

## TOWN OF NORMAN WELLS

### BY-LAW NO. 15-20

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**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.**

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**Whereas** the Municipal Corporation of the Town of Norman Wells operates certain quarry sites situated within the boundaries of the municipality,

**And whereas** the Municipal Corporation of the Town of Norman Wells wishes to establish a system for the removal of materials from the quarries and to establish, levy and collect fees in connection therewith,

**And whereas** the Municipal Corporation of the Town of Norman Wells wishes to establish general terms and conditions applicable to users of the quarries,


**Now therefore**, the Council of the Municipal Corporation of the Town of Norman Wells, in session duly assembled, enacts as follows:


1. This by-law may be cited as the '**Quarry By-law**'.
2. In this by-law:
  - a. 'Public Works Manager' means the Town's Public Works Manager or, in his or her absence, such person as may be designated by the Town to fulfil the duties of the Town's Public Works Manager.
  - b. 'Materials' means limestones, shale, clay, sand, or esker material within the Town's quarries or quarry reserve areas.
  - c. 'Quarries' means the lands held in fee simple title by the Town for the purposes of quarrying of materials.
  - d. 'Town' means the Municipal Corporation of the Town of Norman Wells.
  - e. 'Undeveloped residential parcel' means property designated for residential development and upon which no improvements whatsoever have been made to the natural land.
  - f. 'External Customer' means customers who are paying customers to the Town.
3. Anyone wishing to obtain materials from the Town's quarries must comply with:
  - a. The credit policy(s) of the Town;
  - b. The provisions of this by-law, or the terms and conditions specified in a contract.
4. A customer may not be permitted to remove materials from the Town's quarries who has previously been in contravention of this by-law or the Town's credit policy(s).

5. The Public Works Manager may limit the quantities of material anyone may remove from the quarries.
6. The Town does not guarantee supply of materials. Anyone requiring substantial quantities of materials is required to enter into a contractual arrangement with the Town.
7. Every customer who is the owner or lessee of an undeveloped residential parcel of land within the Town which they intend to develop for their personal use shall, upon application to the Public Works Manager or the SAO, be entitled to obtain once without charge a maximum of 250 metric tons of shale or other materials, where the total of the other material does not exceed the monetary value of 250 tons of shale, from the Town's quarries for the purposes of development of their parcel of land. The Town's fees for administration, restoration and road maintenance will be waived for this one time. Every application made shall be in writing and accompanied by:
  - a. A copy of the certificate of title or lease to the parcel of land intended to be developed; and
  - b. An estimate of the quantity of material required;
8. As per Schedule "A" fees payable to the Town for materials to be removed by a customer shall be determined by resolution of Council.
9. Council, at its discretion, reserves the right to waive fees for applications submitted by senior citizens or for non-profit organizations, agencies or service clubs.
10. Anyone who requires more than 770 metric tons of limestone may, in addition to fulfilling all other requirement of this by-law, be required to make application to the Public Works Manager for permission to drill for and blast the amount of limestone required.
11. Every application to drill and blast limestone shall be in writing and accompanied by a proposal which shall include:
  - a. A plan detailing the proposed area within the quarry in which the drilling and blasting activities would be conducted and 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 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 Public Works Manager may reasonably require.
12. 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 Public Works Manager.


- 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 Public Works Manager pursuant to Clause 11.
  - d. Ensure that all federal, territorial and municipal requirements in connection with such drilling and blasting activities are adhered to at all times.
13. Where a customer fails to comply with the provisions of Clause 12 or any other provisions of this by-law the Public Works Manager may, in writing, revoke the permission granted to a contractor to conduct drilling and blasting activities.
14. Every external customer who 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.
15. Access to the Town's quarries shall be permitted only at such times as may be established from time to time by the Town.
16. No one shall enter the Town's quarries except:
- a. Authorized customers pursuant to the provisions of this by-law and their employees.
  - b. Authorized Town contractors and their employees.
  - c. Town staff.
  - d. A customer to whom permission has been granted to conduct drilling and blasting activities pursuant to this by-law and their employees, and
  - e. Peace Officers.
17. 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.
18. Repeal:
- By-laws No.13-14 is hereby repealed.
19. Effective Date of By-Law:
- This By-Law shall come into effect upon the third and final reading thereof and will remain in effect until amended or repealed.

Introduced and read a first time this 25 day of September, 2015, A.D.

  
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Mayor


  
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Senior Administrative Officer

Read a second time this 10 day of November, 2015, A.D.

  
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Mayor

  
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Senior Administrative Officer

Read a third time and finally passed this 10 day of November 2015, A.D.

  
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Mayor

  
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Senior Administrative Officer

It is hereby certified that this By-Law No. 15-20 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.

  
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Town Manager

**SCHEDULE "A"**

**QUARRY FEES**

1. That all material and fee pricing be set by Council resolution.