of the Town.

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- 5.0 Town shall be responsible to maintain reasonable haul roads to be known as the "Main Haul Roads". Haul roads shall be as determined by the Public Services Manager.
- 5.1 Individual Applicants shall be responsible for all access roads to their allocated area(s).
- 5.2 Access roads shall be subject to approval by Public Works Manager as it pertains to drainage of the pit.
- 5.3 Applicants shall be responsible to establish a ditch(s) for drainage purposes as directed by the Public Services Manager.
- 6.0 All Regulations by GNWT Standard apply to this permit.
- 6.1 This permit shall not be assigned.
- 6.2 Upon expiry of this permit, any unused materials stockpiled shall revert to the Town.
- 6.3 This permit does not grant to the permit holder any exclusion right or lease hold interest in the land covered by this permit.
- 6.4 This permit is issued subject to the provisions of the Commissioner's Land Regulations and the Conditions set out therein. Failure to comply with the provisions of the regulations and the conditions prescribed in this permit may result in cancellation of this permit in accordance with the Commissioner's Land Regulations without prior notice to the permittee.
- 6.5 All material removed from Town Quarries and Pits shall be for the use of the general public. No material removed from the Town operated Quarries and Pits is to be used for G.N.W.T. Road Construction.
- 6.6 Overburden materials, commonly referred to as blackdirt/or peat mixture, etc., that is stockpiled mixed or separate, shall be subject to the same regulations for hauling, etc.
- 6.7 The applicant acknowledges that the Senior Administrative Officer, or designate are the control person(s) for all Town Borrow Quarry/Pits and may cancel or not issue for cause, a Pit/Quarry Permit.
- 6.8 The applicant must apply for this application for Permit within 15 days of the deadline as set in section 4.2 above.

**END OF TERMS AND CONDITIONS**

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**OFFER AND ACCEPTANCE - PART THREE**

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In signing below, the business, Firm or Contractor agrees to abide by and conform to the terms and conditions as set forth in this document.

**APPLICANT**

\_\_\_\_\_  
Name and Title (Please Print)

\_\_\_\_\_  
Witness, Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\*\*\*\*\*

**APPROVAL OF PERMIT**

**TOWN OF INUVIK**

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**END OF APPLICATION**

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**APPENDIX I**

**TOWN OF INUVIK**

**QUARRY PERMIT**

QUARRY MATERIALS REQUISITION PERMIT NO: \_\_\_\_\_

AREA: \_\_\_\_\_

**APPLICANT:**

Name: \_\_\_\_\_

Box #: \_\_\_\_\_ Street Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

**FEES:**

_____ Cubic Meters	x \$0.25	Royalty	\$ _____
	x \$0.50	Quarry Restoration	\$ _____
	x \$0.25	Road Maintenance	\$ _____
	x \$0.50	Quarry Administration	\$ _____
		TOTAL FEE	\$ _____

Dates Of Removal: \_\_\_\_\_ to December 31 inclusive.

**NOTE: THERE SHALL BE NO REFUND ON ANY FEES PAID.**

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Town of Inuvik

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date