



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

**To amend the City of Charlottetown's Tree Protection Bylaw to clarify when trees on a property line are City-owned trees and when the City conducts tree maintenance on private property.**

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

Moved by Councillor *Mitchell Tweel* Mitchell Tweel

Seconded by Councillor *Terry Bernard* Terry Bernard

Date: February 8, 2021

5  
B  
Carried  
10-0

**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 *Mitchell Tweel* Mitchell Tweel

Seconded by Councillor *Terry Bernard* Terry Bernard

Date: February 8, 2021

B  
Carried  
10-0

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

Moved by Councillor *Greg Rivard* ~~X~~ *Greg Rivard*  
~~X~~ Mitchell Tweel

Seconded by Councillor *Terry Bernard* ~~X~~ Terry Bernard

Date: *March 8, 2021*

B  
Carried  
9-0  
(Councillor  
Tweel  
absent)

This Tree Protection Amendment Bylaw, #2019-TP-01B, was adopted by a majority of Council members present at the Council meeting held on 8<sup>th</sup> day of March, 2021.

*Peter Kelly*  
Peter Kelly, CAO  
*Philip Brown*  
Philip Brown, Mayor

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

**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 determine 1) Ownership of trees that fall on a property line and 2) Situations when the City will deliver tree maintenance on private property.

**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 6 - Interpretation – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**

5.1. Amend subsection 6.3 as follows: “Tree ownership will be determined by the City’s Forestry Technician or designate using field markers and land survey information. Trees that are on a property line and have 50% or more of the base of the tree on City property will be considered a City-owned and managed tree. Trees that are on a property line and have greater than 50% of the base of the tree on private property will be considered a private tree.”

**6. Section 7 – Tree Maintenance – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**

6.1. Amend subsection 7.1 (c) as follows: “to enter upon any lands in the City, including privately owned lands, to carry out pruning or tree removal operations for the protection of the public, City-Owned Property or the health of the trees, subject to Section 14;”

**7. Section 14 – Removal or Pruning of Hazardous Trees on Private Property – of the City of Charlottetown Tree Protection Bylaw is hereby amended by the following:**

7.1. Amend subsection 14.1 as follows: “The owner of a tree which abuts an adjacent public right of way or City-Owned Property, and which, in the opinion of the City Arborist, poses a hazard or a danger to public property or persons on public property, shall, when so ordered in writing by the City Arborist and within the time designated by the City Arborist, abate such hazard or danger to the satisfaction of the City Arborist.”

**PART II – APPROVAL AND ADOPTION**

**8. Effective Date**

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

**First Reading:**

This Tree Protection Amendment Bylaw, #2019-TP-01B, was read a first time and approved by a majority of members present at the Council meeting held on the 8<sup>th</sup> day of February, 2021.

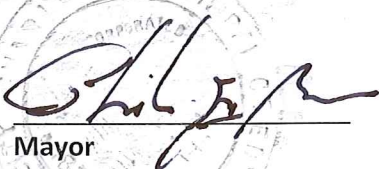
**Second Reading:**

This Tree Protection Amendment Bylaw, #2019-TP-01B, was read a second time and approved by a majority of members present at the Council meeting held on the 8<sup>th</sup> day of March, 2021.

**Approval and Adoption by Council:**

This Tree Protection Amendment Bylaw, #2019-TP-01B, was adopted and approved by a majority of Council members present at the Council meeting held on the 8<sup>th</sup> day of March, 2021.

**9. Witness the corporate seal of the City of Charlottetown**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

This Tree Protection Amendment Bylaw, #2019-TP-01B adopted by the Council of the City of Charlottetown on 8<sup>th</sup> day of March, 2021 is certified to be a true copy.

  
\_\_\_\_\_  
Chief Administrative Officer

March 9, 2021  
\_\_\_\_\_  
Date