



By-law 2018-115

**To amend By-law 2008-96 being a By-law to Regulate or Prohibit
the Injury or Destruction of Trees within the City of Markham.
(Tree By-Law)**

WHEREAS the Council of The Corporation of the City of Markham (hereinafter the "City") is authorized by subsection 11(1), paragraph 11(2) 5, subsections 135(1) and (7), and sections 429, 431 and 444 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, to pass by-laws to sustain and promote environmental and social benefits to the community as a whole through the preservation and planting of trees throughout the municipality, to regulate or prohibit the injury or destruction of trees, to require a permit for the removal of trees, to impose conditions on permits, collect fees and to provide for a system of fines and other enforcement orders; and,

WHEREAS the Council of the City has determined that it is desirable to enact a by-law to protect, prohibit and regulate the injury or destruction of trees and encourage the preservation and planting of trees throughout the municipality; and,

WHEREAS administrative amendments are required from time to time for enforcement purposes;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

1. That By-law 2008-96 be amended as follows:

(a) By Adding the following as Section 11 – Service Fees immediately after Section 10.0 Penalties:

"Section 11 Service Fees

11.1 The municipal service fees for the administration and enforcement of this By-law shall be in accordance with the **City's** Fees By-law and any revisions thereto.

11.2 Service fees for the administration and enforcement of this By-law may be applied when a contravention has been confirmed by a **Municipal Law Enforcement Officer.**"

(b) By Adding the following as Section 12 – Collection of Unpaid Fines immediately after Section 11.0 Service Fees:


"Section 12 Collection of Unpaid Fines

12.1 Pursuant to subsection 441.1 of the *Municipal Act, 2001*, the **Treasurer** of the **City** may add any part of a fine for a commission of a provincial offence that is in default under section 69 of the *Provincial Offences Act* to the tax roll for any property in the **City** which all of the **Owners** are responsible for."


2. That the Sections following Section 12 be renumbered accordingly.

3. That this by-law comes into force and takes effect upon its passage.
4. All other provisions of By-law 2008-96, except as herein amended or effected, which are not inconsistent with the provisions of this By-law, shall continue to apply.

Read a first, second, and third time and passed on September 12, 2018.



Kimberly Kitteringham
City Clerk



Frank Scarpitti
Mayor