

**THE CORPORATION**  
**OF THE**  
**TOWN OF NIAGARA-ON-THE-LAKE**  
**BY-LAW NO. 4571A-21**

A BY-LAW TO AMEND BY-LAW NO. 4571-12 TO AUTHORIZE AND REGULATE THE PLANTING, CARE, MAINTENANCE AND REMOVAL OF TREES ON THE TOWN OF NIAGARA-ON-THE-LAKE'S PROPERTY

**WHEREAS** the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 4571-12 on July 30, 2012;

**AND WHEREAS** the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5334-21 on June 21, 2021;

**AND WHEREAS** The Town of Niagara-on-the-Lake considers it desirable to have one administrative penalty system for all non-parking related offences;

**NOW THEREFORE**, the Council of the Corporation of Niagara-on-the-Lake enacts as follows:

1. That By-law No. 4571-12 be amended by adding Schedule "A" attached hereto.
2. That By-law No. 4571-12 be amended as follows:

**5. Offence and Penalty**

**5.4** Any person who contravenes this By-law may be issued an administrative penalty in accordance with the AMPS By-law 5334-21 for Non-Parking Offences in accordance with Schedule "A," attached hereto and forming part of this By-law.

3. That By-law No. 4571-12 be amended be renumbering the following:  
**5. Offence and Penalty**

**5.5** Any costs payable or associated with an order of the Court in subsection (3) are in addition to, and not in substitution for, the payment of any penalty imposed by the Court for the commission of an offence under this By-law or any other applicable legislation.

**5.6** In the event that any provision or part of this By-law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-law and all other provisions or parts thereof shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

4. That this by-law come into force and effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF AUGUST 2021**

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LORD MAYOR BETTY DISERO

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ACTING TOWN CLERK COLLEEN HUTT

Item	Column 1 - Short Form Wording	Offence	Set Fine
<b>Schedule "A" - Private Tree By-law No. 4571-12</b>			
1	Injure/destroy/cause to be injured/destroyed, a tree growing on Town property	Section 3(a)	\$500
2	Remove/cause to be removed a tree growing on Town property	Section 3(b)	\$500
3	Deface/tack/paste/attach a bill/note/any other thing or object to a tree growing on Town property, or to a stake/post/guard/other object supporting such tree	Section 3(c)	\$500
4	Hinder/obstruct/attempt to hinder/obstruct the Director in the exercise of the powers and performance of the duties under this By-law	Section 4(d)	\$500
5	Plant/cause to be planted a tree or any part of a tree on Town property without first having obtained the permission of the Director	Section 4(e)	\$250
6	Fail to comply with an order issued by the Director	Section 4(f)	\$300