

# Private Tree Bylaw and Proposed Amendment

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# Keep it simple

1. Owners should be able to replace their trees as they need to ...as they always have done.

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2. Enhance the tree canopy by planting more trees which all taxpayers pay for...equitably not just a few tree owners.

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3. Focus the Forestry dept. on item 2. above, not on expensive, wasteful and dangerously invasive, all controlling, bureaucracy.

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# Our situation precisely

- We measured our Norway Maples (14) and Crabapples (25) and calculated fees using City's spreadsheets:

**FEES TO BE PAID TO THE CITY** for replacement

\$0.00 Before 2020

\$51,831 Current Bylaw

\$64,956 Amended Bylaw

Amended By-law costs do **NOT** include costs for arborists, plans, reports and inspections which are impossible to estimate. Forestry dept. has free hand for demands.

- These costs are **JUST CITY FEES**. They do **NOT** include actual cost of removing and replacing the trees.

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## Benefits for the fees?

To tree owners, to carbon absorption,  
to climate change, to the tree canopy,  
to Burlington?

- **NO BENEFIT WHATSOEVER**
- Only beneficiary is the Forestry dept.'s budget.

# 5 Proposed By-law Amendment

- Profound concerns with the proposal
- A few selected items presented here...there are many more

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## PROFOUND CONCERNS

1. **Pruning**...“ANSI standards” and “Intl. Society of Arboriculture best practices” made mandatory...to the “satisfaction of the Manager”. [Part 1, 1.1 Definitions]
2. **“Dead”** definition **“no living tissue”** = no tree is dead = permits always required. [Part 1, 1.1 Definitions]
3. **City staff can** enter private property without notice, permission, warrant or court order or even probable cause. [Part 8, 8.1] & **Can require documents to be handed over** “in writing or otherwise” [Part 8, 8.2]
4. **23 references to “inspect(ions)”, 18 to arborist/arboriculture, 12 to reports, etc.** Requirements for arborists reports, plans, inspections are virtually unlimited. **Entirely at Manager’s discretion and demand.**
5. **Owners liable** for “acts of omission” and neglect....as determined by the Manager. [Part 1, 1.1 Definitions “Injure”]
6. “...inaccurate information”, “...person seeking to injure or destroy a tree”... “...security deposits...”..qualified professionals” ..” \$500 to \$5,000 per day fines.”...etc. etc. etc.

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# Keep it simple, focused on the objective

1. Let owners replace their trees as they need to ...as they have always have done.
2. Enhance the tree canopy by planting more trees which **all** taxpayers pay for equitably not just a few tree owners.
3. Focus the Forestry dept. on item 2. above, not on expensive, wasteful and dangerously invasive, all controlling bureaucracy.

((4. If there must be a remove/replace permit fee let it be modest and reasonable and the permit easy to get...e.g. 5 minutes online.))



# What are we asking for?

- 1.** The amended By-law should not be approved.
- 2.** Improve the current By-law by reducing & removing excessive fees, penalties and dangerously invasive bureaucracy and focus on enhancing the tree canopy by engaging all citizens equitably.