

CORPORATION OF THE DISTRICT OF MAPLE RIDGE

BYLAW NO. 5896-2000

A bylaw to regulate and prohibit tree cutting and removal in Maple Ridge.

WHEREAS, it is expedient to amend Maple Ridge Tree Protection Bylaw No. 5896-2000.

AND WHEREAS, Section 708 of the Municipal Act enables Council by bylaw to regulate and prohibit the cutting and removal of trees;

AND WHEREAS, Section 709 of the Municipal Act enables Council to permit and establish conditions and fees for permit issuance;

AND WHEREAS, Section 725.1 of the Municipal Act enables Council by bylaw to prohibit a person from polluting, obstructing or impeding the flow of a stream, creek, waterway, watercourse, waterworks, ditch, drain, or sewer

NOW THEREFORE, the Municipal Council of the Corporation of the District of Maple Ridge, in open meeting assembled, ENACTS AS FOLLOWS:

1. Citation

This bylaw may be cited for all purposes as the “Maple Ridge Tree Protection Bylaw No. 5896-2000”

2. Repeal

The “Maple Ridge Tree Protection Bylaw No. 4903-1993”, “Maple Ridge Erosion Control and Tree Cutting Bylaw No. 4267-1989”, and the “Maple Ridge Tree Removal Bylaw No. 887-1968” are hereby repealed.

3. “Definitions

“**Certified Arborist**” means a person certified by the International Society of Arboriculture (ISA)

“**Cut**” and “**Cutting**” means the removal, knocking down or cutting into, any or all parts, of any tree in such a manner that damages or is detrimental to the health of any tree.

“**Development Permit Area**” means the areas so described within the Maple Ridge Official Community Plan Bylaw No. 5434-1996 as Development Permit Area No. XVII, XIX, XX, XXVI, XXX.

“Drainage System” means the system and network of streams, creeks, waterways, watercourses, waterworks, ditches, drains or sewers located in the District on private or public property, by which water is conveyed or travels from lands.

“Drip Line” means the vertical line extending down from the outer most branches of the tree to the natural grade of the land.

“Excessive Suspended Solids Discharge” means a fluid discharge containing suspended solids that exceed 75 mg/litre above background levels of suspended solids in the Drainage System to be determined by measuring the natural or existing suspended solids upstream of the point of discharge in the Drainage System and the excessive suspended solids discharge at the immediate outlet point of the discharge.

“Forest Reserve” means the area so described in the Official Community Plan Bylaw No. 5434-1996.

“Geotechnical Protection Area” means the area of land designated for tree protection as shown in Schedule “C”.

“Hazard tree” means a tree that is determined to be in a condition dangerous to people or property by a Certified Arborist.

“Heritage Protection Area” means the area of land designated for tree protection as shown in Schedule “A”.

“Large Woody Debris” means fallen, dead trees and snags, eroded root structures and logs within the Watercourse Protection Area.

“Manager of Development and Environmental Services” means the Manager of Development and Environmental Services for the District of Maple Ridge and/or designate.

“Owner” means the registered owner or owners of a fee simple parcel of land and the trees growing on it.

“Removed or Removal” in relation to a tree means to remove in whole or in part.

“Replacement tree” means a tree planted pursuant to Section 10.

“Rural Area” means the area of land designated as Rural in Schedule “B”.

“Topping” means the removal of the dominant leader or crown of a tree.

“Urban Area” means the area of land designated as Urban in Schedule “B”.

“Watercourse Protection Area” means the area of land within 15 meters of the top-of-bank on either side of a watercourse described on Schedule E of the Maple Ridge Official Community Plan.

“Wildlife tree” means a Tree that provides present or future habitat for the maintenance or enhancement of wildlife as defined in the British Columbia’s Wildlife Tree Classification System published in “Wildlife Tree Management in British Columbia”.

4. Application

This bylaw applies to Trees having a diameter of at least 10 centimeters measured from a height of 150 centimeters above the natural grade and which are:

- a. on any parcel of land in the Urban Area that has sufficient lot area to create two or more new lots within the requirements of the existing zoning pursuant to Maple Ridge Zoning Bylaw No. 3510-1985;
- b. on any parcel of land in the Urban Area that is 1 acre (0.4 hectares) or greater in size;
- c. within a Development Permit Area;
- d. on land owned by the District or in the possession of the District;
- e. identified for retention as part of a subdivision approval, development permit or building permit;
- f. within a Forest Reserve;
- g. Wildlife trees;
- h. on slopes of 1:3 (rise over run) or greater;
- i. within a Watercourse Protection Area;
- j. within a Heritage Tree Protection Area;
- k. within a Geotechnical Protection Area.

5. Prohibitions

- a. No person may cut or remove a tree without a valid permit issued pursuant to this bylaw.
- b. Without limiting Section 5 (a), no person shall damage a tree by soil compacting, deposition or removal of soil or constructing a hard or impervious surface within the Drip Line.

- c. No person is to fail to comply with the terms and conditions of a permit issued pursuant to this bylaw.
- d. No person will cause or permit any Excessive Suspend Solids Discharge to be released, directly or indirectly into the Drainage System as a result of works pursuant to this bylaw.

6. Exemptions

Except in respect to trees referred to in S.4 (i), (j) and (k) no permit shall be required to cut or remove a tree where:

- a. no more than 3 trees are cut or removed for every acre or part thereof (0.4 hectares) for any reason in any 12 month period;
- b. a subdivision plan has been approved that identifies tree removal and protection areas;
- c. a development permit has already been issued that identifies tree removal and protection areas;
- d. the Cutting down of trees as is required to site a building, driveway, septic field, roadway, or utility corridor as approved by a building permit;
- e. emergency Removal of trees that are severely damaged by a natural cause, which as a result pose an imminent danger of falling and injuring persons or property;
- f. trees are on parks or municipally owned lands and the Cutting or Removal is conducted by or on behalf of the District of Maple Ridge;
- g. Cutting or Removal of trees by standard aboricultural practices for the maintenance of above ground utility conductors by a public utility or its contractors;
- h. approval for tree removal has been obtained from the BC Ministry of Forests;
- i. are Cutting trees less than 25 centimetres in diameter, measured from a height of 150 centimetres above natural grade, for survey lines less that 2 meters wide;
- j. tree Cutting or Removal is required for construction, improvement, repair or maintenance of public works or services undertaken by a governmental authority

7. Permits

- a. When a tree is permitted to be Cut or Removed, such activity shall be undertaken in compliance with the conditions imposed by this Bylaw and all special conditions specified in the Permit.

- b. An application for a permit will:
 - i) include a fully completed and signed form as set out in Schedule “E”; and
 - ii) be accompanied by the applicable permit fee calculated in accordance with Section 11.
- c. A permit issued under this bylaw will be valid for a period of 12 months from the date of issuance and is non-transferable.

8. Plans and Specifications

Where an application for a permit pursuant to this bylaw is required, application will be made in writing to the Manager of Development and Environmental Services and must contain the following information:

- a. a statement of purpose and rationale for the proposed tree Cutting;
- b. a site plan indicating the location of the trees to be Cut, trees to be protected, topographic and hydrographic features, structures, roads and other pertinent information useful in the determination of location.
- c. a proposed planting plan for any necessary replacement trees;
- d. method for appropriate disposal of any woodwaste/clearing debris;
- e. method for control of drainage and erosion impacts from the tree removal site;
- f. a copy of any applicable federal or provincial approvals;

Parcels that are adjacent to or contain a watercourse:

- g. Every application for tree Removal on a property that is adjacent to or contains any part of a watercourse must provide along with the application a survey that identifies top-of-bank prepared by a B.C. Land Surveyor.

Parcels greater than 2.5 acres (1 hectare):

- h. Every application for tree Removal on parcels greater than 2.5 acres (1 hectare) between October 15th to April 15th of any given year will require an erosion and sediment control plan prepared by a qualified professional, at the applicant's expense, to deal with bare and exposed soil.

Steep slopes:

- i. Every application for tree Removal on a steep slope, 1:3 (rise over run) or greater, must be accompanied by a report prepared by a qualified geotechnical engineer that certifies that the proposed tree Removal will not create increased flooding, erosion, or landslip caused by stormwater runoff directed from the tree removal site.

- j. A statement signed by the applicant ensuring that the applicant will be responsible for undertaking and completing all works required by the geotechnical engineer in accordance with the report described in subsection (i).

Geotechnical Protection Area:

- k. Every application for tree Removal within a Geotechnical Protection Area must be accompanied by a report prepared by a qualified geotechnical engineer that certifies that the proposed tree Removal will not create increased flooding, erosion, or landslip on the property or adjacent properties.
- l. A statement signed by the applicant ensuring that the applicant will be responsible for undertaking and completing all works required by the geotechnical engineer in accordance with the report described in subsection (k).

Hazard Tree

- m. Every application for the Removal of a Hazard Tree shall be accompanied by a report prepared by a certified arborist.

9. Tree Removal

Where Cutting or Removal of trees has been authorized by the District, and a valid and subsisting permit exists, the person undertaking the cutting or removal must:

- a. dispose of the tree parts by chipping or burning in accordance with provincial and District regulations;
- b. keep the Drainage System free of Excessive Suspended Solids Discharge originating from the tree removal area;
- c. stabilize all bare and exposed soil by Oct. 15th of any given year in order to reduce potential erosion impacts;
- d. restrict all tree Removal work to the hours of 8:00 a.m. to 6:00 p.m. everyday of the week except Sunday, when work is prohibited;

Parcels greater than 2.5 acres (1 hectare):

- e. conduct tree Removal on parcels greater than 2.5 acres (1 hectare) from April 15th to October 15th of any given year, unless an erosion control plan prepared by a qualified professional has been approved by the District and implemented prior to site disturbance; and

Watercourse Protection Area:

- f. when Cutting Hazard Trees, within the Watercourse Protection Area, leave such trees as Large Woody Debris in order to retain fish and wildlife habitat or alternatively replace such tree in accordance with the provisions of Schedule "D".

10. Replacement Trees

- a. Where compliance is required with Sections 9(f) and 13(e) the owner shall replace the trees Cut and Removed with new trees planted on the same parcel in accordance with the requirements set out and determined in Schedule “D”.
- b. An Owner of Replacement trees shall maintain the same in accordance with standard arboricultural practice.
- c. Prior to the issuance of a permit the Owner shall provide the District with a security deposit in the amount of \$400.00 per Replacement tree in cash or irrevocable letter of credit.
- d. The amount of security shall held by the District for one year from the date the replacement tree(s) are planted provided that the Manager of Development and Environmental Services is satisfied that the Owner has complied with the tree replacement criteria.

11. Fees

An application for a permit must pay the following fees prior to the issuance of a permit:

- | | | |
|------|-----------|---|
| i) | No charge | Hazard Trees |
| ii) | \$150 | more than 3 trees per acre on a parcel of 2.5 acres (1 hectare) or less |
| iii) | \$300 | more than 3 trees per acre on a parcel greater than 2.5 acres (1 hectare) |

12. Administration and Enforcement

- a. This bylaw will be administered by the Manager of Development and Environmental Services or designate(s).
- b. The Manager of Development and Environmental Services, the Bylaw Enforcement Officer and all District employees under their direction will have the right at all reasonable hours to enter upon and inspect any land or premises in the District to determine if the provision of the Bylaw are being met.

13. Offense

- a. Every person who violates any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw is guilty of an offence against this Bylaw and is liable to the penalties hereby imposed.
- b. Every person who committee an offence against this Bylaw is liable to a fine and penalty of not more than \$10,000.00 for each offence.

- c. Where more than one tree is Cut down, Removed or damaged in violation of this bylaw a separate offense is committed with respect to each tree.
 - d. Each day that a violation exists or continues shall constitute a separate offense.
 - e. In addition, any owner who cuts, removes or damages, or suffers or permits any tree to be cut, removed or damaged in contravention of this bylaw or in violation of any terms and conditions of the permit will be required to replace trees on the same parcel in accordance with Schedule “D” for each tree impacted within the Watercourse Protection Area, or in all other areas at a ratio of 2 replacement trees of the same species for each tree impacted provided that no replacement tree is less than 1.5 metres in height.
- 14.** If any section or lesser portion of this Bylaw is held invalid, it will be severed and the validity of the remaining provisions of this will not be affected.
- 15.** Schedules “A”, “B”, “C”, “D”, “E”, and “F” attached to this Bylaw are incorporated herein and form part of the bylaw.

READ a first time this 12th day of September, 2000.

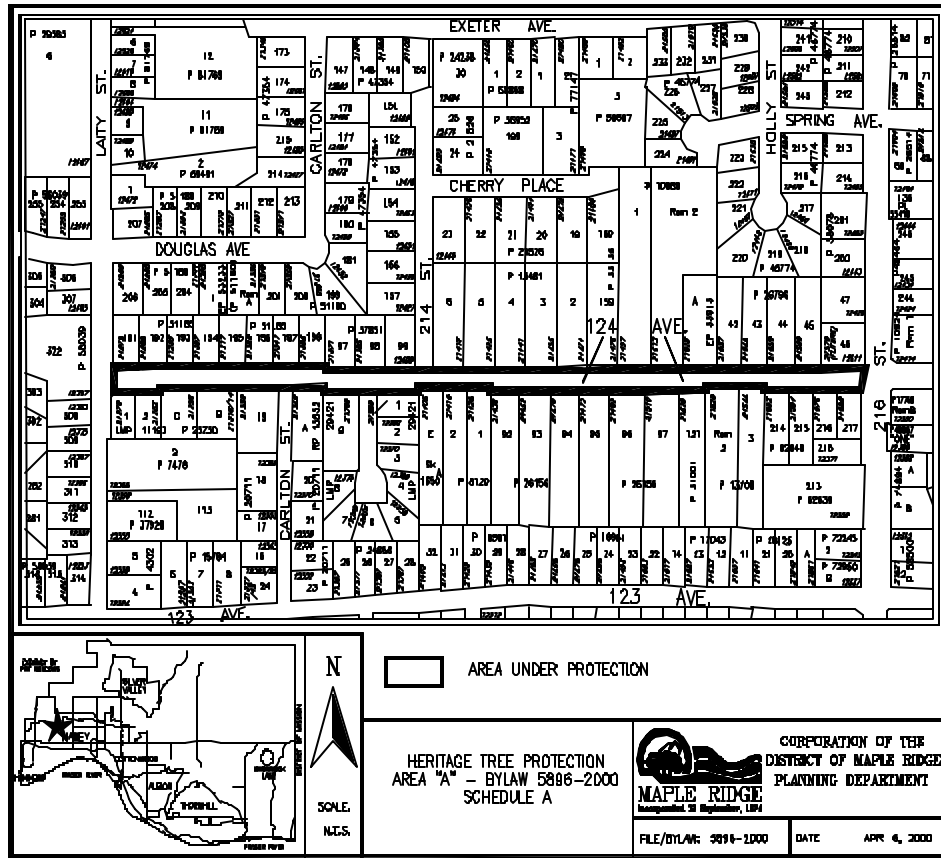
READ a second time this 12th day of September, 2000.

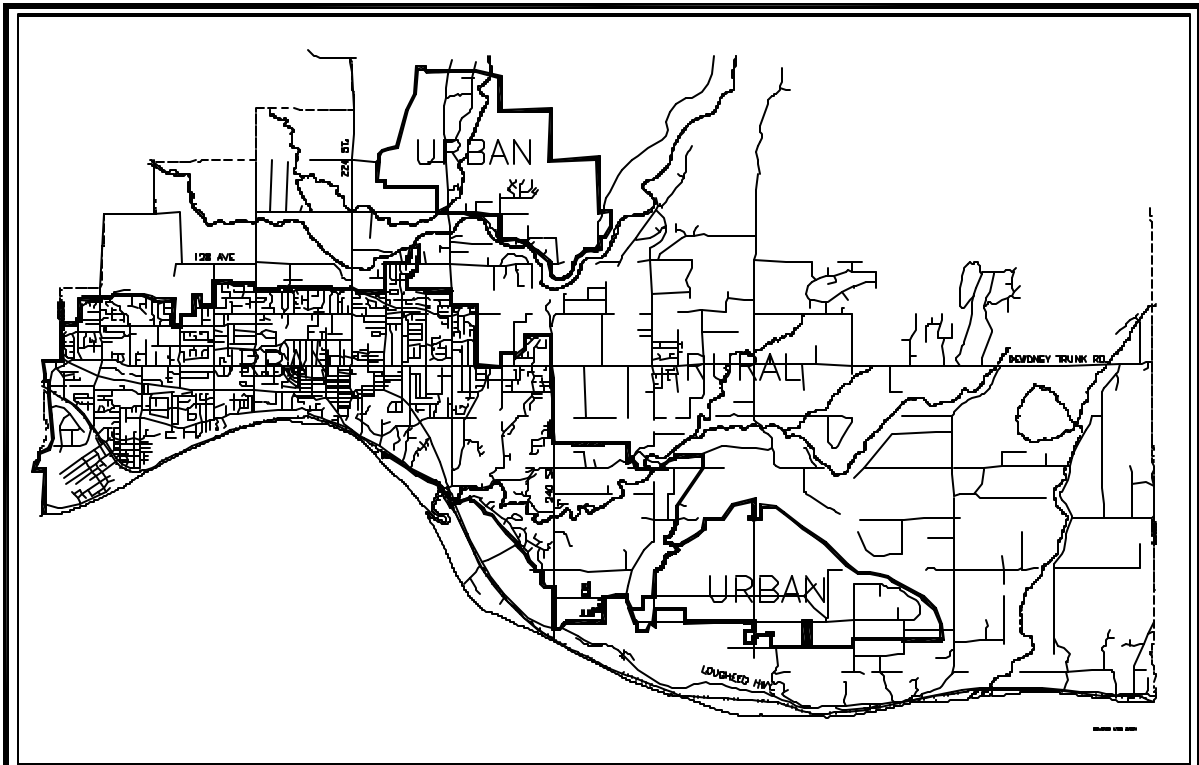
READ a third time this 18th day of December, 2000.



RECONSIDERED AND ADOPTED this 9th day of January, 2001.

MAYOR

CLERK





 SCALE: NTS	TREE PROTECTION BYLAW SCHEDULE B			 CORPORATION OF THE DISTRICT OF MAPLE RIDGE PLANNING DEPT MAPLE RIDGE <small>Incorporated 28 September, 1974</small>
	BYLAW No. 5896-2000	ADOPTED:	DRAWN BY: T.M.	

Corporation of the District of Maple Ridge

Maple Ridge Tree Protection Bylaw No. 5896-2000

SCHEDULE “D”

Tree Replacement Criteria

The criteria below applies to the replacement of trees required under Section 10 of the Corporation of the District of Maple Ridge Tree Protection Bylaw No. 5896-2000.

Diameter* of trees cut or removed**Replacement Criteria**

100 mm to 151 mm.

2 replacement trees (min. of 1.5 m), or, 4 native shrubs[▲] (for up to 50% of trees being replaced in this range)

152 mm to 304 mm

3 replacement trees (min. height of 1.5 m.)

305 mm to 456 mm.

4 replacement trees (min. height of 1.5 m.)

457 mm to 609 mm

6 replacement trees (min. height > 2.0 m.)

610 mm or greater

8 replacement trees (min. height > 2.0 m.)

*diameter measured from a height of 150 centimeters above the natural grade

> greater than

[▲] shrub species to be approved by the Manager of Environmental Affairs

Species of native trees cut or removed**Alternative replacement species**Grand Fir *Abies grandis*

Douglas Fir or Western Hemlock

Bigleaf Maple *Acer macrophyllum*

Western Paper Birch or Trembling Aspen

Red Alder *Alnus runbra*

Big leaf Maple or Western Paper Birch

Western Paper Birch *Betula papyrifera*

Big leaf Maple or Trembling Aspen

Sitka Spruce *Picea sitchensis*

Shore Pine or Douglas Fir

Trembling Aspen *Populus tremuloides*

Black Cottonwood

Black Cottonwood *Populus trichocarpa*

Red Alder or Western Paper Birch

Shore Pine *Pinus contorta*

Douglas Fir

Douglas Fir *Pseudotsuga menziesii*

Western Red Cedar

Western Red Cedar *Thuja plicata*

Grand Fir or Douglas Fir

Western Hemlock *Tsuga heterophylla*

Grand Fir or Douglas Fir or Western Red Cedar

Corporation of the District of Maple Ridge

Maple Ridge Tree Protection Bylaw No. 5896-2000

SCHEDULE "E"

Application for Tree Removal

1. Full name(s) and address of applicant: _____

Postal Code: _____ Telephone: _____ or _____

2. Full name(s) and address of owner: _____

Postal Code: _____ Telephone: _____ or _____

3. Full name(s) and address of tree cutting company: _____

Telephone: _____ or _____

4. Property proposed for tree removal:

Street Address: _____

Legal Description: _____

5. Purpose of proposed tree removal: _____

Please see attached arborist report as required under Section 8 (m) of the bylaw

6. Species of trees to be cut: _____

7. Methods proposed to control drainage and erosion impacts to adjacent lands or nearby watercourses from the tree removal site: _____

Please see attached erosion control plan as required under Section 8 (h) of the bylaw

Please see attached geotechnical report as required under Section 8 (i)&(k) of the bylaw

8. Methods proposed to restore the site to a suitable condition, including appropriate disposal of wood waste and stabilization of bare and exposed soil: _____

- 9. Attached as part of this application is a dimensional sketch of the property which shows the location of the trees to be cut or removed, the location of the trees to be protected, the location of barrier fencing, the location and species of any required replacement trees, topographic and hydrological features, structures, roads and other information useful in determining location.

Please see attached survey report as required under Section 8 (g) of the bylaw

Note: Applications for a permit shall be accompanied by the prescribed fee as follows:

- 1. No charge for removal of hazard trees
- 2. \$150 dollars for the removal of more than 3 trees on a parcel of 2.5 acres (1 hectare) or less.
- 3. \$300 for the removal of more than 3 trees on a parcel greater than 2.5 acres (1 hectare).

I HEREBY DECLARE that the above information is correct, and that I have read a copy of the District of Maple Ridge Tree Protection Bylaw No. 5896-2000 and that I will abide by all the applicable provisions of the said bylaw and such terms and conditions as may form part of any Tree Removal Permit issued pursuant to this application.

I understand that I will be required to provide a security deposit as required by this bylaw to guarantee the provision and maintenance of all Replacement trees in accordance with Maple Ridge Tree Protection Bylaw No. 5896-2000.

Name of Applicant(s): _____

Signature of Applicant(s): _____

Date: _____

FOR OFFICE USE ONLY

Received from: _____ this _____ day of _____, 20__ the sum of \$ _____ for Tree Removal Permit Application fee.

Date issued: _____

Permit No. _____

Corporation of the District of Maple Ridge

Maple Ridge Tree Protection Bylaw No. 5896-2000

SCHEDULE "F"

Tree Cutting Permit

1. This permit is issued pursuant to Corporation of the District of Maple Ridge Tree Protection Bylaw No. 5896-2000.
2. This permit applies only to those lands legally described as: _____
 _____ (the "Lands")
3. This permit is issued to: _____
 (the "Permittee")
4. This permit authorizes the Permittee to cut and remove only the trees in those areas on the Lands shown and described on Schedule 1 of this Permit subject to the terms and conditions hereinafter set out.
5. This permit is issued subject to the following conditions:
 - a. any tree authorized to be cut or removed by the Permit shall only be cut or removed in strict compliance with the Corporation of the District of Maple Ridge Tree Protection Bylaw No. 5896-2000.
 - b. no tree shall be cut or removed in those areas described on Schedule 1 of this Permit until:
 - (i) such areas have first been demarcated on the Lands by tape, ribbon or stakes and a barrier has been placed around those trees to be retained;
 - (ii) such area or areas have been inspected by the Manager of Environmental Affairs or their designate to ascertain whether they comply with the permission herein; and
 - (iii) the Manager of Development and Environmental Services or designate has signed this Permit in the space provided below.
6. The authorization herein to cut or remove trees expires and is of no further force or effect one year after the date of the issuance of this Permit.

FOR OFFICE USE ONLY

I, _____, the Manager of Development and Environmental Services or designate have inspected the land to which this permit applies for the purposes of Section 5 (b) of this Permit.

 Manager of Development and Environmental Services