

TOWN OF LADYSMITH  
BYLAW NO. 695

A Bylaw to regulate the cutting of trees in park, greenbelt and public areas within the Town of Ladysmith.

WHEREAS Section 868 (f) of the Municipal Act provides that the Council may, by Bylaw, regulate or prohibit the cutting of trees on lands within any area within the municipality, and require the holding of a permit for such purposes; and

WHEREAS it is deemed desirable and in the public interest to regulate the cutting of trees in parks, greenbelt or public areas within the Town of Ladysmith;

NOW, THEREFORE, the Municipal Council of the Town of Ladysmith, in open meeting assembled, enacts as follows:

1. In this Bylaw the following words and terms shall, unless the context otherwise requires, include the following meanings:

"Person" shall when necessary, mean and include natural persons of either sex both plural and singular, associations, corporations, bodies politic, co-partnerships, whether acting by themselves or by a servant, agent or employee, and their heirs, executors, administrators, successors or assigns or other legal representatives of such person to whom this context can apply according to law.

"Town" means the municipality known as the Town of Ladysmith.

"Council" means the Municipal Council of the Town of Ladysmith.

"Public Area" means any area of land within the Town of Ladysmith that comes under the jurisdiction and control of the Council, but does not include privately owned lands.

"Works Foreman" means the person appointed by the Council from time to time to perform the duties of the Works Foreman in the Town.

2. No person, other than an authorized regular employee of the Town, shall cut trees of any kind within any area of the Town set aside for use as a park, greenbelt or public area, without first obtaining a permit to do so.

3. Any person wishing to cut trees on such lands may make application to the Council for a permit to do so, in the form set forth as Appendix "A" to this Bylaw.


4. The cutting of trees in an area set aside for use as a park, greenbelt or other public area may be approved by Council where deemed necessary and desirable, by authorizing the issue of a permit to do so. Such permit shall be in the form set forth in Appendix "B" to this Bylaw.


5. An application made under the provisions of Section 3 of this Bylaw shall clearly set forth the area in which it is proposed to cut trees, specify the species and location of the trees to be cut, state whether the tree is to be completely felled or, if the tree is to be topped only, the total length of the top to be removed.
6. When an application to cut trees is approved by Council the Works Foreman shall issue a permit authorizing the work to be done by the applicant in the manner approved by Council.
7. When a permit is issued under the provisions of Section 6 of this Bylaw, no cutting of trees shall be done by the permit holder until the trees to be cut are "flagged" by the Works Foreman, with the degree of cutting approved by Council clearly noted on such flag.
8. If the cutting of trees in accordance with the terms of a permit issued under the provisions of Section 6 of this Bylaw is done under the personal supervision of the Works Foreman, the "flagging" of trees to be cut, as required by Section 7 of this Bylaw, may be waived.
9. All residue resulting from the cutting of trees under an approved permit shall be disposed of in a workmanlike manner and the site left in a tidy condition.
10. Every person who violates any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall in addition to any other penalties otherwise provided for herein be deemed to be guilty of an infraction thereof and shall be liable to the penalty hereinafter provided.
11. Any person guilty of an infraction of this Bylaw shall be liable upon conviction to a fine not exceeding \$500.00 and costs or to imprisonment for a period not exceeding 30 days, or to both fine and imprisonment, which penalty and costs shall be recoverable and enforceable upon summary conviction in the manner provided by the "Summary Convictions Act".
12. This Bylaw may be cited as the "Tree Cutting Regulation Bylaw, 1979, No. 695".

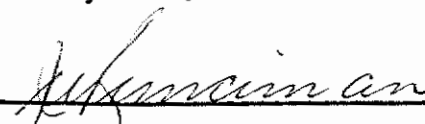
Read a First time on the 13th day of August , 1979.  
Read a Second time on the 13th day of August , 1979.  
Read a Third time on the 13th day of August , 1979.

REconsidered , Finally Passed and Adopted on the 27th day of August , 1979.

I hereby certify the above  
to be a true and correct  
copy of Bylaw #695 of the  
Town of Ladysmith.

  
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Mayor

  
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Clerk

  
\_\_\_\_\_  
Clerk