

BY-LAW NO. 6-75

OF THE CORPORATION OF THE TOWN OF AYLMER

Being a by-law to regulate the planting and removal of trees
on any highway within the Town limits.

WHEREAS, by authority of Subsection (4) of Section 457 of the Municipal Act, R.S.O. 1970, municipal councils are empowered to pass by-laws regulating the planting and removal of trees on any highway within the municipality:

- (1) For the purposes of this by-law, "tree" shall include a growing tree or shrub left growing on either side of a highway for the purpose of shade or ornament.
- (2) Every tree upon a highway shall be appurtenant to the land adjacent to the highway and nearest thereto.
- (3) A Committee of Council may authorize and regulate the planting, with the consent of the owner, of shade or ornamental trees within eight feet of any highway at the expense of the municipality, provided that any tree planted under the authority of this section is the property of the owner of the land in which it is planted, and the municipality is not liable for maintenance or otherwise in respect of any tree so planted.
- (4) Except with the authority of the council or a committee of council, no person shall remove, cut down or injure any tree growing upon a highway.
- (5) Any person may plant trees on a highway with approval of the council of the municipality expressed by resolution.
- (6) A Committee of Council is herein authorized to cause any tree planted upon a highway to be removed when considered necessary in the public interest, but the owner of the trees shall be given ten (10) days notice of the intention of the council to remove such tree and be recompensed for his trouble in planting and protecting it, and, if he so desires, is entitled to remove the tree himself, but is not entitled to any further or other compensation.
- (7) A Committee of Council shall supervise the planting of trees upon the highways and the trimming of trees planted upon a highway or upon private property where the branches extend over a highway, or to remove decayed or dangerous trees or trees that have a by-law of the municipality been directed to be removed. Such removal shall be proceeded by ten

(10) days' notice, to the owner, of the intention of council to remove such tree.

(8) Any by-law which contravenes this by-law, is hereby repealed.

READ A First and Second time this 24th day of February, 1975.

Mayor

Clerk

READ A Third time and finally passed this 24th day of February, 1975.

Mayor

Clerk

See By-Law 11-78
below

BY-LAW NO. 11-78

OF THE CORPORATION OF THE TOWN OF AYLMER

Being a by-law to regulate planting and removal of trees.

WHEREAS it is deemed expedient to amend By-Law No. 6-75, a by-law to regulate planting and removal of trees on any highways within the Town Limits.

THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AYLMER ENACTS AS FOLLOWS:

1. That By-Law 6-75 is hereby amended by adding the following:
 - 7 (a) Any person who injures or destroys a tree growing upon a highway, or who cuts down or removes any such tree contrary to this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.00 nor less than \$200.00, in accordance with the Municipal Act.

READ A FIRST AND SECOND TIME THS 13TH DAY OF MARCH, 1978.

MAYOR

CLERK

READ A THIRD TIME AND FINALLY PASSED THIS 13TH DAY OF MARCH, 1978.

MAYOR

CLERK