

Topic: Mixcor Aggregates Inc. – Appeal Hearing Suspension of Haul Agreement 2015-H-45 for one administrative penalty – total of 1 day suspension

Introduction:

In Parkland County a gravel company is required to have a Development Permit to extract aggregate. One of the Development Permit conditions requires the aggregate company to obtain a Haul Agreement from Public Works. Council direction to Administration in the past was to strengthen the Haul Agreement and administrative penalties. Haul Agreement regulates hours of hauling, traffic safety monitoring, dust control, road maintenance etc. Enforcement Services monitors the Haul Agreements, investigates alleged breaches of this document and imposes the administrative penalties.

Facts (Background Information):

Mixcor Aggregates Inc. was issued with Haul Agreement 2015-H-45 by Public Works. A copy is attached. When Enforcement Services identifies a possible breach of a Haul Agreement during routine patrols, a file is created and an officer is required to document the infraction.

- August 6, 2016 (Investigation File #2016-1844) Officer Brad Backstrom was conducting routine patrols on Range Road 35 South of Highway 627 at approximately 07:40 hrs
- During that time Officer Backstrom noted a gravel truck associated to Mixcor Aggregates Inc. entering the roadway
- Investigation confirmed that the Mixcor Aggregates Inc did have a valid Haul Agreement (2015-H-45) but that the hours of operation were restricted to 08:00 to 16:00 hrs on Saturdays
- A one day suspension was issued to Mixcor Aggregates Inc. for the breach:
 - o 1. Truck movement before designated haul period – 1 day
- The suspension was scheduled to take place on August 26, 2016

Analysis:

The following one day suspension is being appealed by Mixcor Aggregates Inc.

- August 6, 2016 – Truck movement before designated haul period – 1 day
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Alternatives:

I. Council direct Administration to reduce the administrative penalties to be less harsh as this is the first offence for Mixcor Aggregates Inc.

Conclusion/Summary:

Administration supports the one day suspension as per Haul Agreement 2015-H-45

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