



BY-LAW NO. 875-106 | FINAL

By-law no. 875-106 amending Zoning By-law no. 875, as already amended, in order to authorize the issuance of a certificate of authorization for the felling of ash trees.

Regular meeting of the Municipal Council of the Town of Baie-D'Urfé, held according to the law at the Town Hall, ordinary place of meetings, on Tuesday, September 9, 2014, at 7:30 p.m.

WERE PRESENT:

Mayor: Maria Tutino

Councillors: Peter Fletcher
Brian Manning
Lynda Phelps
Janet Ryan

ALSO PRESENT: Nathalie Hadida, Director General
Marie-Hélène Bourque, Town Clerk
Alexandra Hobson, Assistant Town Clerk
Stéphane Patenaude, Director of Public Works

WERE ABSENT: Michel Beauchamp, Councillor
Charles Colomb, Councillor

WHEREAS the presence of the emerald ash borer on the territory of the Town requires that aggressive measures be taken to limit and contain its spread;

WHEREAS the Town wishes to simplify the issuance of certificates of authorization for the felling of ash trees;

WHEREAS notice of motion for the presentation of this by-law was given at a regular meeting of Council held on August 12, 2014 at 7:30 p.m.;

WHEREAS draft by-law no. 875-106 was adopted on August 12, 2014 at 7:30 p.m. and submitted to a public consultation on September 9, 2014 at 7 p.m.; and

WHEREAS Council declares having read by-law no. 875-106 and hereby dispenses with the reading of said by-law;

THEREFORE, it is moved by Councillor Brian Manning, seconded by Councillor Janet Ryan and UNANIMOUSLY RESOLVED:

THAT by-law no. 875-106 be, and is hereby adopted; and

THAT it be enacted and decreed as follows:

SECTION 1 Section 5.5 – PRESERVATION AND REPLACEMENT OF TREES

1.1 Paragraph a) is modified by the addition of a second paragraph to read as follows:

In the particular situation of an ash tree, a certificate of authorization is required for trees of more than 10 cm (4") in diameter, measured 1.3 m (4.27') from the ground;

1.2 Paragraph b) is modified by the addition of a ninth bullet to read as follows:

- The tree to be felled is an ash tree, as confirmed by a municipal employee.

SECTION 2 Section 1.5 – VIOLATION, PENALTIES AND OTHER RECOURSES – paragraph a) is modified by the addition of a second paragraph to read as follows:

In the case of the felling of any species of tree on the territory of the Town without the prior issuance of a valid certificate of authorization, anyone contravening a provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable to a fine, and such fine shall be of a minimum of six hundred dollars (\$600) or a maximum of twelve hundred dollars (\$1200).

Notice of motion:	August 12, 2014
Adoption of draft:	August 12, 2014
Public consultation meeting:	September 9, 2014
Adoption of by-law:	September 9, 2014
Coming into force:	September 17, 2014

TRUE CERTIFIED COPY

Mayor

Town Clerk