

# BYLAW C-8635-2025

**A bylaw of Rocky View County, in the Province of Alberta, to authorize the County to conduct site visits at commercial aggregate sites located within the County.**

**WHEREAS** section 7(a) of the *Municipal Government Act* allows Council to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

**AND WHEREAS** section 542(1) of the *Municipal Government Act* authorizes a designated officer to, enter on to land, after giving reasonable notice to the owner or occupier of land to carry out any inspection, enforcement, or action;

**AND WHEREAS** section 645(2) of the *Municipal Government Act* allows the municipality to issue and enforce a Stop Order, where it is found that person is in contravention to the conditions of a development permit;

**AND WHEREAS** section 630.1 of the *Municipal Government Act* allows Council to establish and charge fees for matters relating to Part 17 of the *Municipal Government Act*;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

## Title

- 1 This bylaw may be cited as the *Aggregate Site Monitoring Bylaw*.

## Definitions

- 2 Words in this bylaw have the same meaning as set out in the *Municipal Government Act* except for the definitions provided in Schedule 'A' of this bylaw.

## Applicability

- 3 This bylaw applies to all commercial aggregate sites that have obtained or renewed a development permit from Rocky View County related to aggregate extraction and/or processing following this bylaw coming into full force and effect.
- 4 Compliance with this bylaw will be required through the conditions imposed upon any development permit approval relating to commercial aggregate sites in Rocky View County.

## Aggregate Site Inspector

- 5 The position of Aggregate Site Inspector is hereby established as a designated officer position in accordance with section 210 of the *Municipal Government Act*.
  - (1) Pursuant to section 203 of the *Municipal Government Act*, Council delegates the appointment of individuals to the position of Aggregate Site Inspector to the Chief Administrative Officer.



- 6 The Aggregate Site Inspector has all the powers, duties, and functions of a designated officer under this bylaw and section 542 of the *Municipal Government Act*.
- 7 The Aggregate Site Inspector may conduct site visits at commercial aggregate sites in accordance with the *Municipal Government Act* and this bylaw for the purpose of assessing and monitoring compliance with any development permits related to aggregate extraction and/or processing uses.

### **Commercial Aggregate Site Visits**

- 8 When conducting site visits for commercial aggregate sites pursuant to this bylaw, the Aggregate Site Inspector will:
  - (1) ensure compliance with section 542(1) of the *Municipal Government Act* by providing reasonable notice of the site visit to the commercial aggregate site operator(s) should the Aggregate Site Inspector intend to enter the commercial aggregate site; and
  - (2) take reasonable steps to comply with all health and safety requirements in effect at the commercial aggregate site during the site visit.
- 9 After conducting a site visit pursuant to this bylaw, the Aggregate Site Inspector or Rocky View County will provide the commercial aggregate site operator(s) with a compliance report confirming whether the commercial aggregate site is compliant with any development permits related to aggregate extraction and/or processing uses on the subject lands.
- 10 Rocky View County will:
  - (1) retain each compliance report prepared in accordance with section 9 of this bylaw for no less than 10 years following the date of the site visit; and
  - (2) make compliance reports available to the public upon request and make available on the County's website, subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

### **Frequency of Commercial Aggregate Site Visits**

- 11 Rocky View County will determine the frequency of site visits to commercial aggregate sites to be conducted pursuant to this bylaw in consultation with commercial aggregate site operators.
- 12 Despite section 11 of this bylaw, the maximum number of site visits that may be conducted on a commercial aggregate site within a 12-month period is:
  - (1) four, for active commercial aggregate sites; and
  - (2) one, for inactive commercial aggregate sites;beginning on the date of the first site visit to the commercial aggregate site.
- 13 Despite section 12 of this bylaw, there are no limits on the number of site visits that the Aggregate Site Inspector may conduct on commercial aggregate sites as a result of complaints received from the public if the alleged contraventions are substantiated by Rocky View County.



- 14 In the event that Rocky View County receives continued complaints from the public on a commercial aggregate site and the alleged contraventions cannot be substantiated by the County, the County may deem and dismiss subsequent complaints as frivolous and vexatious without taking further action.

### **Fees for Commercial Aggregate Site Visits**

- 15 Commercial aggregate site operators are responsible for paying the applicable fees under the *Master Rates Bylaw* for each of the following site visits conducted pursuant to this bylaw, regardless of whether the Aggregate Site Inspector was a Rocky View County employee or independent contractor:
- (1) regularly scheduled site visits conducted pursuant to this bylaw, regardless of whether the commercial aggregate site is found to be compliant or non-compliant as a result of the site visit; or
  - (2) site visits conducted as a result of complaints received from the public outside of the regularly scheduled site visits conducted pursuant to this bylaw, but only if the alleged contraventions are substantiated by the County.
- 16 Rocky View County will charge commercial aggregate site operators the applicable fee under the *Master Rates Bylaw* after completing a site visit pursuant to this bylaw, which must be paid by the commercial aggregate site operator(s) within 30 days of the receipt.
- 17 If there is more than one commercial aggregate site operator operating a commercial aggregate site, the applicable fees under the *Master Rates Bylaw* may be shared equally between the commercial aggregate site operators.

### **Enforcement**

- 18 If Rocky View County finds that a commercial aggregate site or commercial aggregate site operator(s) is in contravention of any development permits related to aggregate extraction and/or processing uses on the subject land, the County will:
- (1) notify the commercial aggregate site operator(s) of the contravention as soon as possible; and
  - (2) provide the commercial aggregate site operator(s) with a reasonable amount of time within which to rectify the contravention, to be determined by the County in consultation with the commercial aggregate site operator(s).
- 19 If a commercial aggregate site operator fails to rectify the contravention within the amount of time provided in accordance with section 17 of this bylaw, the continued contravention may be referred to Rocky View County's Enforcement Services Department for further action.
- 20 Despite section 18(2) of this bylaw:
- (1) if Rocky View County and the commercial aggregate site operator cannot come to an agreement on a reasonable amount of time within which to rectify the contravention, the contravention may be referred to the County's Enforcement Services Department for further action; and



- (2) the County is not required to provide a commercial aggregate site operator with a reasonable amount of time within which to rectify the contravention if there is an imminent danger to public safety or threat to serious harm to property, as determined by the County.

**Effective Date**

- 21 Bylaw C-8635-2025 is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*.
- 22 Bylaw C-8635-2025 comes into full force and effect 90 days from when it receives third reading and is signed in accordance with the *Municipal Government Act*.

READ A FIRST TIME this

15 day of July, 2025

READ A SECOND TIME this

15 day of July, 2025

UNANIMOUS PERMISSION FOR THIRD READING this

15 day of July, 2025

READ A THIRD AND FINAL TIME this

15 day of July, 2025

Reeve

Chief Administrative Officer

July 15, 2025

Date Bylaw Signed

**Bylaw C-8635-2025****Schedule 'A' – Definitions**

- 1     **“Aggregate”** means any sand, gravel, clay, or marl that is excavated from a pit, whether in a processed or unprocessed form, but does not include aggregate expected to be unsuitable for use as a product.
- 2     **“Aggregate Site Inspector”** means any person appointed by Rocky View County to the position of Aggregate Site Inspector, or their authorized delegate, pursuant to this bylaw.
- 3     **“Commercial aggregate site”** means aggregate sites which extract or process saleable aggregate for export. For the purposes of this bylaw, commercial aggregate sites may be either active or inactive as follows:
  - (1)     **“active commercial aggregate site”** means a commercial aggregate site, or any part of a commercial aggregate site, that holds the appropriate designation under the *Land Use Bylaw* for aggregate extraction and/or processing and that has been issued a development permit for aggregate-related operations being carried out on the subject lands; or
  - (2)     **“inactive commercial aggregate site”** means a commercial aggregate site, or any part of a commercial aggregate site, which is not active or has not been active for at least one year, after taking into account regular seasonal fluctuations in operations, as determined by Rocky View County.
- 4     **“Commercial aggregate site operators”** means the person(s) or company(s) carrying out the operations of a commercial aggregate site.
- 5     **“Council”** means the duly elected Council of Rocky View County.
- 6     **“County”** means Rocky View County.
- 7     **“Development permit”** means a document or permit, which may include attachments, issued pursuant to the *Land Use Bylaw* authorizing a development, including any and all conditions.
- 8     **“Freedom of Information and Protection of Privacy Act”** means the Freedom of Information and Protection of Privacy Act, RSA 2000, C F-25 as amended or replaced from time to time.
- 9     **“Land Use Bylaw”** means Rocky View County Bylaw C-8000-2020, being the Land Use Bylaw, amended or replaced from time to time.
- 10    **“Master Rates Bylaw”** means the Rocky View County Master Rates Bylaw, as amended or replaced from time to time.
- 11    **“Municipal Government Act”** means the Municipal Government Act, RSA 2000, c M-26, as amended or replaced from time to time.
- 12    **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.