

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2004-92

BEING A BY-LAW TO REGULATE THE OPERATION OF PITS AND QUARRIES

WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 124.(1), provides the authority to regulate the operation of pits and quarries within the Municipality;

AND WHEREAS it is deemed in the public interest to regulate the hours of operation of pits and quarries in the Township of Severn;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN ENACTS AS FOLLOWS:

1. Definitions

"Aggregate"	means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, or other prescribed material.
"Municipal Law Enforcement Officer"	means a person or persons who have been appointed by By-law by the Council of the Corporation of the Township of Severn to enforce the Township's By-laws.
"Person"	means a natural person, unincorporated association, partnership or incorporated company.
"Pit"	means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site.
"Quarry"	means land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated but does not mean land or land under water excavated for a building or other work on the excavation site.
"Township"	means the geographic limits of the Township of Severn.

2. Hours of Operation

2.1 No person shall operate a pit or quarry or permit the operation of any machinery or equipment or commercial vehicle used in conjunction therewith, other than water pumping equipment, between the hours of 7:30 p.m. o'clock in the evening of any day and 6:00 a.m. o'clock in the morning of the next day or on any Sunday or Holiday.

3. Enforcement

3.1 This By-law shall be enforced by a Municipal Law Enforcement Officer of the Township of Severn.

4. Penalty

4.1 Any person who contravenes any of the provisions of this By-law shall be guilty of an offence and upon conviction shall be liable to the fines and penalties prescribed by the Provincial Offences Act.

4.2 Each calendar day on which such a contravention occurs is a separate offence.

5. This By-law shall come into force and effect on the date of passing thereof.

6. That By-law No. 2001-36 be and it is hereby repealed.

By-law read a first and second time this 3rd day of June, 2004.

By-law read a third time and finally passed this 3rd day of June, 2004.

CORPORATION OF THE TOWNSHIP OF SEVERN

MAYOR

CLERK-TREASURER