

**TOWN OF SEDGEWICK
BYLAW NO. 537/18
TOWN OF SEDGEWICK BOULEVARD BYLAW**

**A BYLAW OF THE TOWN OF SEDGEWICK, IN THE PROVINCE OF ALBERTA,
CONCERNING BOULEVARDS, BOULEVARD TREES AND MAINTENANCE THEREOF
WITHIN THE TOWN OF SEDGEWICK.**

WHEREAS Section 7 of the Municipal Government Act, being Chapter M-26, 2000 permits a municipality to provide a system for the establishment and maintenance of public lands including boulevards;

AND WHEREAS the Town deems it important to maximize public safety and aesthetic appeal of the Town's boulevards; and

NOW THEREFORE the Council of the Town of Sedgewick in the Province of Alberta, duly assembled, enacts as follows:

1. Definitions

- 1.1. "Back Alley" means the area at the rear of a property between the portion of road ordinarily travelled by vehicles and the adjacent property line.
- 1.2. "Boulevard" means the area between the curb line of the street (or in the absence of a curb, the portion of road ordinarily traveled by vehicles) and the adjacent property line, except any portion occupied by a sidewalk usually used for the purposes of utility location.
- 1.3. "CAO" means the Chief Administrative Officer of the Town of Sedgewick.
- 1.4. "Property Owner" means the owner of the property adjacent to a boulevard.
- 1.5. "Town" means the Town of Sedgewick

2. General Maintenance

- 2.1. A person shall maintain any boulevard or back alley adjacent to the property they own or occupy by:
 - i) Keeping any grass on the boulevard cut to a length of no more than 10 centimeters.
 - ii) Preventing weeds or other vegetation from growing uncontrolled;
 - iii) Removing any accumulation of fallen leaves or other debris; and
 - iv) Removing snow and ice from sidewalks and within the immediate vicinity of fire hydrants.
- 2.2. No person other than the Town or those contracted by the Town shall pave all or any portion of a boulevard or back alley unless and until a permit to do so has been issued by the Town.
- 2.3. The Town shall be responsible for the repair of boulevard sidewalks and fire hydrants.

3. Trees

- 3.1. No person shall plant a tree on a boulevard or back alley except for Town staff or those contracted by the Town.
- 3.2. Plantings located on boulevards or back alleys that have not been approved by the Town may be removed. The first option will be to allow the person/s responsible to remove the tree. If the Town is required to remove the tree, the cost of the removal will be billed to the person/s responsible for the unauthorized planting.
- 3.3. A person shall not remove, destroy or injure a tree that is planted or growing on a boulevard.
- 3.4. A person shall not prune, repair, trim or perform any work on a boulevard tree except for Town staff or those contracted by the Town.
- 3.5. Boulevard trees that are deemed dead or diseased by the Town or in the opinion of the Town warrant removal due to interfering with lines, poles, conduits, pipes, sewers or other works of the municipality shall be removed at the Town's expense.
- 3.6. It shall be at the Town's discretion whether a remaining stump should be removed.
- 3.7. Boulevard trees that are deemed by the Town to pose a safety hazard to the public or interfere with pedestrians, traffic or road signage shall be removed or pruned to the degree necessary to remove the hazard at the expense of the Town.

- 3.8. A property owner may request the removal of a tree adjacent to their property by submitting an application to the CAO. The Town shall avoid the removal of healthy trees except in extenuating circumstances. If approved, trees that are not deemed dead or diseased by the Town shall be removed at the property owner's expense.
- 3.9. A property owner may request the pruning of a tree adjacent to their property by submitting an application to the CAO. If approved, trees that are not deemed dead or diseased by the Town or do not qualify for removal based on the criteria listed in section 3.5 or 3.7 shall be pruned or trimmed at the property owner's expense.
- 3.10. Applications for tree removal or pruning that are denied may be appealed by submitting a written letter to Town Council no later than 14 days after the denial of the application is made. The decision of Council shall be final.
- 3.11. Removed trees shall be replaced with new trees when desirable at the discretion of the Town.
- 3.12. No person shall attach any sign or other device to a boulevard tree.

4. Trees Broken or Uprooted During Storms

- 4.1. Privately owned trees that are broken or uprooted during storms with the tree or portions thereof falling on a boulevard or other Town property shall be removed by the owner at their expense.
- 4.2. If the tree is not removed within five (5) days the Town may remove the tree and charge the cost to the owner.
- 4.3. Should the tree need to be removed immediately for safety reasons, the Town shall call for its immediate removal, failing which the Town will remove it and charge the cost to the owner.

5. Violations and Penalties

- 5.1 Any person who commits a breach of any of the provisions of this bylaw shall be liable to a penalty of one-hundred (\$100) for a first offence and two-hundred (\$200) for subsequent offences within a period of one (1) year.

6. Severability

- 6.1. If any term of this Bylaw is found to be invalid, illegal, or unenforceable by a court or tribunal having the jurisdiction to do so, that term is to be considered to have been severed from the rest of this bylaw, and the rest of the bylaw remains in force unaffected by that finding or by the severance of that term.

7. Enactment

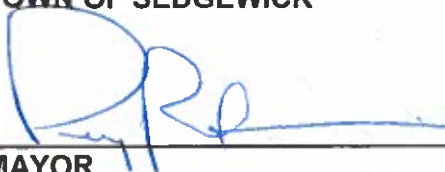
- 7.1. This Bylaw shall take effect at the date of final passing thereof.

First Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 18 day of Jan, 2018.

Second Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 15 day of Feb., 2018.

Third Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 15 day of Feb., 2018.

TOWN OF SEDGEWICK



MAYOR



CHIEF ADMINISTRATIVE OFFICER