

EXPLANATION

**A By-law to amend
the Protection of Trees By-law, No. 9958
regarding security and miscellaneous matters**

Council adopted a resolution on December 15, 2015 approving amendments to the Protection of Trees By-law. This By-law will implement that resolution.

Director of Legal Services
September 18, 2018

BY-LAW NO.



**A By-law to amend
Protection of Trees By-law No. 9958
regarding security and miscellaneous matters**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of the Protection of Trees By-law.
2. Council strikes "or" from the end of subsection 4.5(g), and the period "." from the end of subsection 4.5(h) and replaces the period "." with "; or" and inserts as a new subsection 4.5(i) the following:
 - "(i) proof satisfactory to the Director of Planning is submitted demonstrating that the tree is either dead or such a significant hardship that its removal is necessary."
3. Council strikes the old subsection 4.5(i) and inserts the following as 4.6(b):
 - "(b) The conditions on the permit include the recommended construction [practices to protect trees during and after construction that are contained in the arborist's report referred to in section 7.2 of this By-law;"
4. Council renumbers the former 4.6(b) and 4.6(c) as 4.6(c) and 4.6(d), respectively.
5. Council deletes section 4.7 and replaces it as follows:

"4.7 The Director of Planning may include conditions regarding the removal, relocation, replacement or retention of a tree in a tree permit, and the tree permit holder and the owner must comply with those conditions."
6. Council inserts a new section 4.10 as follows:

"Security for replacement trees

4.10 If a replacement tree is required as a condition of a tree permit or as a result of cutting, removing or damaging protected trees in contravention of this By-law, the owner shall provide to the City a security deposit in cash or letter of credit in the amount, and for the duration specified in this By-law;

- (a) every letter of credit required under this By-law shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the City and in a form acceptable to the City. If, for any reason, the irrevocable letter of credit ceases to be effective security or becomes unenforceable so as to remove or reduce its purpose as full security for the due and proper performance of the requirements of this By-law, the owner shall replace the letter of credit with cash;

- (b) if an owner fails to comply with the provisions of this By-law related to requirements for planting and maintaining replacement trees, the City may by its employees or others under its direction enter upon the lands that are the subject to the requirements to plant and maintain a replacement tree and undertake the planting or maintenance required, and for such purposes may draw upon the securities provided and expend the funds to cover all costs and expenses of so doing;
- (c) the amount of security that the owner shall provide to the City for the provision, installation and maintenance of replacement trees required and described in Section 6.3 and 6.4 of this By-law shall be:
 - (i) FIVE HUNDRED (\$500.00) DOLLARS per replacement tree, or
 - (ii) SEVEN HUNDRED FIFTY (\$750.00) DOLLARS per replacement tree when the tree is 8 cm caliper or more; and
- (d) any security held by the City under this By-law shall be released in accordance with this section. No security will be released until the Director of Planning is satisfied that the owner has complied with all tree replacement and maintenance requirements of this By-law and any applicable tree permit. The City shall return a security deposit once the condition of all replacement trees has been approved in accordance with the inspection requirements set out in section 10.2 of this By-law."

7. Council strikes sections 6.1 and 6.2 and replaces them as follows:

“Requirement for replacement tree

6.1 The owner of the site must plant a replacement tree in accordance with this By-law for every tree removed from the site in contravention of this By-law, or as required by the tree permit issued for the removal of a tree.

Exemption from requirement for replacement tree

6.2 Despite section 6.1 and section 4.10, if a site, immediately after removal of a tree pursuant to a permit or in contravention of this By-law, includes at least the number of trees set out in Schedule C, the owner of the site does not need to plant a replacement tree and provide security for such trees if the owner elects to pay the City cash-in-lieu of those trees at the rate of \$1,000.00 for each tree that would otherwise have to be planted, and such money shall then be used for the planting of trees on other sites. ”

8. Council strikes the words “in either Part 1 or Part 3” from section 6.3, and replaces those words with “Part 2”.

9. Council inserts a new section 6.7, as follows:

“6.7 Every owner required to plant a replacement tree under this By-law shall plant and maintain the replacement tree in accordance with sound arboricultural practice.”.

10. Council strikes subsection 7.8(a) and replaces it as follows:

“(a) comply with the requirements of the City Engineer, Chief Building Official and Director of Planning with respect to any tree on a boulevard or lane adjacent to the site;”.

11. Council strikes the words “A person who installs a protection barrier under this Section 7 must;” from section 7.10 and replaces those words with “If a protection barrier has been installed under this section 7, the owner and any person working on construction at the site must:”.

12. Council strikes subsections 8.2(e) and 8.2(f) and replaces them with a new 8.2 (e),(f),(g) and (h) as follows:

“(e) top a tree;

(f) prune a tree to the extent that it is unlikely ever to regain its characteristic appearance;

(g) climb a retention tree using climbing gaffs, spurs or spikes; or

(h) prune, cut, or alter a tree so as to create a risk to the health or future health of the tree.”

13. Council inserts a new section 10.2 as follows:

“Inspection and Release of Securities for Replacement Trees

10.2 Once all replacement trees required under a tree permit or as a result of a breach of this By-law have been planted, the owner or an agent of the owner shall:

(a) request the Director of Planning or his representative to conduct a site inspection to confirm that the replacement trees have been planted in accordance with this By-law and any related permits; and

(b) if an inspection conducted under subsection 10.2 (a) is not satisfactory to the City because the trees have not been planted in accordance with a permit or this By-law, the City shall inform the owner of this by issuing an order to plant the required trees under section 11.4 (b), and the owner shall request another inspection at another date until such time as a satisfactory inspection has been conducted, or the City has taken action under section 4.10(b);

(c) one year after a satisfactory inspection has been conducted under subsection 10.2 (a) or (b), or the City has taken action under section 4.10(b), the Director of Planning or a representative shall conduct another site inspection to confirm that the replacement trees have been maintained in accordance with this By-law and any related permits, and are in satisfactory condition;

- (d) if an inspection conducted under section 10.2 (c) is not satisfactory to the City because the trees have not been maintained in accordance with the permit or this By-law, the City shall inform the owner of this by an order issued under section 11.4 (a) or (b), and the owner shall request another inspection at another date until such time as a satisfactory inspection has been conducted; and
- (e) nothing in this section shall limit the authority of the City to take action under subsection 4.10(b), and draw upon the security posted under this By-law.

14. Council strikes section 11.1, 11.2, 11.3, 11.4, 11.5, 11.6 and replaces them as follows:

“Revocation of tree permit

11.1 The Director of Planning may revoke a tree permit by issuing a written notice to the permit holder or owner if:

- (a) the tree permit was issued in error;
- (b) the tree permit was issued on the basis of false, misleading, or incorrect information; or
- (c) the tree permit holder or owner failed to comply with the tree permit.

Unlawful damage to or removal of a tree

11.2 No person shall, in contravention of this By-law or a tree permit:

- (a) cut or damage a tree on a site to the extent that, in the opinion, of the Director of Planning, the tree:
 - (i) is or will become a hazardous tree,
 - (ii) has lost its characteristic appearance,
 - (iii) is or will become diseased, or
 - (iv) it is dead or will die prematurely; or
- (b) remove a tree from a site.

Replacement of unlawfully damaged or removed tree

11.3 The Director of Planning may order a person in breach of section 11.2 to:

- (a) apply for a tree permit to replace any tree referred to in such order within 14 days after receipt of such order,
- (b) to take all action necessary to obtain such a tree permit; and
- (c) plant the replacement tree in accordance with the permit.

Requirement to discontinue or carry out work

11.4 Any inspector or other employee of the city may order or direct any person to:

- (a) discontinue or refrain from proceeding with any work or doing anything that is in contravention of this By-law; and
- (b) carry out any work or do anything required by this By-law or any tree permit; and failure on the part of such person to comply with such order or direction within the time specified in such order or direction is a violation of this By-law.

11.4A Every person served with an order or direction:

- (a) pursuant to section 11.4 (a); or
- (b) pursuant to section 11.4 (b);

must obey that order or direction.

Service of notice

11.5 Any person authorized to issue an order, direction or notice under this By-law may do so by:

- (a) mailing it by registered post to the owner of the applicable site at the address shown on the real property tax assessment roll;
- (c) mailing it by registered post to the person who is the addressee of the notice;
- (d) handing it to the person who is the addressee of the notice;
- (e) emailing it to an address provided to the City; or
- (f) posting it on the real property, if the notice refers to real property.

Offence under By-law

11.6 Any person who:

- (a) contravenes any provision of this By-law, or does any act or thing which contravenes any provision of this By-law, or suffers, causes or allows any other person to do any act or thing which contravenes any provision of this By-law;
- (b) contravenes any condition of a permit issued under this By-law, or does any act or thing which contravenes any condition of a permit issued under this By-law, or suffers, causes or allows any other person to do any act or

APPENDIX A

Schedule D: Types of Replacement Trees, Section 6.3

Part 1

The following minimum tree size measurements apply to the tree at time of planting (not at maturity). Replacement Trees must have a caliper of at least six centimetres (trunk width measured at 15 centimetres above the ground) or measure 3.5 metres tall at the time of planting (root ball excluded).

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
European Ash	<i>Fraxinus excelsior</i>	D							
Flowering Ash	<i>Fraxinus ornus</i>	D						x	x
Green Ash	<i>Fraxinus pennsylvanica</i>	D							
White Ash	<i>Fraxinus americana</i>	D				x			
Amur Cork Tree	<i>Phellodendron amurense</i>	D			x				
European Mountain Ash	<i>Sorbus aucuparia</i>	D	x	x		x		x	x
Basswood	<i>Tilia americana</i>	D		x				x	x
American Beech	<i>Fagus grandifolia</i>	D				x	x		
European Beech	<i>Fagus sylvatica</i>	D					x		
Copper Beech	<i>Fagus sylvatica</i> 'Atropunicea'	D			x		x		
Asian White Birch	<i>Betula platyphylla</i>	D			x	x			
European White Birch	<i>Betula pendula</i>	D		x	x	x			
Jacquemontii Birch	<i>Betula jacquemontii</i>	D			x				
Paper Birch	<i>Betula papyrifera</i>	D	x	x	x	x			
River Birch	<i>Betula nigra</i>	D		x					
Common Catalpa	<i>Catalpa bignonioides</i>	D						x	x
Western Catalpa	<i>Catalpa speciosa</i>	D						x	x
California Incense Cedar	<i>Calocedrus decurrens</i>	E		x					
Atlas Cedar	<i>Cedrus atlantica</i>	E							
Blue Atlas Cedar	<i>Cedrus atlantica</i>	E			x				
Deodar Cedar	<i>Cedrus deodara</i>	E							
Cedar Of Lebanon	<i>Cedrus libani</i>	E			x				
Western Red Cedar	<i>Thuja plicata</i>	E	x	x					

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Common Horsechestnut	<i>Aesculus hippocastanum</i>	D		x			x	x	x
Red Horsechestnut	<i>Aesculus x carnea</i>	D		x	x		x	x	x
Ruby Red Horsechestnut	<i>Aesculus x carnea</i> 'Brötti'	D		x	x		x	x	x
Sweet Chestnut	<i>Castanea sativa</i>	D					x	x	
Hinoki False Cypress	<i>Chamaecyparis obtusa</i>	E		x					
Nootka Cypress	<i>Chamaecyparis nootkatensis</i>	E	x	x					
Drooping Nootka Cypress	<i>Chamaecyparis nootkatensis</i> 'Pendula'	E		x					
Sawara False Cypress	<i>Chamaecyparis pisifera</i>	E							
Eddie's White Wonder	<i>Cornus</i> 'Eddie's White Wonder'	D		x		x	x	x	x
Giant Dogwood	<i>Cornus controversa</i>	D		x		x	x		x
Pacific Dogwood	<i>Cornus nuttallii</i>	D	x	x		x	x	x	x
Dove Tree	<i>Davidia involucrata</i>	D			x		x		
American Elm	<i>Ulmus americana</i>	D				x			
Scotch Elm	<i>Ulmus glabra</i>	D							
Siberian Elm	<i>Ulmus pumila</i>	D							
Empress Tree	<i>Paulownia tomentosa</i>	D						x	x
Alpine Fir	<i>Abies lasiocarpa</i>	E		x	x				
Balsam Fir	<i>Abies balsamea</i>	E		x					
Fraser's Fir	<i>Abies fraseri</i>	E		x					
Grand Fir	<i>Abies grandis</i>	E	x	x					
Noble Fir	<i>Abies procera</i>	E		x					
White Fir	<i>Abies concolor</i>	E		x					
Douglas Fir	<i>Pseudotsuga menziesii</i>	E	x	x					
Ginkgo	<i>Ginkgo biloba</i>	D			x	x	x		
Common Hackberry	<i>Celtis occidentalis</i>	D		x			x	x	
Canadian Hemlock	<i>Tsuga canadensis</i>	E							
Mountain Hemlock	<i>Tsuga mertensiana</i>	E							
Western Hemlock	<i>Tsuga heterophylla</i>	E	x	x					

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
European Hornbeam	<i>Carpinus betulus</i> 'Fastigata'	D					x		
Japanese Zelkova	<i>Zelkova serrata</i>	D			x		x		
Katsura	<i>Cercidiphyllum japonicum</i>	D			x	x			
European Larch	<i>Larix decidua</i>	D			x	x			
Crimean Linden	<i>Tilia euchlora</i>	D		x				x	x
Little Leaf Linden	<i>Tilia cordata</i>	D		x				x	x
Honey Locust	<i>Gleditsia triacanthos</i>	D				x		x	x
Sunburst Honey Locust	<i>Gleditsia triacanthos</i>	D				x		x	
Black Locust	<i>Robinia pseudoacacia</i>	D						x	x
Yellow Leafed Black Locust	<i>Robinia pseudoacacia</i> 'Frisia'	D			x			x	x
Red Maple	<i>Acer rubrum</i>	D		x		x		x	
Armstrong Red Maple	<i>Acer rubrum</i> 'Armstrong'	D		x		x		x	
Morgan Red Maple	<i>Acer rubrum</i> 'Morgan'	D		x		x		x	
Red Sunset Maple	<i>Acer rubrum</i> 'Red Sunset'	D		x		x		x	
Scanlon Red Maple	<i>Acer rubrum</i> 'Scanlon'	D		x		x		x	
Scarlet Sentinel Maple	<i>Acer rubrum</i> 'Scarlet Sentinel'	D		x		x		x	
Bigleaf Maple	<i>Acer macrophyllum</i>	D	x	x				x	
David Maple	<i>Acer davidii</i>	D			x	x		x	
Hedge Maple	<i>Acer campestre</i>	D				x		x	
Norway Maple	<i>Acer platanoides</i>	D				x		x	
King Norway	<i>Acer platanoides</i> 'Crimson King'	D				x		x	
Deborah's Norway Maple	<i>Acer platanoides</i> 'Deborah'	D				x		x	
Schwedler Norway Maple	<i>Acer platanoides</i> 'Schwedleri'	D				x		x	
Silver Variety Norway Maple	<i>Acer platanoides</i> 'Drummondii'	D				x		x	
Purplebow Maple	<i>Acer truncatum</i>	D				x		x	
Sugar Maple	<i>Acer saccharum</i>	D						x	
Silver Maple	<i>Acer saccharinum</i>	D						x	
Sycamore Maple	<i>Acer pseudoplatanus</i>	D						x	
Monkey Puzzle	<i>Araucaria araucana</i>	E			x				
English Oak	<i>Quercus robur</i>	D					x		
Pin Oak	<i>Quercus palustris</i>	D		x			x		
Scarlet Oak	<i>Quercus coccinea</i>	D		x		x	x		

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Red Oak	<i>Quercus rubra</i>	D		x	x		x		
Shumard Oak	<i>Quercus shumardii</i>	D					x		
Pacific Madrone	<i>Arbutus menziesii</i>	E	x	x	x		x	x	x
Austrian Pine	<i>Pinus nigra</i>	E		x					
Eastern White Pine	<i>Pinus strobus</i>	E							
Himalayan White Pine	<i>Pinus agriffithii</i>	E		x					
Japanese Black Pine	<i>Pinus thunbergii</i>	E		x					
Monterey Pine	<i>Pinus radiata</i>	E							
Ponderosa Pine	<i>Pinus ponderosa</i>	E		x					
Red Pine	<i>Pinus resinosa</i>	E		x					
Scotch Pine	<i>Pinus sylvestris</i>	E							
Umbrella Pine	<i>Sciadopitys verticillata</i>	E			x				
London Plane Tree	<i>Platanus acerifolia</i>	D							
Oriental Plane Tree	<i>Platanus orientalis</i>	D							
Black Cherry	<i>Prunus serotina</i>	D	x				x	x	x
Sour Cherry	<i>Prunus cerasus</i>	D		x			x	x	x
Dawn Redwood	<i>Metasequoia glyptostroboides</i>	D		x	x	x			
Giant Sequoia	<i>Sequoiadendron giganteum</i>	E		x					
Redwood	<i>Sequoia sempervirens</i>	E		x	x				
Fragrant Snowbell	<i>Styrax obassia</i>	D						x	x
Japanese Snowbell	<i>Styrax japonica</i>	D						x	x
Sourwood	<i>Oxydendrum arboreum</i>	D			x	x		x	x
Colorado Spruce	<i>Picea pungens</i>	E		x					
Norway Spruce	<i>Picea abies</i>	E		x					
Serbian Spruce	<i>Picea omorika</i>	E		x	x				
Sitka Spruce	<i>Picea sitchensis</i>	E	x	x					
White Spruce	<i>Picea glauca</i>	E		x					
Sweetgum	<i>Liquidambar styraciflua</i>	D				x		x	

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
American Sycamore	<i>Platanus occidentalis</i>	D							
Tree-Of-Heaven	<i>Ailanthus altissima</i>	D						x	
Tulip Tree	<i>Liriodendron tulipifera</i>	D				x		x	x
Black Walnut	<i>Juglans nigra</i>	D		x			x		
Persian Walnut	<i>Juglans regia</i>	D		x			x		
Corkscrew Willow	<i>Salix matsudana</i>	D			x			x	
Golden Weeping Willow	<i>Salix alba tristis</i>	D			x			x	
Weeping Willow	<i>Salix babylonica</i>	D			x			x	
White Willow	<i>Salix alba</i>	D				x		x	

Note: All tree species should be selected for disease resistance and hardiness for the Vancouver region.

Schedule D: Part 2

The following minimum tree size measurements apply to the tree at time of planting (not at maturity). Replacement Trees must have a caliper of at least six centimetres (trunk width measured at 15 centimetres above the ground) or measure 3.5 metres tall at the time of planting (root ball excluded).

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Apple	<i>Malus</i> - species	D		x			x	x	x
Higan Cherry	<i>Prunus subhirtella</i>	D					x	x	x
Sweet Cherry	<i>Prunus avium</i>	D					x	x	x
Japanese Flowering Cherry	<i>Prunus serrulata</i>	D						x	x
Sargent Flowering Cherry	<i>Prunus sargentii</i>	D						x	x
Yoshino Cherry	<i>Prunus yedoensis</i>	D						x	x
Common Chokecherry	<i>Prunus virginiana</i>	D	x					x	
Prairifire Crab Apple	<i>Malus prairifire</i>	D		x			x	x	x
Wild Crab Apple	<i>Malus fusca</i>	D	x	x			x	x	x
Cucumber Tree	<i>Magnolia acuminata</i>	D							x
Chinese Dogwood	<i>Cornus chinensis</i>	D		x		x	x		x
Flowering Dogwood	<i>Cornus florida</i>	D	x	x		x	x	x	x
Kousa Dogwood	<i>Cornus kousa</i>	D		x		x	x	x	x
Common Fig	<i>Ficus carica</i>	D					x	x	
European Filbert	<i>Corylus avellana</i>	D		x			x	x	
Giant Filbert	<i>Corylus maxima</i>	D		x			x	x	
Goldenchain	<i>Laburnum watereri</i>	D			x			x	x
Gold Rain	<i>Koelreuteria paniculata</i>	D			x	x		x	x
Lavalle Hawthorne	<i>Crataegus lavalleyi</i>	D	x	x		x	x	x	x
English Holly	<i>Ilex aquifolium</i>	E		x			x		x

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Japanese Aralia	<i>Aralia elata</i>	D		x		x	x	x	x
Japanese Pagoda	<i>Sophora japonica</i>	D							x
Portuguese Laurel	<i>Prunus lusitanica</i>	E					x		x
Dawson Magnolia	<i>Magnolia dawsoniana</i>	D							x
Kobus Magnolia	<i>Magnolia kobus</i>	D							x
Saucer Magnolia	<i>Magnolia soulangiana</i>	D							x
Southern Magnolia	<i>Magnolia grandiflora</i>	E			x				x
Amur Maple	<i>Acer ginnala</i>	D				x	x	x	
Japanese Maple	<i>Acer palmatum</i>	D		x		x	x	x	
Paperbark Maple	<i>Acer griseum</i>	D		x	x	x	x		
Vine Maple	<i>Acer circinatum</i>	D	x	x		x	x		
Mulberry	<i>Morus nigra</i>	D		x		x	x	x	x
White Mulberry	<i>Morus alba</i>	D		x		x	x	x	x
Windmill Palm	<i>Trachycarpus fortunei</i>	*			x				
Common Pear	<i>Pyrus communis</i>	D				x	x		x
Persian Ironwood	<i>Parrotia persica</i> 'Vanessa'	D				x			x
Shore Pine	<i>Pinus contorta</i>	E	x	x					
Weeping Red Pine	<i>Pinus densiflora</i>	E		x	x				
Italian Prune Plum	<i>Prunus italica</i>	D					x	x	x
Japanese Plum	<i>Prunus salicina</i>	D					x	x	x
Double Flowering Plum	<i>Prunus triloba</i>	D						x	x
Japanese Flowering Plum	<i>Prunus blireiana</i>	D						x	x
Purple Leaf Plum	<i>Prunus cerasifera</i>	D					x	x	x
Quince	<i>Cydonia oblonga</i>	D					x		x
Eastern Redbud	<i>Cercis canadensis</i>	D							x
Persian Silk	<i>Albizia julibrissin</i>	D		x	x			x	x

Common Name	Botanical Name	Deciduous or Evergreen	Native	Bird Friendly	Unique Characteristics	Fall Colour	Fruiting or Nutting	Pollinator	Flowering
Mountain Silverbell	<i>Halesia monticola</i>	D			x	x		x	x
Colorado Blue Spruce	<i>Picea pungens</i> 'Glauca Globosa'	E		x	x				
Hoop's Blue Spruce	<i>Picea pungens</i> 'Hoopsii'	E		x	x				
Koster Blue Spruce	<i>Picea pungens</i> 'Koster'	E		x					
Strawberry	<i>Arbutus unedo</i>	E	x		x		x	x	x
Staghorn Sumac	<i>Rhus typhina</i>	D				x	x		x
Stewartii	<i>Stewartii ovata</i>	D		x		x			x

Note: All tree species should be selected for disease resistance and hardiness for the Vancouver region.

Legend

Deciduous	Drops foliage annually (leaves or needles).
Evergreen	Year-round foliage (leaves or needles).
Native	Indigenous to the Pacific Northwest.
Bird Friendly	Provides habitat for birds (shelter, food, nesting opportunity, etc.).
Unique Characteristics	Interesting bark, colour, shape, etc.
Fall Colour	Interesting fall foliage.
Fruiting or Nutting	Bears fruit or nuts.
Pollinator Friendly	Provides a seasonal source of flower nectar for beneficial insects.
Flowering	Provides ornamental significant flower.

EXPLANATION**A By-law to amend
the Ticket Offences By-law, No. 9360
regarding Protection of Trees By-law**

Council adopted a resolution on December 15, 2015 approving amendments to the Ticket Offences By-law. This By-law will implement that resolution.

Director of Legal Services
September 18, 2018

BY-LAW NO.

**A By-law to amend Ticket Offences By-law No. 9360
regarding Protection of Trees By-law**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of Ticket Offences By-law No. 9360.

2. Council adds the following definition to section 1.2 in alphabetical order:

“ “Manager, Urban Landscape Development” means all persons employed by the City in the capacity of Manager, Urban Landscape Development and includes any person whose employment involves the enforcement of the Protection of Trees By-law or the protection of trees within the City;.”

3. Council inserts the words “Protection of Trees By-law,” in section 2.6 after the words “Fire By-law,”.

4. Council adds the following Table 10 to the By-law:

**“Table 10
Protection of Trees By-law**

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Manager, Urban Landscape Development	No permit	Section 4.1	\$1,000.00
	Fail to comply with permit	Section 4.7	\$1,000.00
	Fail to post permit	Section 4.8	\$150.00
Chief License Inspector	Fail to plant replacement tree	Section 6.1	\$750.00
	Fail to maintain replacement tree	Section 6.7	\$750.00
	Commence or carry on work unlawfully or without permit	Section 7.4	\$1,000.00
	Fail to care for tree	Section 7.10(a)	\$750.00
	Fail to care for roots	Section 7.10(b)	\$750.00
	Fail to protect roots	Section 7.10(c)	\$750.00
	Expose roots	Section 7.10(d)	\$750.00

Fail to tunnel	Section 7.10(e)	\$1,000.00
Fail to maintain barrier	Section 7.10(f)	\$750.00
Encroach protection area	Section 7.11	\$1,000.00
Damage tree	Section 8.2 (a)	\$1,000.00
Alter grade	Section 8.2 (b)	\$750.00
Cause hazardous tree	Section 8.2 (c)	\$1,000.00
Kill tree	Section 8.2 (d)	\$1,000.00
Top tree	Section 8.2 (e)	\$1,000.00
Prune tree improperly	Section 8.2(f)	\$1,000.00
Climb retention tree	Section 8.2 (g)	\$750.00
Create risk to tree	Section 8.2(h)	\$750.00
Prune roots	Section 8.3	\$750.00
Fail to apply for emergency permit	Section 9.2	\$500.00
Fail to stop work when ordered	Section 11.4A(a)	\$1,000.00
Fail to do work when ordered	Section 11.4A(b)	\$1,000.00

”

3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2018

Mayor

City Clerk