



# BYLAW C-7748-2018

**A Bylaw of Rocky View County, in the Province of Alberta, to authorize a Community Aggregate Payment Levy on Lands within Rocky View County proposed for Aggregate Mining Development by a developer or corporation.**

**WHEREAS** the *Municipal Government Act* allows for a community to impose a levy in respect to all sand and gravel businesses operating within the municipality;

**AND WHEREAS** the revenue raised through the levy are to be used towards the payment of infrastructure and other costs in the municipality;

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

## Short Title

1 The short title of this bylaw is “*Community Aggregate Payment Levy Bylaw.*”

## Definitions

2 In this Bylaw, unless the context otherwise requires, the following definitions apply:

- (a) “**Aggregate**” means gravel and sand, individually or in combination;
- (b) “**Aggregate Mine**” means the business of excavating for the removal of Aggregates from the Land and includes the crushing, processing (includes the mixing of asphalt) and removal of materials from the Land;
- (c) “**County**” means Rocky View County or, where the context permits, the geographical area thereof;
- (d) “**Community Aggregate Payment Levy**” means a tax as defined in the *Municipal Government Act*;
- (e) “**Development**” means “development” as defined in the *Municipal Government Act*;
- (f) “**Lands**” means the private titled lands in accordance with the *Land Titles Act*, as amended;
- (g) “**Levy**” means Community Aggregate Payment Levy imposed pursuant to this Bylaw under the authority of the *Municipal Government Act*;
- (h) “**Municipal Government Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time;



- (i) “**Rocky View County**” means Rocky View County as a municipal corporation established pursuant to the laws of the Province of Alberta and the area within the jurisdictional boundaries of Rocky View County, as the context of this Bylaw so requires; and
- (j) “**Shipment**” means the quantity of sand and gravel that is hauled from the pit where it was extracted.

### Terms and Rates

- 3 For the purposes of the Community Aggregate Payment Levy, the following Terms and Rates shall apply:
- (a) All Shipments of Aggregate from an Aggregate Mine within Rocky View County shall be subject to a Levy of \$0.40 per tonne of Aggregate extracted and removed by Shipment from the said Aggregate Mine.
  - (b) The Levy shall be imposed on and paid by the person who operates the Aggregate Mine operations on Lands within Rocky View County.
  - (c) The Levy shall be exempt for any shipment of Aggregate for use or project being undertaken by the Crown or a Municipality from an Aggregate Mine owned or leased by the Crown or a Municipality.
  - (d) The total tonnage subject to the collection of the Levy shall be reported by the operator of an Aggregate Mine prior to January 31 of each year and will be supported by an annual tonnage report submitted to the County. All tonnage reports shall be submitted on the form attached as Schedule “A”. Notices will be sent out to the operator of the Aggregate Mine in respect to the Levy within 30 days of the date of the receipt of the Levy notice.
  - (e) Where the operator of an Aggregate Mine is unable to provide a measurement of weight for the amount of Aggregate in a Shipment, the operator of an Aggregate Mine must use the following conversion rates to report shipment in tonnes:
    - 1 cubic meter = 1.365 tonnes, for sand; and
    - 1 cubic meter = 1.632 tonnes, for gravelWhere 1 cubic meter = 1.308 cubic yards
  - (f) If the operator of an Aggregate Mine is in default of fulfilling the intention of the Bylaw the County may, on notice of the default, carry out necessary actions to rectify the default and charge the cost of the expense thereof to the operator of the Aggregate Mine.
  - (g) The enactment of this Bylaw shall supersede any previous similar agreements already established between the County and the operator of an Aggregate Mine.



- (h) No Levy may be imposed on Shipments of Aggregate that are subject to another tax, levy or payment that is established by and payable to the County. Further, no Levy may be imposed on Shipments of Aggregate that are required pursuant to a road haul agreement or a development agreement for construction, repair or maintenance of roads identified in the agreement, that is necessary to provide access to the pit from which the Aggregate is extracted.
- (i) The interest earned upon funds collected by the Levy shall be retained by the County.
- (j) There shall be no refunds on collected Levies.

**Transitional**

- 4 Bylaw C-6214-2006 is hereby repealed, upon this bylaw coming into full force and effect.
- 5 Bylaw C-7748-2018 is passed when it receives third reading and is signed by the Reeve or Deputy Reeve and the Chief Administrative Officer or designate.
- 6 Bylaw C-7748-2018 comes into force on July 1, 2018.

READ A FIRST TIME IN COUNCIL this 22 day of May, 2018

READ A SECOND TIME IN COUNCIL this 22 day of May, 2018

UNANIMOUS PERMISSION FOR THIRD READING 22 day of May, 2018

READ A THIRD TIME IN COUNCIL this 22 day of May, 2018

[Signature]  
Reeve or Deputy Reeve

[Signature]  
CAO or Designate

May 22, 2018  
Date Bylaw Signed

# ROCKY VIEW COUNTY

## Community Aggregate Payment Levy Bylaw C-7748-2018

### Schedule "A" Sand and Gravel Shipments Annual Report

*A separate report must be submitted for each pit from which an operator has shipped Aggregate during the reporting period*

Name of Operator:	
Mailing Address of Operator:	
Telephone Number:	
Fax Number:	
E-mail Address:	
Location of Aggregate Mine:	
Reporting Period:	
Name of Owner of Parcel where Pit is Located:	
Mailing Address of Owner of Parcel:	
Telephone Number :	
Fax Number:	
E-mail Address:	

Total Aggregate shipped from this pit in the reporting period (tonnes)  <div style="text-align: right;">TOTAL A=</div>	
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Shipments exempted from Community Aggregate Payment Levy:	
E1) Total Aggregate shipped from this pit, pursuant to a road haul agreement, for the construction, repair or maintenance of access roads to this pit (tonnes):	



Please complete sections E2 to E4 only if this pit is:

- a) Owned by the Government of Alberta or a municipality, or
- b) Leased by the Government of Alberta or a municipality from another party

E2) Total Aggregate shipped from this pit for Government of Alberta projects in the reporting period (tonnes):	
E3) Total Aggregate shipped from this pit to a project being completed by or for Rocky View County projects in the reporting period (tonnes):	
E4) Total Aggregate shipped from this pit to projects being completed by or for other municipalities (excluding Rocky View County) in the reporting period (tonnes):	
Total Exempted Shipments [add E1+E2+E3+E4] (tonnes)  TOTAL B=	
Total Shipments subject to Community Aggregate Payment Levy (tonnes):  TOTAL A minus TOTAL B=	

The weight of Aggregate in individual shipments may be estimated if weigh scales are unavailable. The conversion rates used to determine the tonnage are as follows:

- 1 cubic meter = 1,365 tonnes, for sand
- 1 cubic meter = 1,632 tonnes, for gravel
- where 1 cubic meter = 1,308 cubic yards