Tree Planting

Policy No. **72-001**

has been renumbered


Tree Planting

Policy No. **P-28-2008**


*CA Reese*

# Town of WESTLOCK

| | |
|---|---|
| **Title: TREE PLANTING** | |
| **Resolution: 173-2008** | **Revised:** |
| **Special Notes/Cross Reference:** | **Next Review Date:** |

**POLICY STATEMENT :** The Town of Westlock will manage Trees within the Town of Westlock Corporate Limits.

**PURPOSE** : To provide for the protection and enforcement of Municipal Reserve District; Parks and Recreation District; and boulevard trees.

## GUIDELINES / PROCEDURES / RESPONSIBILITIES:

## DEFINITIONS

**a)** **BOULEVARD TREES** shall mean all trees and shrubs planted on boulevards, lanes, sidewalks, roads or utility right-of-ways, Municipal Reserve (MR), Parks and Recreation (PR),or any public place.

**b)** **PRIVATE TREES** shall mean any trees and shrubs planted on private property and are referred to in this policy in the instance of encroachment on to boulevards, lanes, sidewalks, road or utility right-of-ways, Municipal Reserve (MR), Parks and Recreation (PR), or any other public place.

**c)** **OWNER** shall mean the assessed owner of the land directly abutting on Town boulevard.

**d)** **TOWN MANAGER** or designate

**e)** **TOWN** shall mean the Town of Westlock.

2.  In the case of permanent damage to a boulevard tree, the person responsible for the damage may be assessed the value of the tree as appraised on the Town of Westlock Standard Tree Evaluation Form, (attached as Appendix A).

3.  a) Town Manager shall have the sole right to remove or cause to be removed any boulevard tree which in the opinion of the Town Manager warrant such removal after five (5) days notice by registered mail to the abutting property owners.

    b) When the corner parcel is at the intersection of two streets or two lanes, the setback of 15 feet needs to be applied to define the site triangle area. Hedges must not exceed 3 feet measured from grade on site triangle.

4.  a)  Town Manager shall have the sole right to remove or cause to be removed, trim and/or prune or cause to be trimmed and/or pruned any boulevard tree or private tree which in the opinion of the Town Manager warrant such work without notification where the boulevard tree in any way interferes with or endangers the lines, poles conduits, pipes, sewers, traffic control devices, vehicle and pedestrian traffic, or other works of a municipal or other public utility.

    b)  Under normal circumstance, where private trees interfere with the lines, poles, conduits, pipes, sewers, traffic control device, vehicular and pedestrian traffic, or other works of a municipal or other public utility, the Town Manager may send a letter requesting the Owner to take the necessary action to remove, or cause to be removed, trim and/or prune or cause to be trimmed and/or pruned, any private tree within fourteen (14) days, by registered mail. Failure to do so may result in the Town carrying out the work and charging back to the Owner.

    c)  An Owner of private property shall ensure that the trees or shrubs growing on his property shall be properly trimmed and shall not have any branches projecting over a sidewalk area at an elevation of less than 250 cm (8 feet) or over roadways or alleys at an elevation of less than 420 cm (14 feet).

5.  The Town Manager shall not grant requests for the removal of a boulevard tree unless in the opinion of the Town Manager or the authorized designate there are exceptional circumstances which warrant such removal such as land development or other exceptions covered under other Town by-laws. If a request for removal of a boulevard tree is granted the person requesting must pay for the removal, plus the value of the tree as appraised on the Standard Tree Evaluation Form. If the tree can be transplanted elsewhere on Town property, the person requesting the removal will be responsible for the cost of such transplanting.

6.  **SIGNS**
    Any signs installed on private property and over public sidewalks or highways shall be located so that they will in no way interfere with an existing boulevard tree and will not necessitate pruning or thinning in addition to normal practices. (Note: See Section 7).

    Before planting of a boulevard tree the Town Manager will contact the owners of the effected properties for input as to possible conflicts.
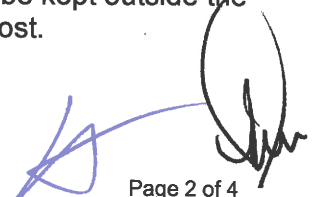    **NOTE: SIGNS MAY ONLY BE PLACED AS PER LAND USE BYLAW.**

7.  No person shall attach any sign, chain, or other device to any boulevard tree.

8.  **CONSTRUCTION & DEVELOPMENT**
    The Owner of any development, or part of a building which is being constructed, demolished, or moved within the Town shall be responsible for all costs involved to repair any damage to boulevard trees as a result of such as established through the Standard Tree Evaluation Form.

    a)  **All construction** within 3 metres of publicly owned trees require hoarding ie: snow fence, plywood etc. All soil building material and other debris shall be kept outside the hoarding, which Developer would be responsible for up keep and cost.

b) **Reasonable Attempt,** at the discretion of the director, must be made at a **reasonable rate,** under the considerations of economics, sound engineering practices, aesthetics, environment, and safety.

c) **Clearing and Grubbing**, to be carried out under the supervision of the Town, shall only be initiated under a **CURRENT DEVELOPMENT AGREEMENT and upon obtaining a DEVELOPMENT PERMIT** from the Bylaw and Development Control Officer.

d) **Salvage and/or Disposal,** a proven attempt must be made to utilize available services to salvage the timber. A portion equal to 25 % of the total forested area shall be stockpiled in a manner satisfactory to the Town Manager that will facilitate the salvage and use thereof for firewood.

e) **Burning** of trees shall be conducted under the following guidelines.
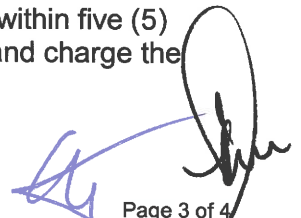
The Developer shall provide:
i) Notification in writing of schedule to the Westlock Fire Department.

ii) Notification of burning to residents within one block radius one week prior to schedule start date. (This is to be done with door-to-door notification and through the local newspaper).

iii) Approval signage notifying traffic of burning and/or smoke must be posted prior to commencement of burning.

Signage size and placement, must meet:
The minimum requirements established by the Town; and reasonable safety concerns based on the situation conditions; and any and all related Provincial regulations.

iv) Twenty-Four (24) hour onsite coverage with adequate equipment, as required by the Town Manager, for the controlled burning of the piles until such time as fire is completely extinguished.

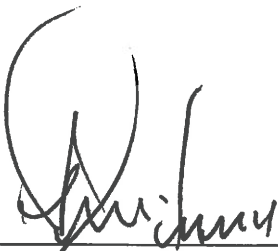v) Should an uncontrolled fire develop, the permit holder shall be responsible for all costs, including restoration.

10. **STORMS**

Any trees, whether public or privately owned, which must be removed for safety reasons will require immediate removal. Any Owner, of privately owned trees encroaching on public property, failing to correct a hazardous situation will be responsible for the costs incurred by Town Manager to correct the situation.

If a privately owned tree is broken or uprooted and the tree or portions of the tree fall on Town property the Owner of the tree shall be responsible for the removal thereof within five (5) days. Failing this Town Manager may remove the tree or portions thereof and charge the cost to the Owner.

11. For any work done under this bylaw by anyone other than the Town, it's agents, or employees, the individual doing the work shall indemnify and save harmless the Town, it's agents, and employees from any and all claims. Risks, actions, and causes of action howsoever arising from or out of the work done by such individual.

12. Any work carried out by the Town and the costs charged to the Owner will be invoiced to the Owner, and in default of payment the Town may:

    a)    recover the same as debt due to the Town, or

13. Failure to comply with any provision of this bylaw shall result in the issuance of a ticket in the amount of One Hundred Dollars, ($100.00) for each occurrence.

_____
Norm McInnis, Town Manager

_____
Bruce Lennon, Mayor

## TREE VALUE EQUATION

pi r2 x $20. per inch x species class x condition of tree = tree value

Example:

Pi     x Radius 2 38"          x $20.        x 40%        x 40%                    tree
3.14   x 12.25 = sq. inches x per inch x (Poplar) x Condition of tree=value

7" tree divided by 2 = 3.5
3.5 x 3.5 = 12.25
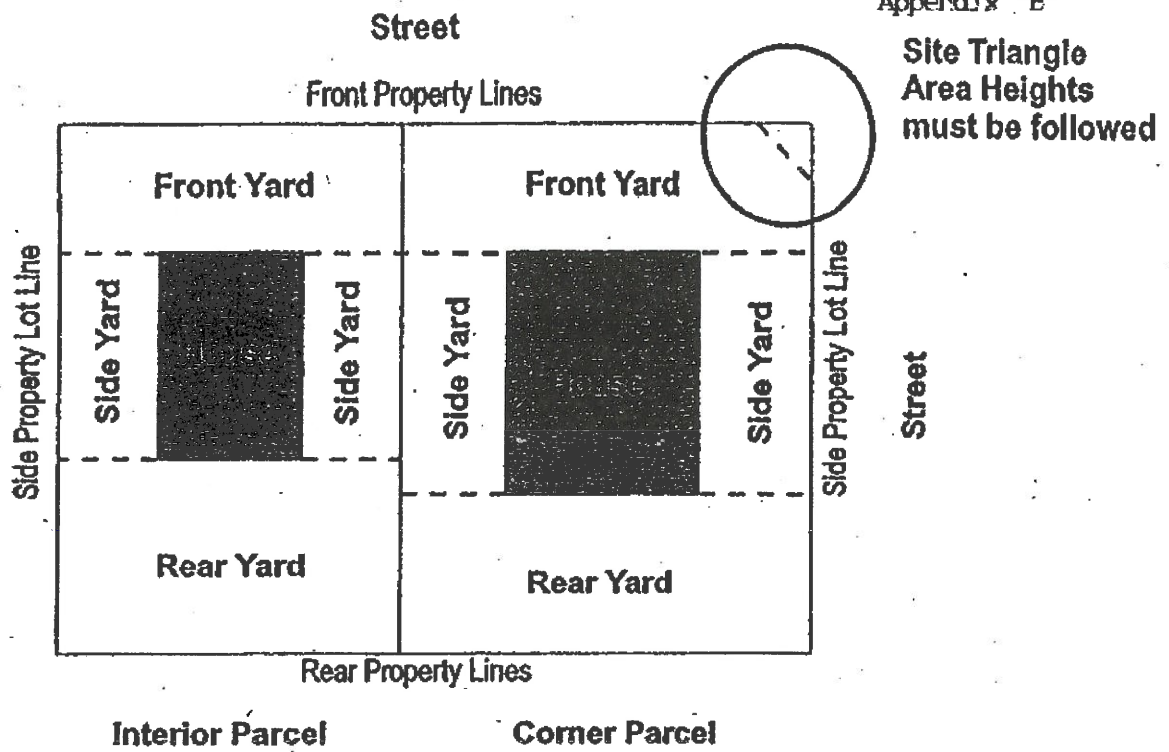3.14 x 12.25 = 38 square inches

NOTE:    $20.00 per square inch is derived from the International Society of
         Arborculture (1979)

Condition of Tree:

I     Perfect specimen
II    Nearly perfect specimen
III   Good specimen
IV    Fair specimen
V     Very poor specimen

Tree species rating refer to Table I

**Street**

Front Property Lines

| Front Yard | Front Yard |
|---|---|

Side Property Lot Line

Side Yard | House | Side Yard | Side Yard | House | Side Yard

Side Property Lot Line

**Street**

| Rear Yard | Rear Yard |
|---|---|

Rear Property Lines

**Interior Parcel**          **Corner Parcel**

**Height – 3' measured from grade on site triangle.**

15 Feet

15 Feet