

**BYLAW 1183  
OF STARLAND COUNTY  
IN THE PROVINCE OF ALBERTA, CANADA**

A Bylaw of Starland County to authorize the imposition of a Community Aggregate Payment Levy in respect of all sand and gravel businesses operating in the County; and to repeal Bylaw 1081.

**WHEREAS** the Municipal Government Act, Part 10, Division 7.1, authorizes the Council of Starland County to pass a community aggregate payment levy bylaw to impose a levy in respect of all sand and gravel businesses operating in the municipality to raise revenue to be used toward the payment of infrastructure and other costs in the municipality;

**AND WHEREAS** Alberta Regulation 263/2005 made pursuant to the Municipal Government Act, section 409.3, applies to all municipalities that have passed a community aggregate payment levy bylaw;

**AND WHEREAS** the Council of Starland County has determined that it is in the best interest of Starland County to pass a community aggregate payment levy bylaw;

**NOW THEREFORE** be it resolved that the Council of Starland County in the Province of Alberta, duly assembled, enacts as follows:

**1.0 Short Title**

1.0 This Bylaw may be cited as the “**Community Aggregate Payment Levy Bylaw**”;

1.1 This Bylaw will repeal and replace Bylaw 1081.

**2.0 Interpretation**

2.0 In this Bylaw:

2.1 “**Aggregate**” means any sand or gravel that is excavated from a pit, whether in a processed or unprocessed form;

2.2 “**County**” means Starland County;

2.3 “**Crown**” means the Crown in right of Alberta or Canada;

2.4 “**Levy**” means community aggregate payment levy as authorized by this bylaw;

2.5 “**Pit**” means any duly constituted opening, excavation or working of the surface or subsurface made for the purpose of removing sand or gravel, and includes any associated infrastructure, but does not include a mine or quarry;

2.6 “**Sand and gravel operator**” means a person duly engaged in extracting sand and gravel for shipment;

2.7 “**Shipment**” means a quantity of sand and gravel duly hauled from the pit from which it was extracted.

**3.0 Reporting of Shipments**

3.0 All sand and gravel operators in the County shall report their shipments, in tonnes, from each individual pit within the boundaries of the County, on a quarterly basis, within thirty (30) days after March 31, June 30, September 30 and December 31 of each year, on the form attached as Schedule “A” to this bylaw.

**4.0 Levy Notices and Payment**

4.0 The County shall send out community aggregate payment levy notices within forty-five (45) days of March 31, June 30, September 30 and December 31 in each calendar year setting out the amount of the Levy payable by the Operator.

4.1 The levy shown on a levy notice shall be paid to the County by the operator within thirty (30) days of the date of receipt of the levy notice.

**5.0 Sand and Gravel Shipped Tonnage Roll**

5.0 The County shall record the tonnage of sand and gravel in an operator's shipment on a sand and gravel shipped tonnage roll based on the tonnage of sand and gravel in an operator's shipment, as reported by the operator.

**6.0 Uniform Levy Rate**

6.0 The levy rate to be applied throughout the County in calculating the amount of the levy is \$0.40 per tonne of sand and gravel.

**7.0 Uniform Conversion Rate**

7.0 Where a sand and gravel operator is unable to provide a measurement of weight for the amount of sand and gravel in a shipment, the operator must use the following conversion rates to report shipments in tonnes:

1 cubic metre = 1.365 tonnes, for sand; and

1 cubic metre = 1.632 tonnes, for gravel

where 1 cubic metre = 1.308 cubic yards

**8.0 Amount of Levy**

8.0 The amount of levy to be imposed in respect of a sand and gravel operator is calculated by multiplying the number of tonnes of sand and gravel recorded on the sand and gravel shipped tonnage roll for that operator for the reporting period by the levy rate.

**9.0 Exemptions from Levy**

9.0 No levy may be imposed on the following classes of shipments of sand and gravel:

(a) a shipment from a pit owned or leased by the Crown for a use or project that is being undertaken by or on behalf of the Crown;

(b) a shipment from a pit owned or leased by a municipality for a use or project that is being undertaken by or on behalf of a municipality;

(c) a shipment from a pit owned or leased by the Crown or a municipality for a use or project that is being undertaken by or on behalf of the Crown or a municipality.

9.1 No levy may be imposed on shipments of sand and gravel that are subject to another tax, levy or payment that is established by and payable to a municipality.

9.2 No levy may be imposed on shipments of sand and gravel 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 sand and gravel is extracted.

**10.0 Person Liable to Pay Levy**

10.0 A person who purchases a sand and gravel business or in any other manner becomes liable to be shown on the sand and gravel shipped tonnage roll as liable to pay a levy must give the County written notice of a mailing address to which notices under the Municipal Government Act, Part 10, Division 7.1, may be sent.

**11.0 Penalties**

11.0 Where the levy imposed under a community aggregate payment levy notice is not paid within the time limit set out in Section 4, Starland County will impose a late payment penalty



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in addition to the principal amount owing under the specific community aggregate payment levy notice, as set out in Schedule “B”, as amended by resolution of Council from time to time.

**12.0 Enforcement**

12.0 Any person who fails to comply with any provision of this Bylaw shall be guilty of an offence and liable on summary conviction to a fine as set out in Schedule “C”, as amended by resolution of Council from time to time.

**13.0 Effective Date**

The provisions of this Bylaw takes effect immediately upon third and final reading thereof.

First reading on motion of Councillor Landry, done in Council this 20th day of July, 2022.

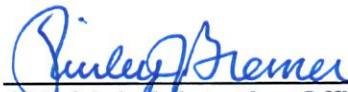
Second reading on motion of Deputy Reeve Sargent, done in Council this 20th day of July, 2022.

Third and final reading on motion of Councillor Rew, done in Council this 20th day of July, 2022.

Done and Passed in Council this 20th day of July, 2022.



Reeve:  
Steven Wannstrom



Chief Administrative Officer:  
Shirley J. Bremer





**COMMUNITY AGGREGATE PAYMENT LEVY BYLAW 1183**

**Schedule "A"**

**Sand and Gravel Shipments Quarterly Report**

This report (**including zero reports**) must be received by Starland County at P.O. Box 249, Morrin, AB T0J 2B0 within thirty (30) days from the last day of the reporting period.

A separate report must be submitted for each pit from which an operator has shipped sand or gravel in the reporting period.

Name of Operator	
Mailing Address of Operator	
Telephone Number	
Fax Number	
E-mail Address	

Location of Sand/Gravel Pit	
Reporting Period <i>[Enter quarter/month]</i>	

Name of Owner of Parcel where Pit is Located	
Mailing Address of Owner of Parcel	
Telephone Number	
Fax Number	
E-mail Address	

<b>Total sand and gravel that you shipped from this pit in the reporting period (tonnes)</b>	
<b>TOTAL A</b>	

Shipments exempted from Community Aggregate Payment Levy	
E1) Total sand and gravel that you shipped from this pit, pursuant to a road haul agreement or a development 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:*

- owned by the Government of Alberta or a municipality, or
- leased by the Government of Alberta or a municipality from another party

E2) Total sand and gravel that you shipped from this pit to Government of Alberta projects in the reporting period (tonnes) Provincial Project: _____	
E3) Total sand and gravel that you shipped from this pit to Starland County projects in the reporting period (tonnes)	
E4) Total sand and gravel that you shipped from this pit to projects of other municipalities (excluding Starland County) in the reporting period (tonnes)	
<b>Total Exempted Shipments [Add E1+E2+E3+E4] (tonnes)</b>	<b>TOTAL B</b>

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TOTAL A minus TOTAL B	=
This gives the <b>Shipments subject to Community Aggregate Payment Levy (tonnes)</b>	

The weight of sand and gravel in individual shipments may be estimated if weigh scales are unavailable. The conversion rates to be used in estimating the tonnage are as follows:  
 1 cubic metre = 1.365 tonnes, for sand  
 1 cubic metre = 1.632 tonnes, for gravel  
 where 1 cubic metre = 1.308 cubic yards

**SCHEDULE “B”**

**LATE PAYMENT PENALTIES**

A penalty of ten percent (10%) shall be added to the current levy that remains unpaid after thirty (30) calendar days following the end of the reporting period.

A penalty of ten percent (10%) shall be added to any levy that remains unpaid on the anniversary of the due date specified in section 4.0.

**SCHEDULE “C”**

**FINES**

	<u>Penalties</u>	<u>Section</u>
Failure to report shipments	\$2,500.00	3
Second or subsequent offence within a Twelve (12) month period	\$5,000.00	3

