

# CONSOLIDATED FOR CONVENIENCE ONLY

This Bylaw is a consolidation of the bylaws amending "White Rock Tree Management Bylaw, 2008, No. 1831." Efforts are made to ensure that this consolidation is current; however, accuracy and completeness cannot be guaranteed. Original bylaws should be consulted for all interpretations and applications of the bylaw regarding this subject.

Consolidation includes:

- Bylaw 2073 (December 18, 2014)
- Bylaw 2161 (September 12, 2016)
- Bylaw 2215 (October 23, 2017)

## THE CORPORATION OF THE CITY OF WHITE ROCK BYLAW 1831

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A Bylaw to regulate and prohibit the cutting, removal and damage of trees, the issuance of permits for the same, and the requirement for replacement trees and of securities for their provision and maintenance.

**WHEREAS** pursuant to Sections 8(3) (c) and 50 to 52 of the *Community Charter*, a city may, by bylaw, exercise certain powers to preserve and protect trees within the city, regulate the removal of trees and require their replacement;

**AND WHEREAS** trees provide an essential environmental function contributing to a clean air environment as well as providing habitat for birds and wildlife;

**AND WHEREAS** Council considers it is in the public interest to provide for the conservation and propagation of trees, and the regulation of their removal and replacement;

Under its statutory powers, including Sections 8(3) (c) and 50 to 52 of the *Community Charter*, the Council of the Corporation of the City of White Rock, in open meeting assembled, enacts the following provisions:

### **Part 1 –Introductory Provisions**

#### **Title**

1. This Bylaw may be cited as “White Rock Tree Management Bylaw, 2008 No. 1831.”

#### **Purpose**

2. This Bylaw is intended to:
  - (a) Protect trees on private property and City-owned properties within the City;
  - (b) Prohibit the removal of protected trees in the City of White Rock without a permit;
  - (c) Prohibit the damaging of protected trees;
  - (d) Regulate and establish requirements for the removal, preservation, protection and replacement of protected trees through a permit process; and,
  - (e) Set forth inspection and enforcement provisions for protected tree conservation, removal and replacement, and penalties for damaging or removing protected trees without a permit.

#### **Definitions**

3. In this Bylaw,  
**“arborist” or “Project Arborist”**  
means a person who is:

- (a) a Certified Arborist by the International Society of Arboriculture, or a Certified Tree Risk Assessor (TRAQ); or,
- (b) a Registered member of the Association of BC Forest Professionals with a specialization in urban forestry.

**"caliper"**

means the trunk size of a deciduous replacement tree, measured at 15 cm above the ground at the base of the tree.

**"City"**

means the Corporation of the City of White Rock.

**"City Arborist"**

means a person retained and / or designated by the City as the City's arborist.

**"City-Owned Properties"**

means all properties owned by the City of White Rock, plus all road rights-of-way and dedications under jurisdiction of the City of White Rock.

**"coordinated site development plan (CSDP)"**

means a site development plan for a proposed project that has been coordinated with all project consultants and reviewed, approved and signed by the owner (or authorized agent), project Architect, Landscape Architect, Project Arborist, and Builder (the "Project Team"), where appropriate.

The CSDP must clearly identify all site works proposed within or immediately adjacent to the critical root zones of all protected trees, and clearly state when the project arborist is required to be on-site to supervise work. Site works to address include but are not limited to building location, excavation, site grading, site servicing, driveway location, sidewalks, retaining walls, and tree removals. Specific construction techniques must be outlined that will minimize potential impacts to protected trees, where appropriate.

**"Council"**

means the municipal Council of the Corporation of the City of White Rock.

**"critical root zone"**

means the area of land surrounding the trunk of a tree contained within a circle of radius equal to the DBH of the tree multiplied by 6, or one meter beyond the drip line of the tree, whichever is the greater distance.

**"cut"**

means to cut down a tree and shall include to pull up, push or pull over or otherwise fall a tree.

**“damage”**

means any action which will cause a tree to die or to decline, including, but not limited to: girdling, ringing, removing bark from a tree, dent, gouge, puncture or damage a tree trunk, poisoning, burning, undermining structural roots within the critical root zone, excessive pruning, excessive crown lifting, topping, or pruning in a manner not in accordance with the most recent edition of the “American National Standards Institute Publication A300” and the most recent edition of the companion publication “Best Management Practices – Tree Pruning”, published by the International Society of Arboriculture.

**“diameter at breast height” (DBH)**

means the diameter of the trunk of a tree at 1.4 metres above the base of a tree. For multi-trunk trees, each trunk shall be measured 1.4 metres above the highest point of the natural grade of the ground measured from grade and the DBH of the tree shall equal the cumulative total of the three largest trunks.

**“Director of Planning and Development Services”**

means the person appointed by Council as the Director of Planning and Development Services or the duly authorized designate.

**“drip line”**

means a circle on the ground around the trunk of a tree, the radius of which is the distance between the outermost twigs of the tree and the centre point of the trunk, or its vertical extension.

**“hazardous tree”**

means a tree identified in writing by a Certified Tree Risk Assessor as having significant structural defects and an extreme hazard risk which could lead to part or all of the tree falling and causing personal injury or significant property damage.

**“hedge”**

means four or more trees or shrubs 6 metres high or less, planted 1 metre or less apart, that forms a continuous, linear screen of vegetation that provides privacy, fencing, wind breaking, and/or boundary definition.

**“heritage tree”**

means a tree that is of cultural or historical value to the City and that has been designated as a heritage tree.

**“live crown ratio”**

means the height of the part of a tree with live branches divided by the total height of the tree.

**“lot”**

means land designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the records of the New Westminster Land Titles Office.

**“lower value tree”**

means a protected tree with significant structural issues from past pruning or due to natural events, or a severely diseased protected tree with limited life expectancy, as determined at the sole discretion of the City. Fruit trees, alders, and cottonwoods also qualify as lower value trees.

**“natural causes”**

means death or decline of a tree as a result of natural diseases, pests, climactic, hydrological and geotechnical conditions, inherent structural defects or ageing.

**“Official Community Plan”**

means the Official Community Plan of the City of White Rock, No. 2220, as may be amended or replaced from time to time.

**"off-site tree"**

means a tree of any size planted either on the property line or on neighbouring properties.

**"on-site tree"**

means a protected tree located within the boundary of the lot.

**“owner”**

means the registered owner in fee simple of a lot upon which a tree is located; or their authorized agent.

**“protected tree”**

means a woody plant with roots and branches that has a trunk DBH of 30cm or greater, as well as:

- (a) a replacement tree of any size planted as a requirement of a tree management permit;
- (b) a tree, hedge, or shrub of any size on City-owned properties;
- (c) a tree with evidence of nesting or use by raptors as defined in the *Wildlife Act*, R.S.B.C. 1996, c. 488 or the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl; or
- (d) an Arbutus (*Arbutus menziesii*), Garry Oak (*Quercus garryana*), or Pacific Dogwood (*Cornus nutalii*) of any size.

Invasive species (including holly trees) and hedges on private property are not considered protected trees.

**“replacement tree”**

means a tree required in accordance with this Bylaw, to replace a tree cut, removed or damaged. Deciduous replacement trees must have a minimum caliper of 6cm, and coniferous replacement trees must be at least 3 metres in height. Hedges will not be considered as replacement trees.

**“remove”**

means to cut a tree and/or to remove it from the lot where it exists, or the elimination of any tree from its present location.

**"structural root"**

means large, woody, tree roots that anchor and support the trunk and crown; roots characterized by secondary thickening and relatively large diameter (greater than 2 cm diameter) giving form to the root system and functioning in anchorage and support.

**“tree assessment report” or “arborist report”**

means a report prepared by an arborist, that documents the size (dbh), height, location, species, live crown ratio, health, and structure of all protected trees on a lot and on the property adjacent thereto. A photo of each protected tree must also be included.

The report must include a recommendation to retain or remove each protected tree, based on the details of the proposed works. If a protected tree proposed for removal is a member of a stand of trees, the report must comment on the impact of tree removal on the health of the remaining trees in the stand.

The report must include a plan that shows the location of all protected trees proposed for removal or preservation, the extent of canopy/critical root zone for each protected tree, the location of all proposed buildings, and the location of all required tree protection barriers. A separate plan must also be included that identifies all protected trees that are to be retained as well as the species and location of all proposed replacement trees.

A report remains valid for six months from the date it is signed and dated by the project arborist.

**“tree barrier confirmation letter”**

means a letter prepared by the project arborist confirming that all required tree protection barriers have been constructed and located correctly. The letter must include photos of the tree protection barriers and a plan showing the approved location of the tree protection barriers.

**“tree management permit”**

means the written authority granted by the City pursuant to Parts 6 and 7 of this Bylaw to regulate the protection and retention of protected trees, the removal of

protected trees, and/or the removal of structural roots within the critical root zone of protected trees.

**“tree protection barrier”**

means a barrier constructed around a tree in accordance with the most current requirements of the City to protect the tree from damage during site work or construction. Tree protection barriers shall be constructed in accordance to Schedule A, with the locations as recommended by the project arborist and approved by the City based on the critical root zones of protected trees.

**“tree protection zone”**

means the area within a tree protection barrier.

**“tree protection and replacement report”**

means a report prepared by the project arborist upon completion of all works on a site that confirms that all requirements related to tree protection outlined in the tree management permit and CSDP have been followed. The report must clearly state when the arborist was on site and identify the works that were supervised, and include comments on the health and long-term survivability of all retained protected trees. Photos of the work that was supervised must be included in the report.

The report must also identify the size and species of all replacement trees, and include a plan showing the location of all replacement trees. The project arborist must comment on the health of the replacement trees, and confirm that all replacement trees have been planted correctly and are expected to survive long-term. A photo of each replacement tree must also be included.

**“tree survey”**

means a survey plan prepared by a BC Land Surveyor that illustrates the tree number and location, size, and species of all protected on-site trees and off-site trees within 4 meters of the property lines. The tree survey shall also show the dripline of each tree, the existing base elevation of each tree, and the footprint of the existing and proposed buildings.

**"topping"**

means an inappropriate pruning technique to remove the top portion of a tree's main leader(s), resulting in an overall reduction in the tree's height, size and potential health or life expectancy.

**“Zoning Bylaw”**

means White Rock Zoning Bylaw No. 2000, as may be amended or replaced from time to time.

## **Part 2 – Application and Exemptions**

1. This Bylaw applies to protected trees within the municipal boundaries of the City of White Rock.
2. This Bylaw does not apply to protected trees that are cut, removed or damaged, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4<sup>th</sup> Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.
3. This Bylaw does not apply to protected trees on City-owned properties that are cut or removed by the City or its authorized agents as part of the City's operations. Requests by residents for the trimming, pruning or removal of protected trees on City-owned properties require separate approval through the City's Department of Engineering and Municipal Operations.

## **Part 3 – Prohibitions**

1. No person shall cut, remove or damage any protected tree or cause, suffer or permit any such tree to be cut, removed or damaged, except where permitted by and in accordance with the terms of this Bylaw.
2. No person shall fail to comply with the terms and conditions of a tree management permit issued pursuant to this Bylaw.
3. An arborist that submits any report to the City as a requirement of this Bylaw, cannot also cut, remove or damage any tree that the arborist included in the report.
4. In the event that a protected tree is in imminent danger of falling due to natural causes, and it is not possible to obtain a tree cutting permit prior to the tree falling, the owner may cut the tree or have it cut, but shall report the cutting of the tree to the City within the next business day. The owner shall not remove the tree from the property until the City has visited the property and confirmed that the tree was in imminent danger of falling due to natural causes and injuring people or property. If the City determines that the tree was not in eminent danger, or was in eminent danger due to reasons other than natural causes, the City may consider the filing of an offense in accordance with Part 11 of this bylaw.

## **Part 4 – Delegation of Council Authority and Appeal to Council**

1. Council hereby delegates to the Director of Planning and Development Services the authority but not the duty to:
  - (a) administer the provisions of this Bylaw; and
  - (b) approve or deny an application for a Type 1, Type 2, and Type 3 tree management permit, if the application complies with the requirements for the applicable permit under Part 6.

2. Council hereby delegates to the Director, Planning and Development Services the authority to grant exemptions in respect of a provision of this Bylaw, in circumstances where:
  - (a) the presence of utility and/or City infrastructure, as well as sight-line areas for the safe operation of motor vehicles and safe passage of cyclists and pedestrians, impacts the ability to fully implement the provisions of this Bylaw;
  - (b) existing subject property configuration, slope and geotechnical characteristics, and constraints on the subject property by the configuration, slope and geotechnical characteristics of immediately adjacent properties, impacts the ability to fully implement the provisions of this Bylaw; or
  - (c) replacement trees having the size specified in this Bylaw are not reasonably available from area suppliers, subject to confirmation of this lack of availability, and smaller-sized trees are available for replacement purposes, to the satisfaction of the Director, Planning and Development Services.

### **Part 5 – Tree Management Permits**

3. A person applying for a Demolition Permit or a Building Permit or a person wishing to cut or remove a protected tree or cut and remove roots within the critical root zone of a protected tree, must apply to the Director of Planning and Development Services for a tree management permit. The tree management permit must be approved prior to the issuance of the Demolition or Building Permit. A tree management permit is not required if it is confirmed through a tree survey and a site visit by City staff that no protected trees or critical root zones of protected trees are present within the boundaries of the lot.
4. A notice shall be posted at the property line of the lot for which a tree management permit has been issued, in a location visible to the public and facing the street, prior to the commencement of any cutting or removal of a protected tree or roots and shall remain posted until the completion of all work related to the cutting or removal of protected trees or portion thereof on the lot. The notice shall include a copy of the tree management permit, identify by species and location the trees which are to be cut or removed and provide a contact number for the permit holder and the City.
5. A tree management permit is not required for the pruning of a protected tree provided that the pruning is conducted in accordance with the standards and recommendations of the International Society of Arboriculture. Pruning shall not include:
  - (c) the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%,
  - (d) the removal of more than 25% of the crown in one season,
  - (e) topping
  - (f) the pruning or removal of a structural root within the critical root zone of a protected tree
6. The pruning and treatment of diseased trees shall be practiced where possible and practical as an alternative to the cutting or removal of a protected tree. A tree

management permit will be required for the re-topping of protected trees when a safety hazard is identified and confirmed in a report by an arborist.

7. The fee for a tree management permit shall be as set out in City of White Rock Planning Procedures Bylaw, and shall be paid upon application for the permit.

## **Part 6 – Types of Tree Management Permit Applications, Application Submission and Approval Requirements**

1. The owner of a lot where a protected tree is located shall apply for one of the following types of tree management permits to remove a protected tree or prune or remove structural roots within the critical root zone of a protected tree, and shall provide the documentation described as Application Submission Requirements at the time of application.
2. Type 1 - Tree Management Permit to Remove a Dead or Hazardous Protected Tree
  - (a) Application Submission Requirements
    - (i) Complete application form
    - (ii) Title Search
    - (iii) Tree Assessment Report confirming the tree is a hazardous tree (not required if documentation/photos provided confirming that the tree is an imminent hazard to the public, as indicated in Part 3 of this Bylaw)
    - (iv) Letter from property owner with rationale for removal of protected tree
    - (v) If applicable, letter from adjacent property owner agreeing to proposed removal (for shared trees)
  - (b) Tree Management Permit Issuance Requirements
    - (i) No replacement tree requirements
3. Type 2 - Tree Management Permit to Remove an Unwanted Protected Tree
  - (a) Application Submission Requirements
    - (i) Complete application form
    - (ii) Application fee
    - (iii) Title Search
    - (iv) Tree Assessment Report
    - (v) Letter from property owner with rationale for tree removal and commitment to plant and maintain replacement trees.
    - (vi) If applicable, letter from adjacent property owner agreeing to proposed removal (for shared trees)

- (vii) Photos and plan showing the tree proposed for removal
  - (b) Tree Management Permit Issuance Requirements
    - (i) Tree replacement securities or cash-in-lieu
- 4. Type 3 - Tree Management Permit for a property under application for a Demolition Permit or a Building Permit
  - (a) Application Submission Requirements
    - (i) Complete application form
    - (ii) Application fee
    - (iii) Title Search
    - (iv) Tree Assessment Report
    - (v) Tree Survey
  - (b) Tree Management Permit Issuance Requirements (if applicable)
    - (i) Tree protection and replacement securities or cash-in-lieu
    - (ii) Coordinated Site Development Plan (CSDP)
    - (iii) Tree Barrier Confirmation Letter
    - (iv) Letter from adjacent property owner(s) agreeing to proposed removals and acknowledging work around trees that are to be retained (for shared trees)
- 5. The City may revoke a tree management permit if the terms and conditions of the permit have been breached or the information supplied by the applicant in support of the permit is found by the City to have been inaccurate, incomplete or erroneous.

### **Part 7 – Permit Fees and Securities**

- 1. The application fee for a tree management permit shall be made in accordance with the City of White Rock Planning Procedures Bylaw.
- 2. Any amendment requested or required for a tree management permit that has been issued will require payment of a new application fee.
- 3. A security deposit payable by the owner of the subject lot will be required for:
  - (a) The provision and maintenance of replacement trees that will be planted after site development and construction is completed; and
  - (b) The maintenance of preserved protected trees.
- 4. The owner shall provide to the City the security deposit in cash or irrevocable letter of credit in a form satisfactory to the City in an amount determined under this bylaw and for the period and terms specified in this Bylaw.

5. Any irrevocable letter of credit required to be provided under this Bylaw shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the City. If, for any reason, the irrevocable letter of credit may cease to be effective security or become unenforceable so as to remove or reduce its purpose as full security for the due and proper performance of the requirements of this Bylaw, the owner shall replace it with a further letter of credit acceptable to the City within 21 days prior to the expiry of the letter of credit then held by the City. If the owner fails to do so, the City will draw down on the current letter of credit without notice or restriction and hold the monies in lieu thereof as security.
6. If at any time an owner fails to comply with the provisions of this Bylaw relating to requirements for retention of existing trees or replacement trees and their maintenance, the City may by its employees or others under its direction enter upon the lands that are the subject of the requirements, at all reasonable times and after notification to the owner, to plant replacement trees or maintain protected trees and for such purposes may draw upon the security provided and expend the funds to cover all costs and expenses of doing so.
7. Where conditions on a lot will make it impractical to plant replacement trees an applicant may make a proposal for cash-in-lieu of the planting of replacement trees. The City will use the cash-in-lieu funds to plant trees elsewhere in the City on City-owned properties. If replacement trees are not planted within one year of the issuance of a Type 2 tree management permit, or within three years of the issuance of a Type 3 tree management permit, the applicant will forfeit the tree protection securities to the City to be used to plant and maintain trees on City-owned properties.
8. The amount of the security for the provision and maintenance of replacement trees, or proposed cash-in-lieu of planting replacement trees, shall be \$1,500 per replacement tree.
9. The number and size of the replacement trees is dependent upon the size of the protected tree removed. Replacement trees shall be required according to the following:
  - (a) Less than 50 cm DBH protected tree removed – Two replacement trees
  - (b) 51 cm to 65 cm DBH protected tree removed – Three replacement trees
  - (c) 66 cm to 75 cm DBH protected tree – Four replacement trees
  - (d) 76 cm to 85 cm DBH protected tree – Five replacement trees
  - (e) Greater than 85 cm DBH protected tree – Six replacement trees
10. Notwithstanding Part 7, Item 9 above, two replacement trees shall be required for the removal of a *lower value tree* regardless of size (dbh).
11. The amount of security for the protection and maintenance of protected trees proposed to be retained shall be:
  - (a) \$2,500 per retained protected tree with a DBH of less than 50cm;
  - (b) \$4,500 per retained protected tree with a trunk DBH of 51-65cm; or,

- (c) \$10,000 per retained protected tree with a trunk DBH greater than 65 cm.
12. Notwithstanding Part 7, Item 11 above, the amount of security required for a *lower value tree* of any size (dbh) shall be \$2,500.
  13. The total amount of security deposited under Part 7, Items 8, 9, 10, 11, and 12 above will be held by the City for a period of one year after submission of an acceptable tree protection and replacement report and final building approval (if applicable), to ensure that the protected trees are properly protected and maintained in accordance with this Bylaw and the tree management permit.
  14. Securities for tree replacement may be retained by the City if the applicant does not plant a sufficient number of replacement trees, or if the replacement trees that have been planted do not meet the minimum size requirements, are planted incorrectly, have not been maintained properly, are in poor health, or have been planted in inappropriate locations. It will be a condition of release of any security provided in accordance with this Bylaw that the City will be satisfied that the owner/applicant has complied with the tree replacement and maintenance requirements of this Bylaw and the tree management permit.
  15. Securities for tree protection may be retained by the City if the applicant damages or removes a protected tree contrary to the terms and conditions of their tree management permit, or if the applicant fails to provide required information from the project arborist confirming that all terms and conditions of the tree management permit and CSDP were met. It will be a condition of release of any security provided in accordance with this Bylaw that the City will be satisfied that the owner/applicant has complied with the tree protection requirements of this Bylaw and the tree management permit.

### **Part 8 – Replacement Trees**

1. The required number of replacement trees may be reduced by 50 percent, provided that the DBH or height of replacement trees to be planted is increased by 75 percent or more, if so recommended by the Project Arborist and approved by the City.
2. Replacement tree species are to be proposed by the Project Arborist. The City encourages replacement trees that are of a species that will not grow to screen or block views of neighbouring properties.
3. A minimum of one replacement tree must be planted on each lot that is the location of a protected tree subject to an application.
4. Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the “Canadian Landscape Standard” published jointly by the Canadian Society of Landscape Architects and the Canadian Landscape Association to be considered acceptable by the City.
5. Replacement Trees must be planted and maintained in accordance with the requirements set out in the latest edition of the “Canadian Landscape Standard” published jointly by the Canadian Society of Landscape Architects and the Canadian Landscape Association.

### **Part 9 – Tree Protection**

1. All protected trees to be retained shall have a designated tree protection zone, based on the critical root zone, protected with tree protection barriers during demolition and building. The size of the tree protection zone will only be reduced where the full critical root zone cannot be protected and the reduced tree protection zone will still allow the tree to be retained. The final location of the tree protection barriers must be proposed by the project arborist and approved by the City in the tree management permit.
2. No demolition permit, building permit or tree management permit shall be issued for work on the lot where the protected tree is located until a tree protection barrier has been installed and confirmed by an approved tree barrier confirmation letter from the Project Arborist.
3. Tree protection barriers must remain in place throughout demolition and building, unless otherwise approved in the tree management permit and CSDP. Tree protection barriers are only removed and relocated under the supervision of the project arborist.
4. The Project Arborist is to submit reports to the City upon completion of the demolition and building stages, confirming when they were on site and whether conditions of the tree management permit and CSDP were followed. Reports from the project arborist may be required more frequently, as outlined in the tree management permit.
5. Site disturbance within a tree protection zone is prohibited including, unless specifically permitted in the tree management permit and CSDP and supervised by the project arborist. Prohibited site disturbance includes but is not limited to, site grading, excavation, deposition or storage of soil or any other material, disposal of any toxic material, access by any vehicle or heavy equipment, use of the area as an amenity space during construction, or use of tree trunks as a winch support, anchorage, or temporary power.

### **Part 10 - Inspection and Assessment**

1. The City is authorized to enter, at all reasonable times and after notification to the owner, any lot that is subject to the Bylaw to ascertain whether the regulations, prohibitions and requirements of this Bylaw or any tree management permit are being met or to assess or inspect any tree or tree remains on the lot.
2. Where a protected tree has been cut or damaged on a lot in violation of this Bylaw, without a tree management permit, or in excess of any permission or in violation of any terms and conditions of a tree management permit, the trunks, limbs, roots and remains of the cut or damaged tree shall not be removed from the lot until an investigation and assessment by the City is completed and the removal is expressly authorized by the City.
3. Upon completion of all works and once all replacement trees required under a tree management permit have been planted, the owner shall submit a tree protection and replacement report from the project arborist.

**Part 11 – Offences**

1. Offences against this Bylaw are subject to fines in accordance with the Ticketing for Bylaw Offences Bylaw. Offences include but are not limited to:
  - (a) cuts, removes or damages a protected tree contrary to this Bylaw or contrary to the terms and conditions of a tree management permit;
  - (b) violates any of the provisions of this Bylaw or a tree management permit;
  - (c) suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw or a tree management permit; or
  - (d) omits to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or a tree management permit.
2. For the purposes of this Bylaw, each tree cut, removed or damaged in violation of this Bylaw and each day that a violation of this Bylaw is caused or permitted to continue shall constitute a separate offence.

**Part 12 – Penalties**

1. In the event that a person who commits an offense against this Bylaw fails to pay the fine before the 31<sup>st</sup> day of December in the year following the year that the fine was effected by the City, the costs shall be added to and form part of the taxes payable on the lot as taxes in arrears.
2. Prosecution of a person pursuant to Part 11 of this Bylaw does not exempt the person from the provisions of Part 12 of this Bylaw.

**Part 13 – Schedules**

1. Schedule “A” forms part of this Bylaw.

**Part 14 – General Provisions**

1. “*White Rock Tree Management Bylaw No. 1567*”, consolidated with amendments is hereby repealed.
2. This Bylaw shall come into force on the date of final adoption hereof.

RECEIVED FIRST READING on the	26 <sup>th</sup> day of	April, 2010
RECEIVED SECOND READING on the	26 <sup>th</sup> day of	April, 2010
RECEIVED THIRD READING on the	26 <sup>th</sup> day of	April, 2010
RECONSIDERED AND FINALLY ADOPTED on the	3 <sup>rd</sup> day of	May, 2010

*Catherine V. Ferguson*

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MAYOR

*Bother.*

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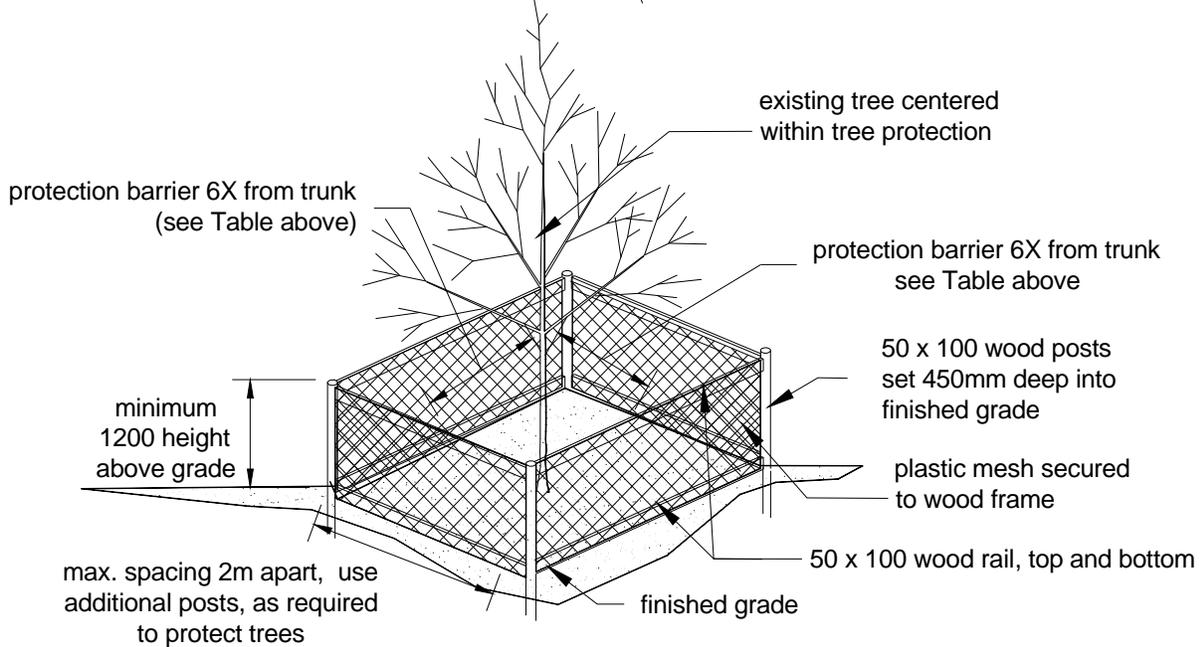
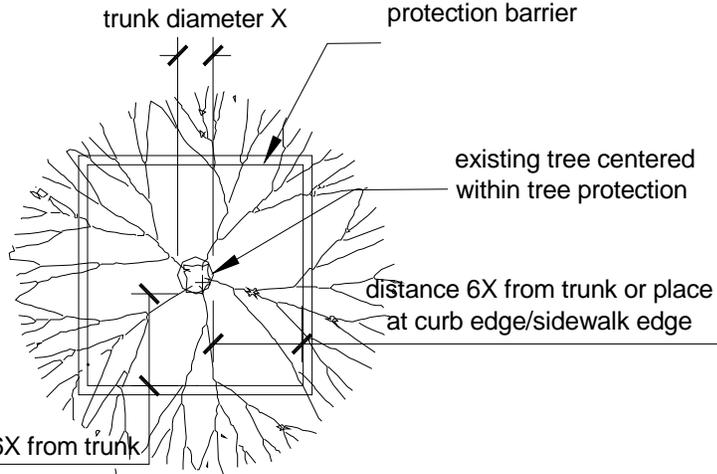
CITY CLERK

**SCHEDULE "A"**

**Specifications for Tree Protection Barriers**

TABLE: PROTECTION BARRIER DISTANCE

TRUNK DIAMETER (CM)	MINIMUM PROTECTION DISTANCE (M FROM TRUNK)
X	6X
20	1.2
25	1.5
30	1.8
35	2.1
40	2.4
45	2.7
50	3.0
55	3.3
60	3.6
75	4.5
90	5.0
100	6.0



**NOTES**

Install tree protection barrier before construction begins and keep in place until landscape installation is complete.

Storage of building materials & litter within or against protection barrier is prohibited. Developer/Owner responsible for maintenance within Tree Protection Barrier.

Damaged trees will be replaced at Developer/Owner's cost.

Maintain existing grades at protection barrier for all protected retained and existing trees.

Regrading outside of protection barrier should not adversely compromise protected retained and existing trees.