

BYLAW NO. 08-20

A BYLAW TO REGULATE TREE PRUNING, REMOVAL AND PLANTING WITHIN THE BOUNDARIES OF THE RESORT VILLAGE OF THE BIRD'S POINT RESORT

The Council of the Resort Village of Bird's Point Resort, in the Province of Saskatchewan, Enacts as follows:

1. DEFINITIONS

- (a) **"Public Property** means roads, municipal property
- (b) **"Municipality"** shall mean the Resort Village of Bird's Point Resort;
- (c) **"Private Trees"** means trees located on the premises of privately owned property;
- (d) **"Public Trees"** means all trees on property held by the Resort Village of Bird's Point Resort;

2. PUBLIC TREES

- 1. Residents are encouraged to maintain the public property.
- 2. Planting of trees along the public property requires a resolution from council.
- 3. The Municipality shall be responsible for any pruning and removal of trees along the roads and public property.
- 4. A Property owner shall submit a written request and obtain written approval from the Municipality before proceeding with the pruning and removal of trees that border the residential property.

2. PRIVATE TREES

- 1. Residents are encouraged to:
 - a. Preserve tree cover where appropriate to reduce erosion and maintain bank stability. An Aquatic Habitat Protection Permit may be required if you plan to do any work by the lake, river or creek and it is your responsibility to check Water Security Agency's website to see if you need one.
 - b. A property owner shall be responsible for any pruning, removal and planting of trees on their privately owned property.
 - c. The Municipality has the authority to prune trees that overhang or interfere with the use of roads, park or public property.

3. PENALTIES

1. As per section 387 of *The Municipalities Act*, any person who is in contravention to the provisions of this Bylaw, is guilty of an offence and may be liable on summary conviction.
2. A Notice of Violation will be issued to any person who is found to be in violation of this Bylaw. If a Notice of Violation is not voluntarily paid, a summary offence ticket will be issued and you will have the right to appeal in Provincial Court.
 1. for a first offence, to a fine of \$100.00; and
 2. for a second offence, to a fine of \$300.00; and
 3. for a third or subsequent offense, to a fine not less than \$700.00 and not more than \$10,000.00.
3. In the case of commercial, to a fine not exceeding \$5,000.00 and, in the case of a continuing offence, to a further fine of not more than \$25,000.00 for each day during which the offence continues

5. VOLUNTARY PAYMENT TO AVOID PROSECUTION:

1. Any person who is in contravention of this Bylaw, and has been served with a Notice of Violation, may voluntarily pay the penalty.
2. For the purpose of determining the prescribed penalty required, the number of prior offences shall be determined by the number of Notices of Violation issued in relation to the specified contravention, with the exception of those which have been cancelled or dismissed by the Court.

6. NOTICE OF VIOLATIONS:

1. The Notice of Violation, known as "Form A", is attached hereto and forms part of this Bylaw.

SEAL

MAYOR

ADMINISTRATOR

Introduced and read a first time this 23 day of November, 2020

Read a second time this 23 day of November, 2020

Read a third time this 23 day of November, 2020

**Form A
Notice of Violation**

This ticket has been issued for breach of provision of

Bylaw No.08-20

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Owner's Name: _____

Owner's Address: _____

DETAILS OF OFFENCE

DATE: _____

TIME: _____

DESCRIPTION

LOCATION OF VIOLATION:

SERVED BY:

(To be signed by the Bylaw Officer/or person appointed by Council)

You are charged with violation of Bylaw No. _____

Section (s) _____

The penalty for violation of Section (s) _____ **is \$** _____

You may make voluntary payment of the above penalty at the Resort Village of Bird's Point (169 Currie Ave) or mail the find amount to Resort Village of Bird's Point, Box 1019 Whitewood, Sask. S0G 5C0 within (7) days from the date of the service of the Notice of Violation or otherwise prosecution proceedings may be commenced.

