



DISTRICT OF HIGHLANDS

**BYLAW NO. 341, 2012
SOIL DEPOSIT AND REMOVAL REGULATION AND FEES BYLAW**

This Bylaw is consolidated by the Corporate Officer in accordance with Bylaw No. 301.

It includes amendments up to March 6, 2017 (Bylaw Nos. 361, 396, 341)

*This bylaw has been consolidated for convenience purposes only and may or may not contain the latest amendment (s).
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district bylaws. If you require an accurate, up to date copy of the district bylaw, please contact the District Office.*



**DISTRICT OF HIGHLANDS
BYLAW NO. 341**

**** OFFICE CONSOLIDATION For
convenience purposes only: it is
not a certified copy**

**A BYLAW TO REGULATE THE REMOVAL AND DEPOSIT OF SOIL FROM LANDS
WITHIN THE DISTRICT OF HIGHLANDS**

WHEREAS the *Community Charter* S.B.C. 2003, c. 26 permits the Council of the District of Highlands to regulate, prohibit and impose requirements in relation to the removal of Soil and the deposit of Soil or other material, sand, gravel, rock and other substance and to make different regulations and prohibitions for different areas and to require permits and impose rates or levels of fees;

AND WHEREAS the Council of the District of Highlands wishes to regulate or prohibit the movement of Soils within the District of Highlands;

AND WHEREAS the Council wishes to collect fees for the movement of Soil within the District of Highlands:

NOW THEREFORE, pursuant to the above-recited and other authority, the Council of the District of Highlands, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as "Soil Deposit and Removal Regulation and Fees Bylaw, No. 341, 2012.

Repeal

2. Highlands Soil Deposition Bylaw cited as "Deposit of Soil Prohibition Bylaw No. 2, 1986" of the Capital Regional District and Highlands Soil Removal Bylaw cited as "Soil Removal Prohibition Bylaw No. 2, 1986" of the Capital Regional District, and all amendments thereto are hereby repealed in their entirety.

Definitions

3. In this bylaw,

"Aquifer" means a water-bearing stratum of permeable rock, sand or gravel.

"Buffer Zone" means the area of land between the boundaries of a parcel and the Soil Deposit or Removal Area.

"District" means the District of Highlands.

"District Staff" means the Chief Administrative Officer or any staff designated by him or her to administer this Bylaw.

"Permit" means a valid permit for the removal or deposit of Soil under this bylaw.

"Permittee" means a person issued a Permit under this Bylaw.

"Holiday" means New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, BC Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.

"Removal or Deposit Fee" means the fee payable to the District by a Permit holder for the removal or deposit of Soil pursuant to this bylaw.

Amended under bylaw 387, March 2017

"Security" means the letter of credit, certified cheque or cash deposit required by section 19 of this bylaw.

"Soil" means soil, sand, gravel, rock, silt, clay, peat, or any other substance of which land is composed, or any combination of them, whether or not it is in or put in a stockpile or storage facility, and does not include any compost or biosolids placed on land as a soil amendment or conditioner.

"Soil Removal or Deposit Area" means the specific area of a parcel of land on which Soil may be deposited or from which Soil may be removed, pursuant to a Permit under this bylaw.

"Works" means any structure or building that would require a building permit pursuant to the District of Highlands Building Bylaw No. 192, 2003 as amended from time to time.

Requirement for Soil Removal and Deposit Permit

4. Subject to the other terms of this bylaw, no person shall remove, deposit, or cause to be removed or deposited any Soil from or on any land in the District unless the person:
 - (a) has applied for and been issued a valid and subsisting Permit for such removal or deposit; and
 - (b) carries out the removal or deposit in accordance with this bylaw and the terms and conditions set out in the Permit.

Permit Exemptions

5. Despite section 4, no Permit is required pursuant to this bylaw for the removal or deposit of Soil in any part of the District where the removal or deposit of Soil:
 - (a) totals less than 30 cubic metres from or on a parcel of land in any annual deposit or removal term noted in section 15(a), provided that any deposit of soil must not exceed 200mm in depth from the finished grade;
 - (b) is required for the construction of a utility service or ditch on behalf of the District;

Amended under bylaw 387, March 2017

- (b) is required for the landfill operations, soil composting or solid waste transfer stations operated by, or on behalf of, the District;
- Amended under bylaw 387, March 2017*
- (d) is necessary to do all Works approved under a building permit issued by the District;
- Amended under bylaw 387, March 2017*
- (e) is necessary to do maintenance on an existing driveway, where the deposit of soil, in relation to the driveway maintenance, does not involve grade alterations greater than 200mm;
- (f) is relocated within the boundaries of the parcel from which it originates;
- (g) is from or on parks and municipally-owned lands and is conducted on behalf of the District;
- Amended under bylaw 387, March 2017*
- (h) is authorized by a permit under the Mines Act but does not require or involve the transport of soil on any District highway, or involves the transport of soil on a District highway to such a limited extent that District staff consider that the transport cannot reasonably be considered to place any additional highway maintenance or repair burden on the District;
- Amended under bylaw 387, March 2017*
- (i) is necessary to install a septic servicing system installed in accordance with the Public Health Act and its regulations;
- (j) is required as part of a soil remediation process approved under the Environmental Management Act;
- (k) is required for the construction or repair of works, roads, highways or services by or on behalf of the District, the Capital Regional District, or the Ministry of Transportation and Highways;
- (l) is otherwise carried out by the District;
- (m) is required for the deposit or removal of wood waste on or from land on which it has been lawfully produced;
- **added Bylaw 361, Feb. 2014*
- (n) is on land used for a landscape business or as a nursery in compliance with the Zoning Bylaw, provided that:
- i. the land is only within the M1 (General Industrial) and M2 (Medium Industrial) Zones,
 - ii. such deposit or removal is necessary as part of the landscape supply or nursery operation
 - iii. the soil deposit or removal is for use in the normal course of operations temporarily stored on site for ultimate removal from the land without any alteration to the finished grade of the land.

Permit Application

Amended under bylaw 387, March 2017

6. All applications for the deposit or removal of more than 500 cubic meters of Soil per annual deposit or removal term noted in section 15(a) shall be considered by Council.
7. All applications other than those made under section 6 shall be considered by the District Staff.
8. Before Council considers any application under section 6, notice in writing of such an application must be mailed to every registered owner of a parcel that lies within 100 meters of the perimeter of the parcel that is subject to the application or such greater distance as the District Staff may specify based on the anticipated impact of the proposed soil deposit or removal. The applicant must also post a sign on the parcel in compliance with Schedule "G".
9. An application for a Permit shall comply with Section 11 of this bylaw, and shall:
 - (a) include a completed and signed application form as set out in Schedule "A" to this bylaw; and
 - (b) be accompanied by a non-refundable Permit fee of:

Amended under bylaw 387, March 2017

\$10.00 for any application of the removal or deposit of more than 30 cubic metres and up to 50 cubic metres, or;

\$100.00 for any application for the removal or deposit of more than 50 cubic metres and up to 100 cubic metres, or;

\$250.00 for any application for the removal or deposit of more than 100 cubic metres and up to 1,000 cubic meters of Soil, or;

\$500.00 for any application for the removal or deposit of more than 1,000 cubic meters of Soil.
10. An application that does not comply with section 9 and section 11 of this bylaw shall be considered incomplete, and the District Staff or Council shall be under no obligation to process an incomplete application.

Permit Application Required Information

Amended under bylaw 387, March 2017

11. District Staff shall determine the submission requirements pursuant to this section for every application for a Permit between 30 and 100 cubic metres of soil which could include some or all of the requirements contained in this section.

Every application for a Permit for more than 100 cubic metres of soil shall be, accompanied by detailed plans, data, and specifications for the proposed site prepared by a Professional Engineer to a scale of not more than 1:1000, showing the contour of the ground in its current state with vertical contours at such intervals as the District Staff may determine, according to reasonable Engineering standards, and shall contain information regarding the proposed Soil Removal or Deposit Area with respect to the following matters, except to the extent that the District Staff determines that the information is not reasonably necessary in view of the scale or location of the proposed soil removal or deposit.

- (a) all pertinent features including buildings, structures, tree cover, roads, lanes, bridges, and natural watercourses and aquifers;
- (b) the proposed slopes which will be maintained upon completion of the Soil deposit or removal operation, including information on the angle of repose of finished slopes;
- (c) the proposed methods to control the erosion of the banks of the excavation or fill;
- (d) the proposed methods of drainage control during the excavation or fill;
- (e) the proposed methods and locations of access to the site during the excavation or fill;
- (f) the proposed contour of the ground in its final state upon completion of the operation with vertical contours as specified above and showing the method of access and methods of permanent drainage on a separate plan, including an analysis of the impact of the proposed work on local drainage patterns prepared by a certified hydrologist or other professional specified by the District Staff;
- (g) the proposed location of machinery, buildings, scales, and all other proposed structures and improvements;
- (h) the proposed location of Buffer Zones and tree cover, and the location and grade width of berms;
- (i) Water well locations and water table elevations within the drainage area;
- (j) the proposed method of extraction and processing, including sorting, washing, crushing, and any other proposed processing activities;
- (k) the proposed schedule for the removal or deposit of soil, indicating the amounts to be either removed or deposited on a weekly basis;
- (l) the proposed routes over District highways (roads) to and from a Soil Removal or Deposit Area;

- (m) a Traffic Management Plan, which would include but not be limited to a description of the frequency of trucks, signage, placement of safety control devices, and other traffic control that would minimize the disturbance created;
- (n) the general description and volume of the soil to be removed or deposited;
- (o) identification of whether the application is in whole or in part within a Riparian Assessment Area. For any Removal or Deposit within a Riparian Assessment Area, written confirmation from a Qualified Environmental Professional shall be provided at the Permittee's expense, that the Deposit or Removal will be undertaken in compliance with the Provincial Riparian Areas Regulation;
- (p) For a soil deposit application the applicant shall, at his own expense, provide any and all information available from the British Columbia Site Registry pertaining to the land or lands that soil under the proposed permit is being relocated from. In the absence of any information on the British Columbia Site Registry the applicant must provide documentation that demonstrates that no information is available from the British Columbia Site Registry;
- (q) copies of all certificates, permits, plans, orders, approvals, reports, and agreements which may be required or issued by the Province of British Columbia or by any other authority having jurisdiction over the proposed deposit or removal of soil.
- (r) A site reclamation plan including an Invasive Species Management Plan, prepared by a qualified professional to be incorporated into the Permit.

Permit Issuance Conditions

12. The District Staff or Council may impose on a Permit any conditions that relate to matters listed in section 11, including any requirement to provide a certification described in section 18, and the Permit holder shall strictly comply with those conditions.
13. The District Staff or Council shall not issue a permit to an applicant if the proposed removal or deposit of Soil would:
 - (a) foul, pollute the water quality of, obstruct, divert, impede the flow of, damage or destroy any watercourse, ditch, drain, sewer or water utility, or domestic water well. In order to demonstrate the protection of water quality, District Staff may require that soil test samples be provided at the expense of the applicant;
 - (b) damage or destroy amenities on the lands or adjacent lands including, without limitation, any utilities, works or services, structures, buildings or improvements;
 - (c) contravene any bylaw of the District;

- (d) result in the use of the lands in a manner inconsistent with the zoning for the lands;
- (e) result in Soil on the lands or on adjacent lands becoming susceptible to erosion, slippage, landslides, slumping or settling;
- (f) permit dust, dirt or noise to escape so as to constitute a private or public nuisance; and
- (g) permit the promotion of growth of invasive species on the lands that are subject to the Permit.

(f) & (g) deleted under bylaw 387, March 2017

Time Extension Considered by Council

***added Bylaw 369, Oct. 2014*

14. Upon written request by an applicant, and by resolution, Council of the District of Highlands may extend the dates by which a Permittee may deliver or remove soil from the site that is subject to a Soil Deposit or Removal Permit for road building activities pursuant to a subdivision application, and may set certain and specified regulations pertaining to the time extension.

Added under bylaw 387, March 2017

Regulations and Operating Standards

15. (a) every Permittee holding a Soil Deposit or Removal Permit may only deliver or remove soil from the site that is subject to the Permit between the dates of April 1 to October 31 of each year;
- (c) despite 15(a), a soil deposit permit may be approved between the dates March 1 and April 1 of each year for a maximum soil deposit amount of 100 cubic metres for gardening or food production purposes on the site that is subject to the permit;
- (d) despite 15 (a), a soil deposit permit may be approved for the construction of a NEW DRIVEWAY between January 1 and December 31;
- (e) soil deposit and removal, and activities related to the deposit or removal are prohibited on Sundays and Holidays.

Replaced under bylaw 387, March 2017

Environmental Management Act

16. District Staff or Council shall not issue a Permit unless it is in compliance with section 557 of the *Local Government Act* and other applicable legislation.

Form of Permit

17. Permits may be issued in the form attached as Schedule B.

18. If required under the terms of the Permit, upon completion of the Soil removal and deposit authorized by a Permit, the Permit holder shall deliver to the District Staff a certificate from a Professional Engineer or other consultant or person specified by the District Staff stating that all Soil removed or deposited was removed or deposited in substantial compliance with the requirements of the Permit and good environmental and Engineering practices.

Security

19. Prior to the issuance of a Permit, the applicant for the Permit shall deposit with the District Staff either a letter of credit in the form of Schedule "F", a certified cheque, or cash in the amount of \$500.00, plus \$2.00 for each cubic metre of soil to be deposited or removed under the proposed permit, up to a maximum of \$10,000.00, as security for full compliance with all provisions of this bylaw, including payment of all Removal and Deposit Fees.

Renewal of Security

20. The holder of the Permit shall renew such Security, other than cash, before it expires by either allowing for the automatic renewal of the Letter of Credit according to the terms in Schedule "F", depositing a fresh letter of credit at least two weeks before the expiry date of any then subsisting letter of credit, or providing a new certified cheque at least two weeks prior to the passage of one year from the date the last certified cheque was deposited. In the event the Security is not so renewed, the District may, without notice to the Permit holder, draw upon the then subsisting Security, without any obligation to pay interest.

Amended under bylaw 387, March 2017

Compliance and Use of Security

21. If at any time the Permit holder fails or refuses to comply with any obligation under this bylaw or the Permit or any direction given by the District Staff, including any obligation under section 28, 29 or 34, then the District may, at its discretion, enter on the land that is the subject of the Permit, carry out the work at the cost of the owner, and deduct from the Security the cost incurred by the District as a result of the failure or refusal or recover the cost from the owner as a debt. In cases where the work is within the scope of section 258 of the *Community Charter*, the District may, at its option, recover such costs wholly or in part in the same manner and with the same remedies as property taxes.

Replenishment of Security

22. In the event that the District uses all or part of the Security, the Permit holder shall forthwith deposit new Security on the terms as set out above, so that the amount of Security held by the District is the full amount required by this bylaw.

Return of Security

23. When the Permit holder completes all reclamation and other work and conditions required by the Permit to the satisfaction of the District Staff and the Permit holder has paid to the District all fees payable under this bylaw, the District will return the Security, or whatever amount of it remains, to the Permit holder who provided the Security.

Quantity Reports

24. The Permit holder shall, in the case of removal or deposit of Soil for which a fee is payable under section 25:
- (a) submit to the District Staff in the form of Schedule C a monthly report prior to the end of each month showing the volume of Soil removed or deposited during the preceding month;
 - (b) maintain accurate and up-to-date records of all Soil removed and deposited and make these records available for inspection by the District Staff on request; and(c) submit to the District Staff an annual declaration as per Schedule "E" by December 31 of each year, certified by a Professional Engineer, detailing all quantities of Soil removed and deposited in the preceding calendar year, whether or not counted under clause (a), and signed by the Permit holder indicating compliance with the provisions of this bylaw and the Permit.

Soil Removal or Deposit Fee

25. Every person who removes or deposits Soil within the District pursuant to a Permit, shall pay to the District a Removal or Deposit Fee in the amount of fifty cents (\$0.50) for each and every cubic metre of Soil removed from or deposited pursuant to the Permit. If Soil is removed or deposited without a Permit, and the Soil removal or deposit required a Permit under this bylaw, the person who caused the Soil to be removed or deposited shall pay the District a Removal or Deposit fee in the amount of one dollar (\$1.00) for each and every cubic meter of Soil removed or deposited.

Amended under bylaw 387, March 2017

Timing of Payment and Use of Security

26. The Soil Removal or Deposit Fee shall be paid to the District on or before the last day of each month for the amount of Soil removed or deposited in the preceding month. The District may recover unpaid Soil Removal or Deposit Fees from the Security provided under section 19.

Conversion Chart

27. Where Soil is quantified in terms of tonnes, cubic yards, or both, the conversion chart contained in Schedule "D" of this bylaw applies for the purpose of the calculation of Removal or Deposit Fees.

Repair of Damage

28. All damage to District drainage facilities, roads, lanes, or other District property resulting from the removal or deposit of Soil shall be repaired immediately by the Permit holder.

Amended under bylaw 387, March 2017

29. In the event that the District Staff determines that the transport of Soil on a District highway is causing damage to the highway beyond what is reasonable and ordinary in view of the nature or existing condition of the highway, the District Staff may, by

providing written notice to the person transporting Soil and by posting appropriate highway signage, prohibit such traffic on the highway, and the District may enter into an agreement under Section 42 of the *Community Charter* with any person wishing to transport Soil on the highway despite the prohibition. The Council delegates to the District Staff the authority to determine the amount of compensation that is reasonable for the damage to the highway and the resulting expense to the District, for inclusion in an agreement under Section 42 of the *Community Charter*, and to execute such agreements on behalf of the District. Notice may be provided under this section by serving a copy on the holder of the business licence for the transport business, on the holder of the Permit authorizing the deposit or removal of the Soil, on the owner of the land to or from which soil is being transported, or on any person operating a vehicle transporting the Soil. Nothing in this section applies to the transport of soil on an arterial highway.

Watercourses

30. All drainage facilities and natural watercourses contiguous to or near a Soil Removal or Deposit Area shall be kept free of silt, clay, sand, rubble, debris, gravel, and any other matter or thing originating from any removal or deposit of Soil or excavation or filling of any lands, which is causing or may cause obstruction to such drainage facilities or natural watercourses. Drainage facilities or natural watercourses shall not be polluted.
31. No natural watercourse shall be altered or diverted except with the written permission of the appropriate provincial and federal authorities and the District.

Buffer Zone

32. A Buffer Zone of the lesser of 7 metres or the prevailing building setback in the zoning regulations applicable to the property shall be maintained at all times around each Soil Deposit or Removal Area. This provision does not apply with deposits or removals necessary for an approved driveway connection to a road.

Stockpiling

33. The Permit holder shall confine stockpiles of Soil to the Soil Removal or Deposit Area to which the Permit relates and shall maintain them so that they do not adversely affect or damage adjacent properties or Buffer Zones.

No Encroachment

34. The Permit holder shall ensure that the operation by which Soil is removed or deposited does not encroach upon, undermine, or physically damage any adjacent property.

Reclamation

35. At the expiry or revocation of a Permit, the permit holder shall complete such grading and other reclamation works as are specified in the Permit.

Revocation or Suspension of Permit

36. (a) If the Permit Holder is in breach of any provisions of this Bylaw or the Permit

District Staff have the right to issue and post a Stop Work Order until such time as the breach or breaches have been rectified.

- (b) Where a Stop Work Order has been posted on a property, the Permit holder and every other person shall cease all Soil removal or deposit activities on that property immediately and shall not undertake any Soil removal or deposit activities on that property until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by the District Staff.

37. If the Permit holder fails to comply with any requirement of this bylaw or any requirement or condition of the Permit, the District Staff may by written notice to the Permit holder immediately revoke the Permit. Notice to the Permit holder is sufficient if a letter is mailed or delivered to the address of the Permit holder as shown on the Permit.

38. If the land to which a Permit relates is sold such that the Permit holder is no longer the owner of the land or the Permit holder no longer has the right to use the land for removal or deposit of Soil, the Permit is automatically revoked unless the Permit is transferred or assigned pursuant to the terms of this bylaw.

Permit Renewal

39. If a Permit holder applies for a renewal of a Permit, the District Staff shall issue the renewal if:

- (a) all applicable drawings and specifications for the Soil Removal or Deposit Area are updated as necessary to identify any material changes to site conditions and to demonstrate compliance with current bylaws and regulations; and

Amended under bylaw 387, March 2017

- (b) security has been deposited with the District pursuant to section 19 of this bylaw to cover the cost of any reclamation requirements associated with any material changes.

Transfer of Permit

40. The District Staff may approve a transfer or assignment of a Permit by the Permit holder to another person who has the right to remove or deposit the Soil to which the Permit relates.

41. All applications for Permit transfers or assignments must be in writing and accompanied by a non-refundable application fee of \$200.

42. The District Staff may refuse to approve a Permit transfer or assignment if the Permit Holder does not provide evidence satisfactory to the District Staff that any Soil removal deposit that has occurred pursuant to the Permit is in compliance with the provisions of this bylaw and the Permit.

43. If a Permit is transferred or assigned, the new Permit holder must provide the Security to the District, at which time the existing Security will be returned to the original Permit holder.

Term of Permit

44. A Permit shall remain valid until the earlier of:

- (a) the completion of the Soil removal or deposit authorized by the Permit;
- (b) the arrival of the expiry date specified in the Permit, which shall not be more than one annual deposit or removal term noted in Section 15(a); or
- (c) revocation or suspension of the Permit under this bylaw.

Amended under bylaw 387, March 2017

Right to Enter and Inspect

45. The District Staff may, subject to the Community Charter:

- (a) enter on and inspect land for which an application for a Permit has been made;
- (b) enter on and inspect land for which a Permit has been issued to determine compliance with the Permit and this bylaw; and
- (c) inspect accounts maintained by the Permit holder in respect of its Soil removal or deposit activities.

Severability

46. If any section, subsection, clause or phrase of this bylaw is for any reason held to be invalid or illegal by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or phrases of this bylaw.

Appendices

47. The appendices attached to this bylaw form a part of this bylaw.

Contraventions

48. Every person who violates, contravenes, or commits any breach of a provision of this bylaw, including a contravention of a Permit, shall be guilty of an offence punishable on summary conviction pursuant to the Offence Act, and shall be liable to pay a maximum fine of Ten Thousand Dollars (\$10,000.00) and costs, and in no case shall the fine be for an amount less than One Thousand Dollars (\$1,000.00). Each day of any violation, contravention or breach of this bylaw shall be deemed to be a separate and distinct offence.

Headings

49. The headings to the provisions of this bylaw are inserted for convenience of reference only and shall neither form part of nor affect the interpretation of this bylaw.

List of Schedules

- Schedule A – Soil Removal or Deposit Permit Application
- Schedule B – Form of Permit
- Schedule C – Monthly Volume Report
- Schedule D – Conversion Chart
- Schedule E – Declaration of Soil Removal or Deposit Quantities
- Schedule F – Letter of Credit
- Schedule G – Signs

READ A FIRST TIME THIS 22nd DAY OF May, 2012

READ A SECOND TIME THIS 22nd DAY OF May, 2012

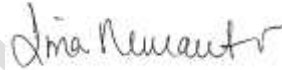
READ A THIRD TIME THIS 15nd DAY OF November, 2012, as amended

APPROVED BY THE MINISTER OF COMMUNITY AND RURAL DEVELOPMENT under sections 195(3) and 137(1)(b) of the *Community Charter* on this 14th day of November, 2012.

ADOPTED THIS 3rd DAY OF December, 2012



MAYOR



CORPORATE OFFICER

SCHEDULE A

**DISTRICT OF HIGHLANDS
SOIL REMOVAL OR DEPOSIT PERMIT APPLICATION**

Applicant Information

(filled out by applicant)

Name of applicant _____
(if company, insert company name and individual representative applying on behalf of company)

Address _____

Telephone number _____ Fax number _____

Cellphone number _____ Email address _____

Land Identification Information

Legal description of Soil removal Location _____

Municipal address _____

Legal description of Soil Deposit Location _____

Municipal address _____

Land Ownership of Soil Removal Location

Registered owner _____

Address of owner _____

Lease holder (if applicable) _____

Address of lease holder (if applicable) _____

Land Ownership of Soil Deposit Location

Registered owner _____

Address of owner _____

Lease holder (if applicable) _____

Address of lease holder (if applicable) _____

Soil Removal or Deposit Information

Prepared by Professional Engineer: _____

| Type of Material | Quantity | Location |
|----------------------------|----------------|----------|
| Estimated quantity of Soil | | |
| 1) to be removed | m ³ | |
| 2) to be deposited | m ₃ | |

Estimate prepared by: _____

Date: _____

Professional Engineer's Reports

Attached, as part of this Application, are the following reports:

- 1) _____
- 2) _____
- 3) _____

I, _____, as applicant on my own behalf, or as authorized signatory of the applicant _____, make this Application.
(print company name),

I confirm that the applicant has the authority to remove or deposit Soil on this land.

Declared the _____ day of _____, 20____.

(Signature of Applicant)

(Authorized Signature of Owner)

SCHEDULE B

**DISTRICT OF HIGHLANDS
SOIL REMOVAL OR DEPOSIT PERMIT NO. _____**

DATE OF ISSUE _____ AND EXPIRY DATE _____

Land Identification Information

Legal description _____

Municipal address _____

Land Ownership

Registered owner _____

Address of owner _____

Address of lease holder (if applicable) _____

Soil Removal or Deposit Information

| Type of Material | Quantity | Location |
|--------------------|----------------|----------|
| Amount authorized | | |
| 1) to be removed | m ³ | |
| 2) to be deposited | m ³ | |

Professional Engineer's Reports

This Permit is subject to compliance with the following reports, which form part of this Permit:

- 1) _____
- 2) _____
- 3) _____

Date which Statutory Declaration as per Schedule E is to be submitted by _____

Date Monthly Reports are due per this bylaw

| | | | |
|----|--|-----|--|
| 1. | | 7. | |
| 2. | | 8. | |
| 3. | | 9. | |
| 4. | | 10. | |
| 5. | | 11. | |
| 6. | | 12. | |

NOTE: The issuance of this permit does not relieve the permit holder from complying with all applicable Federal and Provincial laws.

This Soil Removal or Deposit Permit No. is issued pursuant to the District of Highlands "Soil Removal and Deposit Bylaw No. 341, 2012 and all amendment thereto.

District Staff

Date

SCHEDULE C

**DISTRICT OF HIGHLANDS
MONTHLY VOLUME REPORT**

THIS SCHEDULE TO BE FILLED OUT MONTHLY AND SIGNED BY THE PERMIT HOLDER AND RETURNED TO THE DISTRICT OF HIGHLANDS AS PER SECTION 22 OF THIS BYLAW:

Permit Information

Soil Removal or Deposit Permit No. _____ Date of Issue _____

Land Identification Information

Legal description _____

Municipal address _____

Land Ownership

Registered owner _____

Address of owner _____

Lease holder _____

Address of lease holder _____

I hereby declare that during the period _____ to _____ inclusive, the volume of Soil removed was _____ cubic metres and that the volume of Soil deposited was _____ cubic metres.

Signed: _____ Date: _____

(address)

(position title, owner, lessee or signing officer of limited company)

SCHEDULE D

**DISTRICT OF HIGHLANDS
CONVERSION CHART**

BANK DEPOSIT

1 Cubic Meter
1 Cubic Meter
1 Cubic Meter

STOCK PILE DEPOSIT

1 Metric Tonne
1 Cubic Yard
1 Cubic Meter

STOCK PILE DEPOSIT

1.18 Cubic Meters
1.54 Cubic Yards
2.17 Metric Tonnes

BANK DEPOSIT

0.462 Cubic Meter
0.650 Cubic Meter
0.850 Cubic Meter

CONSOLIDATED

SCHEDULE E

**DISTRICT OF HIGHLANDS DECLARATION OF SOIL REMOVAL
OR DEPOSIT QUANTITIES**

Information

Soil Removal or Deposit Permit No. _____ Date of Issue _____

Land Identification Information

Legal description _____

Municipal address _____

Land Ownership

Registered owner _____

Address of owner _____

Lease holder _____

Address of lease holder _____

I hereby declare that during the period _____ to _____ inclusive, the volume of Soil removed was _____ cubic metres and that the volume of Soil deposited was _____ cubic metres.

I declare that I have personal knowledge of these matters and I make solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Signed: _____ Date: _____

(address)

(position title, owner, lessee or signing officer of limited company)

SWORN BEFORE ME at _____,)
in the Province of British Columbia, this _____,)
day of _____, _____)

_____)
A Commissioner for Taking Affidavits)
in the Province of British Columbia)

Name:

SCHEDULE F

**DISTRICT OF HIGHLANDS
LETTER OF CREDIT**

TO BE ON BANK LETTERHEAD

_____ day of _____, 20_____

District of Highlands

Dear Sir:

IRREVOCABLE COMMERCIAL LETTER OF CREDIT NO. _____

We hereby authorize you to draw on _____ (NAME OF BANK),
_____ (ADDRESS OF BANK), Province of British
Columbia, for account of _____ (NAME OF TENDERER), up to an
aggregate amount of _____ available by drafts at sight for 10% of tender value;

1. Drawings are to be made in writing to _____ (NAME OF BANK).
2. Partial drawings may be made.
3. The Bank will not inquire as to whether or not the District has a right to make demand on this Letter of Credit.
4. It is a condition of this Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date, unless at least thirty (30) days prior to the present or any future expiration date we notify the District in writing by courier or registered mail that we elect not to consider this Letter of Credit renewed.

DRAFTS MUST BE DRAWN AND NEGOTIATED NOT LATER THAN _____

The drafts under this Credit are to be endorsed hereon and shall state on their face that they are drawn under _____ (NAME OF BANK),
_____ (ADDRESS OF BANK),

Letter of Credit No. _____

Yours truly,

Manager
On Behalf of _____
(NAME OF BANK)

SCHEDULE G

The District will provide the required sign.

The sign remains the property of the District and must be returned to the District

The sign must be posted for a period of no less than 7 consecutive days.

The sign must be posted in a prominent place no further than 4 meters from the parcel lot line

The applicant shall deposit with the District a deposit of \$50.00 for each sign, of which \$30.00 shall be returned to the applicant upon return of the sign in good condition. The applicant shall maintain the sign(s) in good order and will undertake to return them to the District upon completion of the application.