



**CITY OF CHARLOTTETOWN
TREE PROTECTION AMENDMENT BYLAW
BYLAW #2019-TP-01A**

To amend the City of Charlottetown's Tree Protection Bylaw to clarify public tree protection within the City of Charlottetown, the Tree Protection Zone signage requirements, emergency pruning of City trees and correct minor typographical errors.

RESOLVED: That the bylaw to amend the "**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**" be read a **first** time.

Moved by Councillor Terry MacLeod x Terry MacLeod
Seconded by Councillor Terry Bernard x Terry Bernard
Date: May 11, 2020

Carried
10-0
MB

RESOLVED: That the bylaw now be approved as a City Bylaw and that it be entitled the "**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**" and that it be read a **second** time at the next public meeting of Council.

Moved by Councillor Terry MacLeod x Terry MacLeod
Seconded by Councillor Terry Bernard x Terry Bernard
Date: May 11, 2020

Carried
10-0
MB

THEREFORE: Be it resolved that the "**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**" be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor Terry MacLeod x Terry MacLeod
Seconded by Councillor Terry Bernard x Terry Bernard
Date: *May 13, 2020*

10-0
Carried
MB

This Tree Protection Amendment Bylaw, #2019-TP-01A, was adopted by a majority of Council members present at the Council meeting held on 13th day of May, 2020.

Peter Kelly, CAO
Philip Brown, Mayor

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Tree Protection Bylaw
Bylaw # 2019-TP-01A

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Tree Protection Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Tree Protection Bylaw to clarify 1) Public tree protection within the City of Charlottetown 2) Tree Protection Zone signage requirements 3) Emergency pruning of City trees and 4) Minor typographical errors.

3. Authority

3.1. Pursuant to Part 5, Section 134 (1) – Revision of Bylaws of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1.

4. Definitions

4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act R.S.P.E.I.*, the *Provincial Environmental Protection Act, R.S.P.E.I. 1988, E-9*, the *Pesticides Control Act, R.S.P.E.I. 1988, P-4* or the *City of Charlottetown Tree Protection Bylaw* has the same meaning as in that Act or Bylaw.

5. Section 2 - Purpose – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:

5.1. Amend subsection 2.1 (a) to read as follows: “recognize the importance of trees as green infrastructure and to protect trees on City-Owned Property **in the City of Charlottetown.**”

6. Section 4 - Application – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:

6.1. Amend subsection 4.1 (a) to read as follows: “all trees located on or abutting City-Owned Property **in the City of Charlottetown;**”

6.2. Amend subsection 4.1 (b) to read as follows: “Heritage Trees and Protected Trees on City-Owned Property and private property **in the City of Charlottetown;**”

- 6.3. Amend subsection 4.1 (c) to read as follows: “diseased, Infested or Hazardous trees on City-Owned Property and private property **in the City of Charlottetown;** and”
7. **Section 7 – Tree Maintenance – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**
 - 7.1. Amend subsection 7.2 to read as follows: “Notice will be served to the property owner three days in advance of any work (tree planting, removals or pruning) taking place on private property, **with the exception of emergency situations**”
8. **Section 8 – Restrictions - of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**
 - 8.1. Amend typographical error in subsection 8.3 (h); replace “brake” with “break”
9. **Section 10 – Tree and Root Protection Zone (TPZ) – Construction - of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**
 - 9.1. Amend subsection 10.1 (d) to read as follows: “a minimum of two signs will be placed on the fencing stating that this is a Tree Protection Zone, as per Appendix 1. **Signs are available to borrow from the City of Charlottetown;**”
 - 9.2. Add new subsection 10.2
“**In some cases, work in the TPZ is unavoidable. In these situations, the TPZ must be discussed with the City Arborist or designate. It may be necessary to implement other tree protection measures such as horizontal root protection, mulching of root zone or excavation of soil around roots using water, air or hand-digging.**”
10. **Section 24 – Emergency Removal - of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**
 - 10.1. Amend subsection 24.1 by adding **24.1 (d) “Utility companies need to prune or remove trees to restore existing power to a building.”**
11. **Appendix 1 of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**
 - 11.1. Within Appendix 1, replace the Tree Protection Zone (TPZ) graphics with a new graphic and title the page “Tree Protection Zone (TPZ) Signage”

Part II – Approval and Adoption

12. Effective Date

12.1. This Tree Protection Amendment Bylaw, #2019-TP-01A shall be effective on the date of approval and adoption below.

First Reading:

This Tree Protection Amendment Bylaw, #2019-TP-01A, was read a first time and approved by a majority of members present at the Council meeting held on the 11th day of May, 2020.

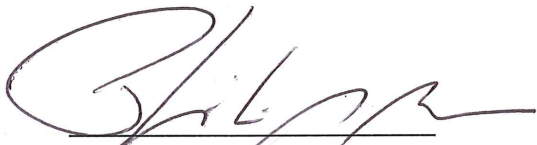
Second Reading:

This Tree Protection Amendment Bylaw, #2019-TP-01A, was read a second time and approved by a majority of members present at the Council meeting held on the 13th day of May, 2020.


Approval and Adoption by Council:

This Tree Protection Amendment Bylaw, #2019-TP-01A, was adopted by a majority of Council members present at the Council meeting held on the 13th day of May, 2020.

13. Witness the corporate seal of the City of Charlottetown



Mayor



Chief Administrative Officer

This Tree Protection Amendment Bylaw, #2019-TP-01A adopted by the Council of the City of Charlottetown on 13th day of May, 2020 is certified to be a true copy.



Chief Administrative Officer

May 20, 2020

Date