

RM OF GOOD LAKE NO. 274

BYLAW NO. 03-2022

A BYLAW TO REGULATE, CONTROL AND PRESERVE TREES WITHIN THE RM OF GOOD LAKE.

The Council of the RM of Good Lake No. 274 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This Bylaw may be cited as the “Tree Bylaw.”

DEFINITIONS

2. In this Bylaw:
 - (1) “**council**” means the Council of the Rural Municipality of Good Lake No. 274;
 - (2) “**diseased tree**” means a tree that is exhibiting symptoms of disease or insect infestations;
 - (3) “**hazard tree**” means a tree that:
 - (a) poses a threat or hazard to public safety;
 - (b) poses a threat or hazard to public or private property; or
 - (c) interferes with or provides obstruction to pedestrians, cyclists, vehicle traffic or public utilities on streets;
 - (4) “**Municipality**” means the Rural Municipality of Good Lake No. 274;
 - (5) “**pesticide**” means any chemical substance or mixture of chemical substances that is intended, sold or represented for use in preventing, destroying, repelling or mitigating any insect, rodent, predatory animal, bacteria, fungus, weed or other form of plant or animal life or virus;
 - (6) “**property owner**” means a person who owns, occupies or controls land in the Municipality;
 - (7) “**public land**” means any real property owned or controlled by the Municipality and includes without limiting the generality of the foregoing:
 - (a) titled property;
 - (b) property controlled by lease or easement;
 - (c) public reserves which includes walkways;
 - (d) municipal reserves;
 - (e) environmental reserves;
 - (8) “**road allowance**” means a road allowance laid out pursuant to the authority of an Act or an Act of the Parliament of Canada and established as part of the original quadrilateral township system of survey;
 - (9) “**tree**” means a means a living woody plant with one or more stems

TREES ON PUBLIC LAND AND ROAD ALLOWANCES

3. No person without written permission from Council shall, on public land and road allowances:
 - (1) plant any tree;
 - (2) damage, disturb, prune or remove any tree;
 - (3) attach any notice, bill, poster, sign, wire, rope, cord, nail or other object to or around any tree;
 - (4) remove or interfere with any protective barrier, structure or device on or around any tree;
 - (5) apply or administer in any form any pesticide to any tree.
 - (6) Leave trees that have been removed from private property on public property or an road allowance.

TREES ON PRIVATE PROPERTY

4. This section applies to the Residential, SR1, SR 2, SR 3, and SR4 Zoning Districts as defined in current R.M. Zoning Bylaw.

(1) Hazard Trees

- (a) No property owner shall permit a tree on their property to become or remain a hazard tree;
- (b) Where Council determines that a tree located on private property is a hazard tree, Council may issue a notice to the property owner to trim or remove the tree;
- (c) Where the property owner fails to comply with section (b), Council may trim or remove the tree at the expense of the property owner;
- (d) Council may without notice trim or remove any hazard tree located on private property where it is determined that the condition of the tree constitutes an imminent danger to public safety or public or private property.

(2) Diseased Trees

- (a) No property owner shall fail to remove and properly dispose of any diseased tree on their property;
- (b) Where Council determines that a tree located on private property is a diseased tree, Council may issue a notice to the property owner to trim or remove the tree;
- (c) Where the property owner fails to comply with section (b), Council may trim or remove the tree at the expense of the property owner.

SEVERABILITY

5. If a Court of competent jurisdiction should declare any section of this bylaw to be invalid, for any reason, that portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions of the bylaw, nor shall that portion be construed as having persuaded or influenced Council to pass the remainder of the bylaw shall be valid and shall remain in force and effect.

PENALTY

6. Any person who contravenes any provision of the bylaw is guilty of an offence and is subject to the penalties in The General Penalty Bylaw of the municipality.

Reeve, David Popowich

[SEAL]

Administrator, Diane Jamieson

Passed by resolution of the Council of the
Rural Municipality of Good Lake No. 274 on
July 11th, 2022.