CITY OF ABBOTSFORD

CONSOLIDATED SOIL REMOVAL AND DEPOSIT BYLAW

Bylaw No. 1228-2003

The Council of the City of Abbotsford, in open meeting assembled, ENACTS AS FOLLOWS:

1. Bylaw No. 1228–2003, may be cited as “Soil Removal and Deposit Bylaw, 2003”.

2. In this bylaw, unless the context otherwise requires:

“Aquifer” means a water-bearing stratum of permeable rock, sand or gravel;

“Buffer Zone” means a natural strip of land not less than 7 m in width to screen the view and sound of and to provide setbacks between adjacent properties and highways from soil removal or soil and other material deposit operations;

“City” means the City of Abbotsford;

“Deposit” means the act of moving soil and other material and placing it upon a parcel or contiguous parcels of land on which such soil and other material did not previously exist or stand;

“Engineer” means the Director of Engineering as appointed by the Council, and includes his authorized deputy;

“Permit” means the written authority granted pursuant to this bylaw for the removal of soil from or the deposit of soil and other material upon land within the City;

“Removal” means the act of removing soil from the parcel or contiguous parcels of land on which it exists and shall include the removal of soil which has been placed into a stockpile or other storage on any land;

“Soil” means clay, silt, sand, gravel, cobbles, boulders, peat or other substance of which land is naturally composed, down to and including bedrock;

“Wood Waste” means waste resulting from the processing of trees into lumber or other wood products and includes sawdust, hogfuel, chips, shavings and bark, but does not include slabs, trimmings, edgings, tops, branches, stumps or lumber;

“Works Inspector” means any person appointed as a Works Inspector by the City.

3. Subject to compliance with all other regulations and requirements of this bylaw, a permit pursuant to this bylaw shall not be required for:

(a) the removal of such soil from, or the deposit of such soil or other material upon a highway, statutory right-of-way or registered easement, as is necessary for the construction or installation of public services, such as roadways, utilities, dykes or other services;

(b) sanitary landfill operations or solid waste transfer stations conducted or operated by the City or by Greater Vancouver Sewerage and Drainage District pursuant to an Agreement between the City and Greater Vancouver Sewerage and Drainage District;

(c) the deposit of wood waste not exceeding 0.6 m in depth:

(i) as a temporary road base for access to construction sites during the construction of any building or structure;

(ii) on equestrian areas, including riding rings, stables and bridle paths; and

(iii) on recreation areas, including jogging paths, nature trails and walkways;

(d) the stockpiling of wood waste other than that consisting in whole or in part of western red cedar, for agricultural purposes on lands classified as farm land under the Assessment Act; or

(e) the removal of soil from or the deposit of soil or other material upon parks and City owned lands or, where the owner executes and delivers to the City a waiver in the form prescribed by Schedule “C” attached, the deposit of soil or other material upon private lands, by the City or its servants or agents.

3.1 In the event that any provision of this bylaw is found by a Court of competent jurisdiction to be invalid for any reason, then such provision shall be severable from and have no effect on the validity of the remainder of this bylaw.

4. Except as provided in Section 3, no person shall remove or cause or permit to be removed, soil from any land until a permit has been issued for such removal pursuant to this bylaw, and every such removal shall conform in all respects to the regulations and requirements of this bylaw and the terms and conditions contained in the permit.

5. Except as provided in Section 3, no person shall deposit or cause or permit to be deposited, soil or any other material upon any land until a permit has been issued for such deposit pursuant to this bylaw and every such deposit shall conform in all respects to the regulations and requirements of this bylaw and the terms and conditions contained in the permit.

6. Every application for a permit pursuant to this bylaw shall be made in writing to the Engineer in the form prescribed by Schedule “A”, and shall specify the type of permit requested, either:

(a) type “A” - Annual Renewable Soil Removal Permit; or

(b) type “B” - Temporary Soil Removal or Soil or Other Material Deposit Permit.

6.1 A permit may be issued for soil removal in the City of Abbotsford on an annual basis, only on those lands identified as “City of Abbotsford Eligible Soil Removal Areas” on Schedule “D” attached. (B/L 1958-2010)

6.2 Soil removal in the Sumas Mountain Area, identified as “Sumas Mountain Soil Removal Area” on Schedule “E”, attached, shall not be permitted below the 170m elevation. (B/L 1958-2010)

7. Every permit pursuant to this bylaw shall be issued by the Engineer and shall be in the applicable form prescribed by Schedule “B”.

8. Every applicant for a permit to remove soil or to deposit soil or other material pursuant to this bylaw shall submit with his application the following:

(a) State of Title Certificate for the lands from or upon which it is intended to remove the soil or to deposit the soil or other material, issued not more than seven days prior to the date of application and, where the applicant is not the owner of the said lands, the consent in writing of the owner of the said lands;

(b) description of the type of soil or other material and the purpose for which the soil is to be removed or the soil or other material is to be deposited;

(c) statement of the estimated depth of topsoil and over-burden on the proposed soil removal or soil and other material deposit site and the estimated total volume of soil to be removed or soil or other material to be deposited;

(d) detailed calculations, cross-sections and other engineering data used in calculating the estimated volume of soil to be removed or soil or other material to be deposited;

(e) statement of the proposed use of the lands from or upon which it is intended to remove the soil or to deposit the soil or other material after the completion of the proposed soil removal or soil or other material deposit operation;

(f) outline of the proposed program for stripping, storage and redistribution of topsoil during and upon completion of the proposed soil removal or soil and other material deposit operation;

(g) outline of the proposed grading and rehabilitation of the proposed soil removal or soil and other material deposit site during and upon completion of the proposed soil removal or soil and other material deposit operation, showing the correlation with the grades and vegetation cover of all adjacent lands;

(h) detailed ground water survey covering the proposed soil removal or soil and other material deposit site and all adjacent lands;

(i) when required by the Engineer, a certificate prepared by a Professional Engineer licensed to practice in British Columbia certifying that the soil or other material to be deposited meets the requirements of all Federal and Provincial regulations regarding contaminants;

(j) such other material as the Engineer may require in order to determine the potential impact upon the environment of the proposed soil removal or soil and other material deposit operation; and

(k) copies of any permits and approvals of Federal or Provincial authorities required by statute or regulation in connection with the proposed soil removal or soil and other material deposit operation.

9. In addition to the requirements set out in Section 8, every application for a type “A” permit shall be accompanied by detailed plans, data and specifications prepared by a British Columbia Land Surveyor or a Professional Engineer licensed to practice in British Columbia, drawn to a scale of 1:1000 or larger, covering the proposed soil removal site and all adjacent lands, showing the contours of the said lands in their current state at vertical intervals sufficient to accurately depict the existing grades and including information with respect to:

(a) all pertinent features including buildings, fences and other structures, tree cover, highways, bridges, natural watercourses, drainage facilities, wells, private sewage disposal systems and public utilities;

(b) the proposed slopes which will be maintained upon completion of the operation;

(c) the methods proposed to control the erosion of the banks of the excavation;

(d) the proposed methods of drainage control during the excavation;

(e) the proposed methods of access to the site during the excavation and the proposed haul routes;

(f) the proposed methods of fencing, enclosing and clearing to minimize hazards to human or animal life;

(g) the proposed progressive stages of excavation in terms of annual development, showing vertical contours as specified above, grades and slopes on a separate plan for each stage;

(h) the proposed contour of the land in its final state upon completion of the operation, with vertical contours as specified above, showing the methods of access and positive methods of permanent drainage on a separate plan;

(i) the proposed location of machinery, buildings, scales and all other proposed structures and improvements;

(j) the proposed location of stockpiles, including their size and height;

(k) the proposed locations of Buffer Zones and tree cover and the proposed location and grade width of berms;

(l) water table elevations;

(m) analysis of the material to be removed, prepared by a Professional Engineer, to determine its suitability for removal or other use; and

(n) such further and other information as may be necessary to describe the proposed operation.

(o) For proposed temporary concrete or asphalt processing plants located on site, the gradation curve of the concrete or asphalt aggregate shall be compared to the sieve analysis of the *in situ* material to determine the suitability as an aggregate. The Engineer shall compare the gradation curves and determine the percentage of material that must be "imported" or "added" to the *in situ* material in order to match the aggregate gradation curve.

The percentage of imported material shall not exceed 25% of the *in situ* material from the concrete/asphalt production area. Sufficient tests, as approved by the Engineer, shall be conducted on the site to determine the import requirements for the entire site.

10. Every applicant for a permit shall, prior to the issuance of a permit, as security for the full and proper compliance with the provisions of this bylaw and with all terms and conditions of the permit, deposit with the City an irrevocable Letter of Credit in a form acceptable to the City in the amount of Ten Thousand Dollars ($10,000) plus a further Five Thousand Dollars ($5,000) for each hectare or fraction thereof of the lands from which soil is to be removed or upon which soil or other material is to be deposited, up to a maximum amount of One Hundred Thousand Dollars ($100,000), which security shall be maintained in full force and effect throughout the permit period.

11. (a) Every holder of a permit to remove soil or to deposit soil or other material issued pursuant to this bylaw, including the area identified on Schedule "D" as "Electoral Area H", shall pay to the City a fee of sixty-seven cents ($0.67) per cubic metre of soil removed or soil or other material deposited. (B/L 1786-2008, 1958-2010)

(b) Where the amount of soil removed or deposited is to be determined by weight instead of volume, the permit fees payable shall be calculated by applying the applicable conversion factor specified by the Engineer (B/L 1792-2008)

(c) All permit fees shall be paid to the City on or before the 15th day of each month for soil removed or soil or other material deposited during the previous month and shall be submitted together with reports satisfactory to the City showing the amount of soil removed or soil or other material deposited during that month.

(d) Actual quantities of soil removed pursuant to a Type "A" permit shall be determined annually. For this purpose, the permit holder shall, within thirty (30) days of the end of each calendar year during which the soil was removed or deposited, submit an annual statement of soil removed or deposited certified by a certified accountant (Certified General Accountant, Certified Management Accountant or Chartered Accountant), and the permit fees payable by the permit holder for that year shall be adjusted accordingly. If a permit holder fails to submit a certified annual statement for any year, as required by this Section 11(d) within the time period specified herein, the City may issue a notice of breach in accordance with Section 34. (B/L 1792-2008)

(e) If any permit fees payable pursuant to this bylaw are not received by the City within 30 days of the due date, the City may cancel any permit under which such fees are payable.

(f) Soil which is removed from one site and deposited on another site in the City, as one project, shall only be subject to one fee prescribed by subsection (a).

12. The City of Abbotsford may refuse to issue a permit if the proposed soil removal or soil or other material deposit operation, or the plans, data, and specifications submitted with the application do not comply with this bylaw, or if the proposed soil removal or soil or other material deposit would, in the City's opinion, adversely affect the environment or any adjacent property, highway, watercourse, or ground water aquifer.

13. Any permit issued pursuant to this bylaw may specify conditions with regard to traffic control and utilization of City highways in connection with a soil removal or a soil or other material deposit operation.

14. Every excavation shall be carried out in accordance with the following regulations:

(a) the face of the excavation, except in the immediate areas of operations, shall have a slope which is not greater than the angle of repose necessary for stability of the soil in question, as determined by the Engineer;

(b) no excavation shall be undertaken within 7.5 m of any highway, statutory right-of-way or utility easement without first obtaining the approval in writing of the authority having jurisdiction over such highway, statutory right-of-way or easement, and a copy of such written approval shall be filed with the Engineer;

(c) no excavation shall be undertaken within 3 m of any property boundary provided that, where adjoining lands have been excavated, the excavation may (with the written approval of the owner of the adjoining lands) be continued across the property line of the adjoining land to tie in with the existing excavation, subject to the maximum slopes permitted above. A copy of the written approval of the owner of the adjoining lands shall be filed with the Engineer;

(d) the excavation shall not extend beyond an excavation face delineated by the minimum setbacks and the maximum slopes permitted above. There shall be no excavation into the toe of such limiting excavation face. The limiting excavation face shall comprise undisturbed natural soil and the excavation shall not be permitted to extend beyond such limiting excavation face by backfilling;

(e) as the excavation progresses, the face of the excavation shall be progressively restored to the condition called for under Section 21 so that the unrestored portion of the finished excavation face is no longer than 90 m at any one time;

(f) the working face of the excavation shall not exceed a height of 1.25 m above the maximum safe reach of the excavating equipment being used;

(g) the excavation shall at all times be graded in such a manner that positive gravity drainage is assured throughout and surface water shall not be allowed to pool anywhere within the excavation, provided that, where necessary to remove sediment from surface run-off, a settling pool may be established for the duration of a soil removal operation. Surface run-off shall drain by gravity to the lowest point in the excavation and thence to a natural watercourse or a public drainage facility having adequate capacity for that purpose. The excavation shall not lower the effective water table at wells on any other lands without the written consent of the owner of such lands, and a copy of such written consent shall be filed with the Engineer;

(h) the finished grade of the excavation shall, after reclamation, have a slope of not more than one vertically to three horizontally and shall conform to the grading plans submitted with the permit application and approved by the Engineer;

(i) temporary excavations below the elevations specified in the permit may be approved by the Engineer where he is satisfied that such excavation would otherwise comply with this bylaw and where the excavation will be filled with soil or other material approved by the Engineer to an elevation not lower than that specified in the permit within a period of time stipulated by the Engineer; and

(j) no excavation shall be carried out into the aquifer except to construct settling ponds, water supply pits and man-made lakes, all of which shall be shown on the drawings accompanying the permit application and shall require prior approval by the City.

15. No person shall deposit or cause or permit to be deposited any material other than soil, wood waste, masonry rubble, concrete rubble or asphalt rubble upon any land other than:

(a) a sanitary landfill;

(b) a solid waste transfer station; or

(c) a construction and demolition waste landfill,

in accordance with the Zoning Bylaw of the City.

16. No person shall deposit or cause or permit to be deposited soil or other material on any land in individual pieces in excess of 1 m in length or 0.75 m^3 in volume.

17. The deposit of soil and other material shall be carried out in accordance with the following regulations:

(a) the slope of any part of any exposed face of any deposited soil or other material shall not be greater than the angle of repose necessary for stability of the soil or other material in question, as determined by the Engineer;

(b) the deposited soil or other material shall not in any way interfere with the established above or below ground drainage pattern of any adjoining lands and shall not cause the ground water table to rise on adjoining lands so as to cause flooding or malfunctioning of any private sewage disposal system or contaminate any well. Where necessary, a system of interceptor or relief drains shall be installed which is sufficient to compensate for any interference which might otherwise occur to such established drainage pattern as a result of the soil or other material deposit operation;

(c) the deposited soil or other material shall be graded in such a manner that positive gravity drainage is assured throughout, and a drainage system shall be installed which is of sufficient capacity and extent to ensure that ground water or surface run-off will not drain into adjoining lands at greater rates than those existing prior to the commencement of the soil or other material deposit operation;

(d) no soil or other material shall be deposited over any highway, statutory right-of-way or utility easement without first obtaining the approval in writing of the authority having jurisdiction over such highway, statutory right-of-way or easement, and a copy of such written approval shall be filed with the Engineer;

(e) no soil or other material shall be deposited in the immediate vicinity of any utilities or services which may be damaged by any settlement resulting from the deposit of such soil or other material without first obtaining the approval in writing of the authority having jurisdiction over such utilities or services, and a copy of such written approval shall be filed with the Engineer;

(f) no soil or other material shall be deposited over wells or private sewage disposal systems; and

(g) the finished grade of the deposited soil or other material shall, upon completion of the deposit operation, have a slope of not more than one vertically to three horizontally and shall conform to the grading plans submitted with the permit application and approved by the Engineer.

18. In addition to the regulations contained in Section 17, every operation involving the deposit of wood waste, except those exempt from the requirement to obtain a permit under Subsections 3(c) and (d) hereof, shall comply with the following regulations:

(a) no person shall deposit or suffer or permit the deposit of wood waste onto any lands within the City unless a Professional Engineer, registered with the Association of Professional Engineers of British Columbia, has certified that such deposit is required for the purpose of providing a stable base on which to deposit soil or other material and has specified the volume, depth and type of the wood waste material required for such base layer;

(b) a perimeter berm, built so as to completely surround the wood waste deposit site, shall be constructed prior to the deposit of the wood waste base layer. All vegetation within the berm strip shall be removed prior to constructing the berm. The berm shall be a minimum of 0.6 m in thickness at the crest of the completed berm and shall be composed entirely of compacted, inert and essentially impermeable soil;

(c) as the depositing of wood waste advances across the site, the exposed face of wood waste shall not extend more than 10 m beyond the completed section of the wood waste base layer. The exposed face of wood waste shall not exceed 50 m in length and shall not be allowed to remain uncompleted for periods longer than seven days. The base layer shall be considered completed when the wood waste has been covered with a layer of essentially impermeable inert soil which is a minimum of 0.6 m in compacted thickness;

(d) the completed section of wood waste base layer shall be graded to divert surface water run-off away from the exposed active face of the wood waste and shall be compacted so as to prevent the creation of voids;

(e) an effective perimeter drainage system shall be provided and maintained around the entire soil or other material deposit site;

(f) a leachate control program shall be established and maintained so as to effectively prevent any degradation of water quality in perimeter ditches, natural watercourses, ground water aquifers and all other bodies of water caused by the deposit of such wood waste; and

(g) Soil removal or deposit of soil or other materials, and the related activities, shall be carried out only on Monday to Saturday from 7:00 a.m. to 7:00 p.m., Pacific Standard Time, and from 7:00 a.m. to 9:00 p.m., Daylight Savings Time.

19. All buildings and structures erected in connection with a soil removal or a soil or other material deposit operation shall be temporary in nature and shall be removed forthwith upon completion of the soil removal or the soil or other material deposit operation.

20. All hazards or potential hazards arising from soil removal or soil or other material deposit operations shall be adequately fenced or otherwise protected for the safety of the public, and suitable weather-proof signs shall be mounted and maintained at intervals of not greater than 60 m around the perimeter of any excavation with clear, legible wording to indicate the hazard, the nature of the operation and the presence of the excavation and prohibiting the presence of the public and all unauthorized persons.

21. Upon completion of the removal of soil or the deposit of soil or other material, every permit holder shall immediately:

(a) leave all surfaces of the excavation or deposit with a slope not greater than the grade shown on the plans submitted with the permit application and not greater than that specified in the permit; and

(b) cover all surfaces of the excavation or deposit with an established growth of grass or other suitable rooted ground cover.

22. Stockpiles of soil which are part of any soil removal or deposit operation for which a permit has been issued pursuant to this bylaw shall be confined to the locations prescribed in the permit.

23. No operation by which soil is removed or soil or other material is deposited shall encroach upon, undermine damage or endanger any adjacent property or highway or, where a permit has been issued pursuant to this bylaw, encroach into any setback area prescribed in the permit.

24. No person shall obstruct or damage any drainage facility, natural watercourse or ground water aquifer by removing or causing or permitting the removal of soil, or by depositing or causing or permitting the deposit of soil or other material.

25. Any person who, in the course of a soil removal or a soil or other material deposit operation, causes or permits to be caused damage to any drainage facility, natural watercourse, ground water aquifer, highway or other City or private property shall promptly repair such damage so as to restore the said property as nearly as possible to its condition prior to the commencement of the soil removal or the soil or other material deposit operation.

26. No person engaged in a soil removal or a soil or other material deposit operation shall cause or permit dust, dirt or noise to escape so as to constitute a nuisance to any other property.

27. During and upon completion of every soil removal or soil or other material deposit operation, the owner of the lands upon which the soil removal or soil or other material deposit operation was carried out and any person engaged in such operation shall:

    (a) protect the boundaries of all adjacent lands, highways, statutory rights-of-way and utility easements from erosion or collapse; and

    (b) complete all works required by this bylaw and any permit issued pursuant to this bylaw, in accordance with sound engineering principles, as determined by the Engineer.

28. No permit issued pursuant to this bylaw or any interest shall be transferred or assigned. Where a permit holder sells, transfers or otherwise disposes of his interest in the land in respect of which a subsisting permit has been issued, he shall immediately cease the soil removal or soil or other material deposit operations, and the permit shall become void and of no effect and shall be returned to the Engineer.

29. Each permit issued pursuant to this bylaw shall be visibly displayed in a protected, accessible, conspicuous position upon the lands referred to, and shall be made available to the Engineer upon request.

30. Every person holding a permit pursuant to this bylaw shall maintain accurate up-to-date records of the progress of the soil removal or the soil or other material deposit operation sufficient to show compliance with the provisions of this bylaw and the permit; and such records shall be made available to the Engineer upon request.

31. Every holder of a permit issued pursuant to this bylaw shall:

    (a) renew all type “A” permits on an annual basis prior to their expiry date;

    (b) commence the soil removal or the soil or other material deposit operation within one month from the date of issuance of the permit; and

    (c) complete all restoration requirements within six months after the date of completion of the project and prior to the expiration of the permit, whichever event shall occur first.

32. If the holder of a permit issued pursuant to this bylaw wishes to deviate in any way from the particulars contained in his application or from the plans, data and specifications submitted, he shall first make application for and receive a new permit pursuant to this bylaw.

33. The Engineer and the Works Inspectors are hereby authorized at all reasonable times to enter upon and inspect any lands to ascertain whether the provisions of this bylaw and any permit issued pursuant to this bylaw are being complied with.

34. In the event of a breach of any provision of this bylaw or any permit issued pursuant to this bylaw, the Engineer or a Works Inspector may issue to:

    (a) the permit holder;

    (b) the owner or occupier of lands from or upon which soil is being removed or soil or other material is being deposited; and

    (c) any person engaged in a soil removal or a soil or other material deposit operation, or any of them, a notice of such breach. Every person receiving a notice of a breach shall immediately cease all soil removal or soil or other material deposit operations, and every owner or occupier of land, upon receiving a notice of a breach, shall prevent any further removal of soil or deposit of soil or other material from or upon the said lands, until such breach is remedied to the satisfaction of the City.

35. In the event that any person, having received a notice of a breach, fails within the time to remedy such breach or otherwise continues to breach any provision of this bylaw or any permit issued pursuant to this bylaw, Council may, at any time, revoke any permit issued pursuant to this bylaw and the City may draw upon any security deposited with the City by the permit holder and may enter upon the lands where such breach has occurred and carry out any works required to remedy such breach at the expense of any person named in the notice of breach and may deduct the cost of such works from the security deposit and, where no such security has been deposited or where the security is insufficient to cover the cost of such works, the City may recover the costs of such works, or any part, with interest at the rate of 6% per year with costs in the same manner as City taxes against the lands where such breach has occurred.

36. No person shall make a false statement in an application for a permit under this bylaw.

SCHEDULE "A"

Application No. _____

APPLICATION FOR SOIL REMOVAL/DEPOSIT PERMIT

1. I/WE _____ of

_____
(Address) (Phone Number)

hereby apply for a permit to remove soil/deposit soil or other material from/upon the following lands:

Address: _____

Legal Description: _____

_____

2. The registered owner of the said lands (if not the applicant) is: _____

_____

of: _____
(Address) (Phone Number)

and the consent of the owner (if applicable) authorizing this application is attached.

3. The title or tenancy under which the said lands are occupied by me/us (if not the owner) is:

_____

4. The soil or other material would be removed/deposited for the following purpose: _____

_____

5. The type of soil or other material which would be removed/deposited is: _____

_____

6. The ground area from/upon which the soil or other material would be removed/deposited is _____ m^2/ha.

7. The depth of the proposed excavation/height of the proposed landfill will be _____ m.

8. The total volume of soil or other material which would be removed/deposited is _____ m^3.

SCHEDULE "A"

9. The proposed date of commencement is: _____.

10. The proposed date of completion is: _____.

11. I/We require a type _____ Permit.
("A" or "B")

12. Upon approval of this application I/We hereby agree to fulfill the following conditions prior to the issuance of a permit:

    (a) Deposit with the City security in the amount of $ _____;

    (b) Pay to the City the permit fee when required.

13. Submitted are the plans, data and specifications required by the Soil Removal and Deposit Bylaw No. 1228-2003.

14. I/We declare that the above information is correct and that I am/We are aware of the terms and conditions of Soil Removal and Deposit Bylaw No. 1228-2003, and will abide by the regulations and requirements imposed by the said bylaw and any permit issued to me/us in connection with the proposed soil removal/soil or other material deposit operation.

_____ _____

Applicant' Signature Date

SCHEDULE "B-1"

TYPE "A" - ANNUAL RENEWABLE

SOIL REMOVAL PERMIT NO._____

Permission is granted to:

_____ of
(Name)

_____
(Address)

to remove soil from the lands described as:

_____
(Address of Property)

_____
(Legal Description of Property)

_____

in accordance with the provisions of Soil Removal and Deposit Bylaw No. 1228-2003, Application No. _____ submitted by the Applicant and the plans, specifications, and other supporting data filed therewith, copies of which are attached to and form part of this permit, and the following additional terms and conditions:

Received Letter of Credit from _____
No. _____ in the amount of $ _____ as security for the full and proper performance of the soil removal operation in compliance with Soil Removal and Deposit Bylaw No. 1228-2003 and all other terms and conditions of this permit.

This permit issued on the _____ day of _____, 20___.
This permit shall expire on the _____ day of _____, 20___.
This permit shall not be transferred or assigned.

_____
Director of Engineering

SCHEDULE "B-2"

TYPE "B" - TEMPORARY

SOIL REMOVAL / DEPOSIT PERMIT NO._____

Permission is granted to:

_____ of
(Name)

_____
(Address)

to remove / deposit soil or other material from / upon the lands described as:

_____
(Address of Property)

_____
(Legal Description of Property)

_____

in accordance with the provisions of Soil Removal and Deposit Bylaw No. 1228-2003, Application No. _____ submitted by the Applicant and the plans, specifications, and other supporting data filed, copies of which are attached to and form part of this permit, and the following additional terms and conditions:

Received Letter of Credit from _____
No. _____ in the amount of $ _____ as security for the full and proper performance of the soil removal operation in compliance with Soil Removal and Deposit Bylaw No. 1228-2003 and all other terms and conditions of this permit.

This permit issued on the _____ day of _____, 20___.
This permit shall expire on the _____ day of _____, 20___.
This permit shall not be renewed, transferred or assigned.

_____
Director of Engineering

SCHEDULE "C"

WAIVER

I, _____, of _____
(Name) (Address)

_____, in consideration of the City of Abbotsford ("Abbotsford") depositing at no cost to me, the ("Soil Removal and Deposit Bylaw") or other material which may include, among other things, clay, silt, cobbles, sand, gravel, rock, boulders, concrete rubble, asphalt rubble or wood waste, on the parcel of land described as:

(the "Lands")

covenant and agree with the City of Abbotsford as follows:

1. I am the owner of the Lands;

2. I accept the soil or other material on an "as is, where is" basis;

3. I forever release and discharge and agree to indemnify and save harmless the City of Abbotsford from and against any and all manner of actions, causes of action, proceedings, claims, debts, demands, costs and other expenses of whatsoever kind or by whomever brought, whether for negligence or otherwise, and whether known or unknown, direct or indirect, suspected or unsuspected, which I now have or at any time may have, which result or arise in any way from the deposit of soil or other material by Abbotsford on the Lands;

4. I agree to be responsible for complying with the provisions of the Soil Removal and Deposit Bylaw, and for any breaches of the Soil Removal and Deposit Bylaw by any person in connection with the deposit of soil or other material by Abbotsford on the Lands;

SCHEDULE "C"

5. I further understand and agree that this Waiver is and is intended to be binding on myself and my co-owners of the Lands, and all my heirs, executors, administrators, successors and assigns, and that every reference in this Waiver to the City of Abbotsford includes its officers, employees, agents, servants, contractors, successors and assigns;

6. I have read and understand this Waiver.

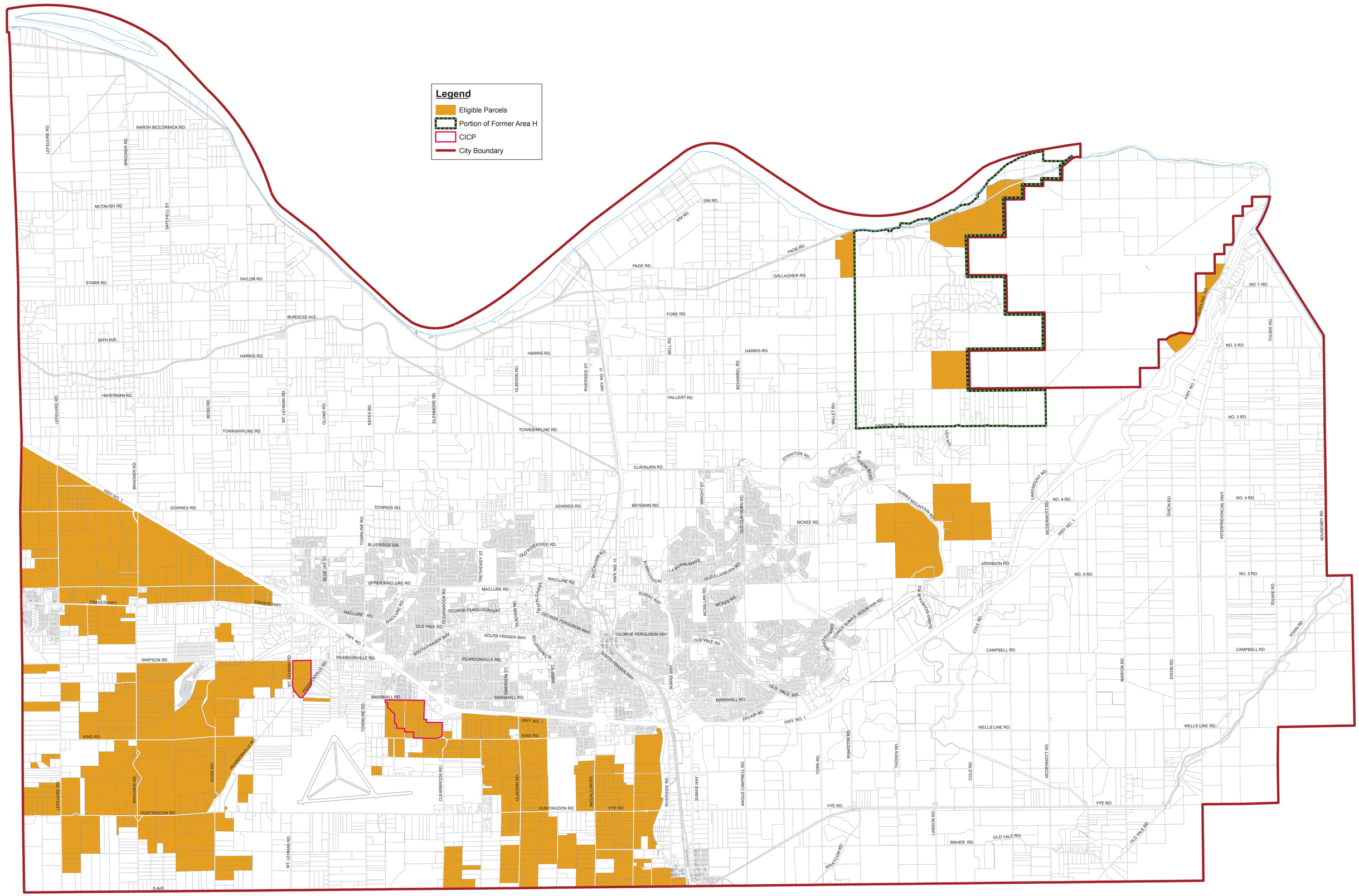
DATED at the City of Abbotsford, Province of British Columbia this
_____day of _____, 20__.

_____
Signature of Owner

SCHEDULE “D” (B/L 1958-2010)

“City of Abbotsford Soil Removal Eligibility Areas”

See Map



N
W E
S

SCHEDULE "D"
CITY OF ABBOTSFORD SOIL REMOVAL ELIGIBILITY AREAS

ABBOTSFORD

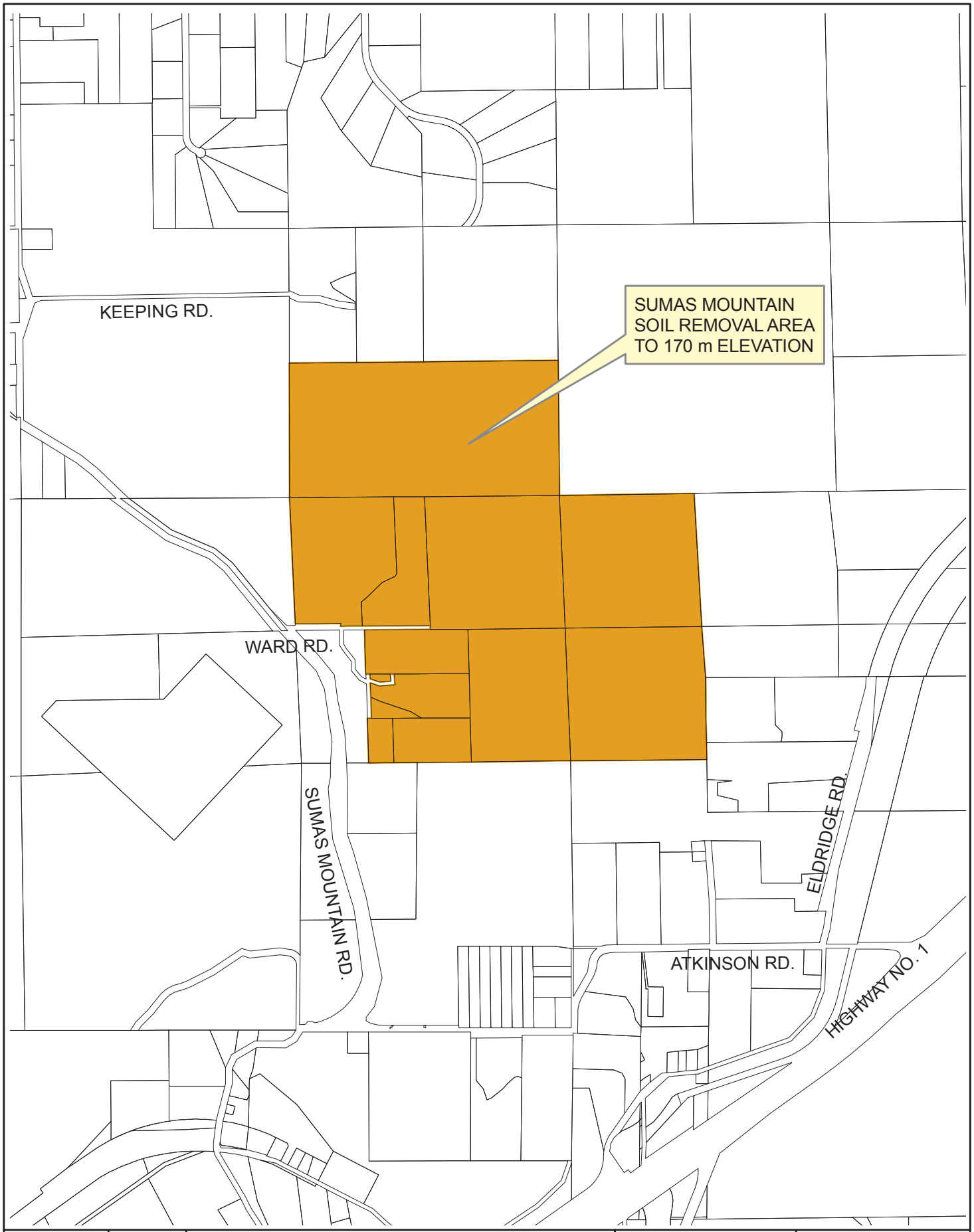
Dwg. No.	M-898
Scale 1:25,000	Plot Date (mmddyyyy) 4/6/2010

L:\MISC\M898 SoilElgibility.mxd

SCHEDULE “E” (B/L 1958-2010)

“Sumas Mountain Soil Removal Area”

See Map



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SCHEDULE "E"
SUMAS MOUNTAIN SOIL REMOVAL AREA

ABBOTSFORD

Dwg. No.	M899
Scale 1:15,000	Plot Date (mm/dd/yyyy) 4/6/2010

L:\MISC\M899.mxd