

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW #02- 36

Being By-Law to regulate the operation for pits and quarries and to repeal and replace the former Township of Erin By-Law #11-93.

WHEREAS, pursuant to Subsection 210 (143) of the Municipal Act R.S.O. 1990, Chapter M.45, Council may pass By-Laws to regulate the operation of pits and quarries within the municipality.

AND WHEREAS Council deems it appropriate and expedient to pass a new by-law to reflect the corporation name change and modifications thereof to standardize the hours of operation for all pits and quarries within the municipality.

NOW THEREFORE the Council of the Corporation of the Town of Erin hereby **ENACTS AS FOLLOWS**:

1. In this By-Law:
 - (a) "Holiday" shall mean a holiday as defined in the Interpretation Act R.S.O. Chapter I.11;
 - (b) "Pit or Quarry" shall mean a licensed premise under the Aggregate Resources Act R.S.O. 1990 Chapter A.8 and includes a wayside pit.
2.
 - (a) No person shall operate or permit the operation of any machinery, equipment or vehicles used in connection with any machinery, equipment or vehicles used in connection with any pit or quarry except during the following hours of operation:
 - (i) Monday to Friday – 6:00 a.m. to 6:00 p.m. only.
 - (ii) Saturday – 8:00 a.m. to 12:00 p.m. (noon) only.
 - (b) Notwithstanding clause (a), operation of an aggregate crushing plant, screening plant or asphalt plant if permitted is limited to between the hours of 7:00 a.m. to 7:00 p.m. Monday to Friday only.
 - (c) Operations are prohibited on any Sunday or Holiday.
3. Nothing in this By-Law shall restrict an owner or operator from performing routine maintenance or repairs to machinery and equipment used in connection with the pit operation.
4. Nothing in this By-Law shall prevent the operation of a pit or quarry outside of the times set out in section 2 hereof where the operation is limited and restricted to providing materials needed to respond to a bona fide emergency or by Council resolution.
5. This By-Law shall take precedence over and supercedes any provisions regarding hours of operation of a pit or quarry set out in any Agreement respecting any specific pit or quarry.
6. Any person who contravenes any of the provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act R.S.O. 1990, chapter P.33.
7. This By-Law hereby repeals the former Township of Erin By-Law #11-93.

8. This By-Law shall come into force and take effect on the date of the passing thereof.

**READ A FIRST AND SECOND AND
THIRD TIME AND PASSED IN OPEN
COUNCIL THIS 21ST DAY OF MAY 2002**

Mayor

Clerk