

**TOWN OF NORMAN WELLS
BY-LAW NO. 17-07
Repeal of By-Law 15-20**

BEING A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF NORMAN WELLS IN THE NORTHWEST TERRITORIES TO ESTABLISH PROCEDURES FOR THE OPERATION OF QUARRIES WITHIN THE MUNICIPAL BOUNDARIES, AND THE ESTABLISHMENT, LEVYING AND COLLECTION OF FEES FOR QUARRY MATERIALS, PURSUANT TO THE CITIES, TOWNS AND VILLAGES ACT. S.N.W.T. 2003, C-22.

The Council of the Municipal Corporation of the Town of Norman Wells in the Northwest Territories, in session duly assembled, enacts as follows:

PART 1 - INTERPRETATION

1.1 Short Title

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

1.2 Definitions

In this by-law:

- a. 'Lands / Development Officer' means the Town's Lands / Development Officer or, in his or her absence, such person as may be designated by the Town to fulfil the duties of the Town's Lands / Development Officer;
- b. 'Town' means the Municipal Corporation of the Town of Norman Wells;
- c. 'Quarries' means the lands held in fee simple title by the Town for the purposes of extracting granular materials;
- d. 'Materials' means limestones, shale, clay, sand, or esker material within the Town's quarry or quarry reserve areas;
- e. 'Application' means the form of application, as attached hereto, to the Town of Norman Wells for a permit to purchase and remove quarry material;
- f. 'Applicant' means a person or organization applying to use the Town's quarries.

PART 2 – GENERAL PROVISIONS

2.1 Authority of Municipality

Except in the case of material removed in accordance with Section 32 of the Commissioner's Land Regulations, no material shall be removed from the Town quarries unless:

- a. A quarry permit from the Town of Norman Wells authorizing the removal of materials is acquired; and
- b. The provisions of this by-law are complied with.

2.2 Bulk Extractions

Any permit application that requests for the extraction of bulk quantities of materials (>770 metric tons) shall be accompanied by a proposal which shall include:

- a. A plan detailing the proposed area within the quarry in which drilling and blasting activities would be conducted as well as the spacing, size and depths of all drill holes;
- b. The type and amounts of explosive materials to be used for blasting activities;
- c. The type and size of all items of drilling equipment to be used for drilling activities;
- d. A schedule detailing the proposed dates and times at which drilling and blasting activities will be conducted;
- e. A full and complete description of all safety measures to be employed to ensure the safety of persons and property during drilling & blasting activities;
- f. An environmental strategy plan including the identification of potential impacts, proposed mitigation in the event of accidental spills, restoration or abandonment plans and any effect on quarry or the air;
- g. Other information and materials as the Lands / Development Officer may reasonably require.

Where permission has been granted to drill for and blast limestone, the contractor shall:

- a. Conduct and carry out all drilling and blasting activities in strict accordance with the proposal submitted and approved by the Lands / Development Officer;
- b. Ensure existing floor levels within the quarries are not altered by the drilling and blasting activities;
- c. Only conduct drilling & blasting activities within the areas specified by the Lands / Development Officer;
- d. Ensure that all federal, territorial and municipal requirements in connection with such drilling and blasting activities are adhered to at all times.

2.3 Authority of Officers

- a. The Senior Administrative Officer and the Lands / Development Officer are hereby authorized to approve on behalf of the Town, applications for 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;
- b. The Lands / Development Officer is hereby authorized to issue Quarry Permits in the form appendant hereto as 'Schedule B' by inscribing his/her name in the space provided for the purpose in the said for of application.

2.4 Quarry Access

- a. Access to the Town's quarries shall be permitted during the hours of operation set by the Town (see Schedule C), unless otherwise organized with the Town;
- b. No one shall enter the Town's quarries except:
 - Authorized applicants pursuant to the provisions of this by-law and their employees;
 - Authorized Town contractors and their employees;
 - Town staff;
 - An applicant to whom permission has been granted to conduct drilling and blasting activities pursuant to this by-law and their employees,
 - Peace Officers.

- c. The Town is responsible for the maintenance of the quarry access roads.

2.5 Material Costs

- a. Every applicant that is authorized to remove materials from the quarries pursuant to this by-law shall take that material over the Town's scale to allow the Town to ascertain the quantities of materials being removed from the Town's quarries;
- b. Costs of quarry materials will be in accordance with the schedule appendant hereto as 'Schedule C';
- c. Council, at its discretion, reserves the right to waive quarry material costs for senior citizens or for non-profit organizations, agencies or service clubs.

2.6 Material Supply

The Town does not guarantee supply of materials.

2.7 Authority to Cease or Restrict Service

- a. The Lands / Development Officer may limit the quantities of material anyone may remove from the quarries;
- b. An applicant that has previously been in contravention of this by-law or the Town's credit policy(s) may not be granted a quarrying permit for the removal of materials from the Town's quarries;
- c. Where an applicant fails to comply with the provisions of this by-law the Lands / Development Officer may, in writing, revoke the applicant's Quarry Permit.

PART 3 - ENFORCEMENT

Anyone who contravenes this by-law is guilty of an offence and is liable on summary conviction to:

- a. A fine not exceeding \$1,000.00 for an individual, and \$5,000.00 for a corporation; or
- b. Imprisonment for a period not exceeding six months, in default of a fine.

PART 4 - ADMINISTRATION

4.1 Schedules

Schedules "A", "B" and "C" are attached to and form part of this By-Law.

4.2 Repeal

By-law No.15-20 is hereby repealed.

4.3 Effective Date

This By-Law shall come into effect upon the approval of the document by the authorizing representatives below and will remain in effect until amended or repealed.

It is hereby certified that this By-Law No. 17-07 has been made in accordance with the requirement of the Cities, Towns and Villages Act and the By-Laws of the Town of Norman Wells.

Approved by the Minister of Municipal and Community Affairs, Government of the Northwest Territories:

Caroline Cochrane
Caroline Cochrane

Dec 31, 2017
Date

Approved by the Municipal Administrator, Town of Norman Wells, Government of the Northwest Territories:

Allen Stanzell
Allen Stanzell

2017-12-31
Date



SCHEDULE "A"

Norman Wells Quarry Permit Application

For Administrative Uses Only:

PERMIT NO. _____ DATE: _____
(DD / MM / YYYY)

PIT / QUARRY: _____

PERMIT EXPIRY: _____ APPLICATION FEE: None

TERMS & CONDITIONS

1. Normal hours of operation of the quarry are Monday – Friday, 8:00am-12:00pm and 1:00pm to 5pm. Requests for materials outside of these operating hours are subject to the overtime rates listed in Schedule "C".
2. There are no fees in association with this Application Form.
3. Costs of quarry materials are provided in Schedule "C" and are subject to change.
4. Extraction of quarry materials is limited to the location assigned by the Town, as identified in the approved Quarry Permit.
5. Any permit application that requests for the extraction of bulk quantities of materials (>770 metric tons) shall be accompanied by a proposal which shall include:
 - a. A plan detailing the proposed area within the quarry in which drilling and blasting activities would be conducted as well as the spacing, size and depths of all drill holes;
 - b. The type and amounts of explosive materials to be used for blasting activities;
 - c. The type and size of all items of drilling equipment to be used for drilling activities;
 - d. A schedule detailing the proposed dates and times at which drilling and blasting activities will be conducted;
 - e. A full and complete description of all safety measures to be employed to ensure the safety of persons and property during drilling & blasting activities;
 - f. An environmental strategy plan including the identification of potential impacts, proposed mitigation in the event of accidental spills, restoration or abandonment plans and any effect on quarry or the air;
 - g. Other information and materials as the Lands / Development Officer may reasonably require.
6. The Town is responsible for maintaining the quarry access roads.
7. All federal, territorial and municipal regulatory requirements in connection with quarrying activities apply to the approved permit and shall be adhered to at all times.



8. This permit does not grant to the permit holder any exclusive right or lease hold interest in the land covered by this permit.
9. 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 conditions prescribed in this permit may result in cancellation of this permit without prior notice to the permittee.
10. The applicant acknowledges that the Senior Administrative Officer, or designate are the control person(s) for all Town quarry locations and may cancel or not issue for cause, a Quarry Permit.
11. This application for permit will be reviewed by the Town within a maximum of four (4) business days (no sooner than 2 business days), at which time the applicant will be contacted by the Town.



In signing below, the individual, 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 (print)	_____ Witness, Name and Title (print)
_____ (Signature)	_____ (Signature)
_____ (Date)	_____ (Date)

- I am requesting to extract > 770 metric tons of quarry materials.*
- Proposal attached (as outlined in the Terms of Conditions).*



APPROVAL OF QUARRY PERMIT
Town of Norman Wells

_____ Name and Title (print)	_____ Name and Title (print)
_____ (Signature)	_____ (Signature)
_____ (Date)	_____ (Date)



SCHEDULE "B"
TOWN OF NORMAN WELLS
Quarry Permit

PERMIT INFORMATION

Permit No. _____ Location / Area: _____

Date Approved: _____ Permit Expiry Date: _____

APPLICANT INFORMATION

Name: _____

Street Address: _____ PO Box: _____

Contact Person: _____

Telephone Number: _____ Fax Number: _____

(Applicant Signature) Town of Norman Wells

(Date) (Date)



SCHEDULE "C"

TOWN OF NORMAN WELLS

Quarry Fees

Material

1. Limestone 2" Crush	per Metric Ton	\$16.92
2. Shale	per Metric Ton	\$ 8.70
3. Shale ¾" Crush	per Metric Ton	\$30.95
4. Limestone Residual	per Metric To	\$14.57
5. Limestone ¾" Crush	per Metric Ton	\$18.58
6. Esker Pitrun	per Metric Ton	\$ 5.54
7. Clay Push	per Metric Ton	\$ 2.51
8. Limestone "C&D" Rock	per Metric Ton	\$13.51
9. Limestone "E" Rock	(To be Negotiated)	

Overtime Rates* (includes all statutory holidays)

1. Per Hour	\$ 66.30
2. Minimum Charge	\$265.00

*Overtime rates are for scale operator to be on site from Monday – Friday 5:00PM to 8:00AM and at any time on Saturday or Sunday.

Out-of-Municipality Charge - \$1.50 per metric ton