

**THE CITY OF CORNER BROOK  
TREE BY-LAW**

PURSUANT to the powers vested in it under Section 202, 280.1, 280.2 and 280.4 the *City of Corner Brook Act*, R.S.N.L. 1990, c. C-15, as amended, and all other powers it enabling, the Corner Brook City Council, in a session convened on the 21<sup>st</sup> day of April, 2008, hereby passes and enacts the following regulations

1. These Regulations may be cited as the *City of Corner Brook Tree By-Law*.

**DEFINITIONS**

2. For the purpose of this regulation:
  - (a) "City" means the City of Corner Brook;
  - (b) "Council" means Corner Brook City Council;
  - (c) "Director" means the Director of Operational Services;
  - (d) "Private Land" means any real property located in the City that is not Public Land;
  - (e) "Public Land" means any real property in the City owned, leased or otherwise vested in or controlled by the City;
  - (f) "Public Tree" means any tree or shrub located in whole or in part on Public Land; and
  - (g) "Street Line" means the edge of a street reservation, road improvement line, road line or building line as established by Council
3. No person shall, without first having obtained a permit to do so from Council or the Director, engage in any act that causes damage to a Public Tree.
4. No person shall
  - a) Deposit, place, store or maintain on Public Land or Private Land any brick, stone, sand, concrete, soil or other material or equipment that may impede free passage of water, air or nutrients to the roots of any Public Tree;

- b) Cause or permit any gaseous, liquid or solid substance which is harmful or toxic to come into contact with a Public Tree;
  - c) Set fire or permit any fire to burn in such proximity that the heat thereof would damage any portion of a Public Tree; or
  - d) Interfere with fences, boxes or other protective devices placed around any Public Tree.
5. (1) No person shall, without having first obtained a permit from Council or the Director:
- (a) Plant, remove, prune, disturb, cut above or below ground or alter in any way a Public Tree;
  - (b) Fasten any sign, bill, notice, wire, rope, rail or other object to, around or through any Public Tree or any stakes, posts, guards which might support or protect such a tree;
  - (c) Excavate any ditches, tunnels, trenches or lay any walkway or driveway within the vicinity of any Public Tree in a manner likely to cause injury to a Public Tree;
  - (d) Alter or change soil levels in the vicinity of any Public Tree in a manner likely to cause injury to a Public Tree.
- (2) Any tree or shrub planted on Public Land without a permit may be removed without notice or compensation by the Council.
6. Council or the Director may attach to any permit issued pursuant to this Regulation such terms and conditions as they deem necessary for the protection and preservation of any Public Tree.
7. The owner of any tree overhanging Public Land that is extending beyond the Street Line, shall prune the branches so that there is no obstruction or hazard to vehicular or pedestrian traffic utilizing the street.
8. Council or the Director may, when they consider it to be in the public interest, trim, transplant, or remove any Public Tree without giving notice or paying compensation to the owner or occupant of the adjoining land.

## PROTECTION OF TREES DURING WORK

9. Any person responsible for work near a Public Tree shall:
  - (a) When conducting on-ground activity, protect the tree before the work begins with a barrier sufficient to ensure the protection of the tree. The barrier shall be maintained in good condition throughout the duration of the work. The barrier shall in no way be attached to the tree. All building materials, soil and other debris should be kept outside the barrier.
  - (b) When conducting under-ground activity, install the service in such a manner to prevent a minimize injury to the tree.
  - (c) When conducting above-ground activity requiring alteration to a Public Tree, limit the alterations to the actual necessities required to ensure the adequate provision of the service and comply with all terms of any permit to alter the tree.

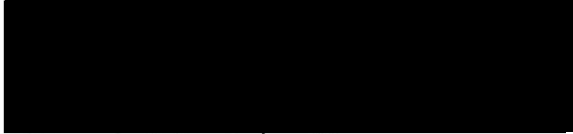
## OFFENCE AND PENALTIES

10. Where any person contravenes any provision of this Regulation:
  - (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment in accordance with the *City of Corner Brook Act*; and
  - (b) such person may be issued a violation notice pursuant to section 280.1 of the *City of Corner Brook Act*.
11. All Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the *City of Corner Brook Act* for any contravention or failure to comply with these Regulations.

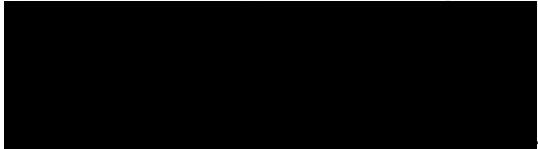
## REPEAL

12. These regulations shall come into force as of the date enacted by Council and the City of Corner Brook Tree By-law, 1988 and all amendments thereto are hereby repealed upon the coming into force of these Regulations.

**IN WITNESS WHEREOF** these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of the Council by the Mayor and City Clerk at Corner Brook, in the Province of Newfoundland and Labrador, this 5<sup>th</sup> day of May, 2008.



Mayor



City Clerk

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Second Reading – April 21, 2008