

CORPORATE POLICY



Policy Title: Enforcement of the Protection of Trees on City Property By-Law
Policy Category: Administration Policy
Policy No.: A-011
Department: Community Services
Approval Date: July 14, 2014
Revision Date:
Author: Cheryl Huxted
Attachments: Protection of Trees on City Property By-Law
Related Documents/Legislation:
Protection of Trees on City Property By-Law
COM2014-015 Protection of Trees on City Property By-Law Report
to Council
Key Word(s): Public Tree, City Tree

POLICY STATEMENT:

This policy addresses the enforcement of the Protection of Trees on City Property By-Law. The City is committed to protecting Trees on City Property within the City of Waterloo.

PURPOSE:

This policy will provide consistent guidelines on how to enforce the Protection of Trees on City Property By-Law.

DEFINITIONS:

TREE ON CITY PROPERTY: means any species of woody perennial plant with its trunk located, either wholly or in part, on City Property, which can reach a height of at least 4.5 meters at maturity. A Tree on City Property shall include its associated roots, stems, and branches.

SCOPE:

This policy applies to staff authorized to enforce the Protection of Trees on City Property By-Law.

POLICY COMMUNICATION:

The policy will be distributed to the Commissioner of Community Services, Director of Environment & Parks Services and staff authorized to enforce the Protection of Trees on City Property By-Law.

Mandatory Policy, *Municipal Act*: No
Policy Administration Team, Review Date June 11, 2014
Corporate Management Team, Review Date June 18, 2014

POLICY:

1. Enforcement related to the Protection of Trees on City Property By-Law may be conducted on a re-active or pro-active basis.
2. Complaints and concerns relating to Trees on City Property shall be directed to Environment and Parks Services in writing to the Manager of Forestry, 265 Lexington Court, P.O. Box 337, Station Waterloo, Waterloo, Ontario, N2J 4A8, or by telephone, email or in person during regular business hours.
3. The inquiring party's personal information will be dealt with in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
4. Standard enforcement for the Protection of Trees on City Property concerns is first life/property safety and second non-emergency.
5. The complaint will be forward to the appropriate Environment and Parks staff member for inspection/investigation.
6. Environment and Parks may make attempts to achieve compliance prior to enforcement action being taken.
7. When a contravention to the By-law occurs which does not warrant remedial action, education will be provided.
8. When a contravention to the By-law occurs which warrants remedial action, a work order will be created under the Protection of Trees on City Property By-Law. This work order will contain detailed information on remedial work required and an expected time frame for completion.
9. If remedial action has not been complied with, the City will carry out the work to bring the property into compliance. Costs associated with this process will include all related labor and equipment costs, inspection fees and administration fees as outlined in the By-law. Costs shall be billed back to the private property owner and if not paid in a reasonable amount of time they shall be placed on the property tax roll and collected as municipal taxes.
10. In cases of repeat offenders, the offender may be subject to Provincial Offences Act charges, in addition to a work order issued under the Protection of Trees on City Property By-Law.
11. The investigating Parks and Environment staff member will determine any action to be taken with respect to an investigation, subject to the overriding direction of the Director of Parks and Environment, or his or her designate.

COMPLIANCE:

In cases of policy violation, the City may investigate and determine appropriate corrective action.