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**Richmond Tree Protection Bylaw 8057  
Amendment Bylaw 8263**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Part Seven of *Tree Protection Bylaw No. 8057* of the City of Richmond is amended by deleting sections 7.1 through 7.3 and substituting the following:
  - “7.1 Any person who contravenes or violates any provision of this bylaw or of any permit issued under this bylaw, or who suffers or allows any act or thing to be done in contravention or violation of this bylaw or any permit issued under this bylaw, or who fails or neglects to do anything required to be done under this bylaw or any permit issued under this bylaw, commits an offence; and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
  - 7.2 Where one or more **tree** is cut or removed or damaged, other than as authorized by this bylaw, or more than one **tree** is not replaced or maintained in accordance with a **permit** issued under this bylaw, a separate offence is committed in respect of each such **tree**.
  - 7.3 Upon being convicted of an offence under this bylaw, a person shall be liable to pay a fine of not less than \$1,000 and not more than \$10,000;
  - 7.4 In addition to the penalties imposed under section 7.3, by order of the court, a person convicted of an offence under this bylaw may be directed to:
    - a) not do any act or engage in any activity that may result in the continuation or repetition of the offence;
    - b) pay the costs incurred by the **City** in investigating and prosecuting the offence;
    - c) pay compensation to the **City** for any damage or loss sustained by the **City** because of the commission of the offence to a maximum of \$25,000 or higher monetary limit as may be specified under the *Small Claims Act* in force at the time of the offence;
    - d) take any action the court considers appropriate to remedy any harm that resulted from the commission of the offence.

7.5 Pursuant to section 7.4 (d) the City may seek an order directing a person convicted of an offence under this bylaw to complete an education or training program for instruction in appropriate care and management of trees to a standard established by a provincial, national or international body for professional arboriculture, landscaping, or nursery practice.

7.6 In addition to any other penalty which may be imposed under this bylaw, where a person **cuts, removes** or damages, or causes, suffers or permits any **tree to be cut, removed,** or damaged in contravention of this bylaw or in violation of any term or condition of a **permit** issued under this bylaw, that person, within 30 days of receiving notice of such requirement from the **Director**, shall:

- a) submit for the **Director's** approval a **tree** cutting and replacement plan in accordance with the requirements of Schedule "A", specifying the location and species of all **replacement trees**; and
- b) plant and maintain on the same parcel in accordance with the approved **tree** cutting and replacement plan a minimum of two (2) **replacement trees** for each **tree** unlawfully **cut, removed** or damaged and in the event the **Director** determines it is not feasible or practical to replace the **trees** on the same parcel, the **replacement trees** shall be planted on City land in a location designated by the **Director**."

2. Schedule A of *Tree Protection Bylaw No. 805* is amended by deleting items (a) to (d) and Table 1 and substituting the following:

- "1) For tree removals not related to demolition or construction on parcels containing a one-family dwelling:
  - a) deciduous replacement trees are to be a minimum of 2m in height or of a minimum 6cm caliper\*,
  - b) coniferous replacement trees are to be a minimum of 2m in height.
- 2) For tree removals for all other properties and permits related to construction, demolition, rezoning, development permits, subdivisions or building permits:
  - (a) every deciduous replacement tree shall be of the minimum caliper\* specified for replacement trees in Column 3 of Table 1 of this Schedule,
  - (b) every coniferous replacement tree shall be a tree of the minimum height specified for replacement trees in Column 2 of Table 1 of this Schedule.
- 3) Every replacement tree shall be spaced from existing trees and other replacement trees in accordance with an approved forest management plan or landscape plan and in all cases shall be planted in accordance with the current BCSLA (British Columbia Society of landscape architects) or BCLNA (British Columbia Landscape & Nursery Association) Landscape Standards, and all replacement trees shall meet current BCSLA or BCLNA standards.

Table 1

D.B.H. of Tree Cut or Removed  COLUMN 1	Minimum Height of Coniferous Replacement Tree COLUMN 2	Minimum Caliper* of Deciduous Replacement Tree COLUMN 3
8" – 12" (20-30cm)	11.5 ft (3.5 m)	2.5" (6cm)
12" – 16" (30-40cm)	14 ft (4 m)	3" (8cm)
16" – 20" (40-50cm)	16 ft (5 m)	3.5" (9cm)
20" – 24" (50-60 cm)	18 ft (5.5 m)	4" 10cm)
24"+ (60cm+)	20 ft (6 m)	4.5" (11cm)

\*Caliper is the diameter of the trunk measured at 15cm above the ground."

3. *Tree Protection Bylaw No. 8057* is amended by replacing the word "Manager" wherever it occurs with "Director".
4. This bylaw is cited as "**Richmond Tree Protection Bylaw 8057, Amendment Bylaw No. 8263**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

SEP 10 2007

SEP 10 2007

SEP 10 2007



MAYOR

CORPORATE OFFICER