

Tree Protection Bylaw for Dummies

(A Practical Guide for Homeowners, Politicians and Professional Engineers)

Based on Bylaw No. 8057 Presented to GPC meeting, March 20th. 2006.

What to do if you want to remove a tree or two.

You must apply for a permit in writing.

Application must include:

- \$50.00 unless exempted
- Purpose for removal
- Replacement plan
- Address and title search
- Consent forms from owners and neighbours
- Complete list of removal methods noise and dust control etc.

Application may require reports from:

- Professional engineer
- Professional biologist
- Certified arborist
- Geotechnical engineer
- Hydrologist
- Tree manager
- B.C. land surveyor
- Certified tree risk assessor
- Any other report or information the Manager deems necessary.

Take out loan to pay for reports.

Manager may issue permit - he doesn't have to.

So now you have a permit - you think you can cut down your tree.

Stop: put down the chain saw.

- Is your wood disposal system ready?
- Flag or paint the tree to be removed.
- Build protection barriers around all other trees on site
- Check your watch - no cutting between 6:00 pm to 8:00 am
- Cover all ditches and drains
- Fence off the entire area of operations - remember wood chippers can throw bits of wood a long way
- Check permit again to see if it includes the entire fenced area
- Get amendment to permit.

Start chain saw, remove tree and all wood

Report all coincidental damage to the manager and show repairs made.

Take out second mortgage - if you don't already need it yet; you'll need it for the next step.

You are not quite done yet; now it gets really expensive - I think the rest applies only if you remove more than one tree per year but I'm not sure since you submitted a replacement plan with your application.

Go to Schedule "A" to determine size of replacement tree

Find nursery that sells 20 foot tall conifer or 4.5 inch dbh deciduous tree

Dig really big hole in back yard

Hire massive crane to lift tree over house into back yard hole

Back fill hole and figure out what to cable your tree to in order to keep it from blowing over in the next wind storm - don't use other trees - you might damage them

Don't cut the tree back - you may be fined.

Maintain new tree forever.

Or repeat entire above process with new tree whenever you feel inclined to remove a tree.

Declare bankruptcy!

Your tree is now someone else's problem.

Coming soon.... CSI Trees.... brought to you by The City of Richmond

It is my understanding that on November 14th. 2005 Council allocated a total of \$40,000.00 to develop the interim tree bylaw. On December 12th. another \$96,000.00 was provided for implementation and administration for 6 months. With all the consultants fees and staff time spent on this pilot project to date hasn't the funding run out yet? Under due diligence and best practices, I hope the consulting services contracts for this bylaw included a successful completion clause (adoption by Council of a permanent tree bylaw) before payment without any up front or progress payments since it is becoming increasingly apparent that what was provided was **not what Council asked for**, rather someone else's vision.

If a court case ever arose, a judge will look at the intent of a law but the only reference he or she has is the bylaw itself. Judges do not have the option of asking City Council what their intent was when passing the bylaw so you must be clear in the bylaw you approve. If you don't want it to apply to homeowners that must be stated in the bylaw; but remember developers and builders are homeowners too. **You cannot have it both ways - at least not with this bylaw.** In insisting that you protect my rights as a homeowner; builders and developers will also have the same rights. Just remember there are many more homeowners than builders and developers. The current and proposed bylaws rely far too heavily on "professionals" of all sorts. Most trees in the city are not planted by, or cared for by professionals but rather ordinary homeowners. As such they also deserve the right to manage their trees as they see fit, without government interference. If the bylaw is defeated I would like some sort of assurance from Council that homeowners like me will not be facing the same type of punitive bylaw anytime in the near future.

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