



BYLAW #888
TOWN OWNED PROPERTY LANDSCAPE MANAGEMENT

A BYLAW OF THE TOWN OF STAVELY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR STREET TREE MAINTENANCE WITHIN THE TOWN.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, authorizes municipalities to pass bylaws respecting the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS the Council of the Town of Stavelly deems it necessary to regulate the maintenance of trees and woody vegetation overhanging or adjacent to streets, sidewalks, and pathways;

NOW THEREFORE, the Council of the Town of Stavelly, in the Province of Alberta, duly assembled, enacts the following:

Known as the **“TOWN OWNED PROPERTY LANDSCAPE MANAGEMENT BYLAW”**

1 DEFINITIONS

- a. **“Clearance Standards”** means required minimum distances to be maintained free of vegetation above and beside sidewalks, pathways, streets, or alleyways.
- b. **“Highway, Road, or Street”** means any land designated or used as a public roadway, including alleyways.
- c. **“Privately Owned Trees”** means trees located on private property not owned or leased by the Town of Stavelly.
- d. **“Property Line”** means the boundary line of a property as shown on a real property report.
- e. **“Sidewalk”** means a pathway developed for pedestrian access to residential, commercial, or parkland areas owned by the Town of Stavelly.
- f. **“Tree”** means any type of tree or woody vegetation including hedges and caragana.
- g. **“Trees Partially on Public Property”** means trees with trunks that straddle the property line between public and private land.
- h. **“Town”** refers to the Town of Stavelly or its incorporated corporate body.
- i. **“Woody Vegetation”** means any shrubs, bushes, or other wood-based plant material.

2 RESPONSIBILITIES

- 2.1 The Town of Stavelly is responsible for maintaining trees on Town-owned land, including portions of trees partially located on Town land and overhanging public rights-of-way.
- 2.2 The Town shall bear all costs for maintaining trees on public property and share costs for trees partially on public and private land.
- 2.3 Unauthorized pruning, removal, or modification of trees on Town land is prohibited and may result in penalties.
- 2.4 Property owners are responsible for trees located fully on private property.
- 2.5 Property owners must also maintain any privately owned trees that overhang public land.

3 PROCEDURES

- 3.1 The Town may, at its expense, prune or remove trees on public or partially public land to address the following issues:
- 3.1.1 Obstruction of street lighting; or
 - 3.1.2 Obstruction of traffic control devices; or
 - 3.1.3 Dead or partially dead trees; or
 - 3.1.4 Trees providing less than 4.57 meters (15 feet) vertical clearance over streets; or
 - 3.1.5 Trees providing less than 2.44 meters (8 feet) vertical clearance over sidewalks; or
 - 3.1.6 Trees providing less than 30.5 cm (1 foot) horizontal clearance from sidewalks/curbs; or
 - 3.1.7 Vandalized trees; or
 - 3.1.8 Trees deemed hazardous.
- 3.2 Hazard status must be confirmed by an ISA Certified Arborist or certified Town Employee.
- 3.3 The Town recommends that all tree work be performed following accepted arboricultural practices. Guidelines are provided in **Schedule C**.
- 3.4 Tree removal from Town land may only be approved by the Public Works Foreman.

4 NOTICE TO PRUNE TREES/VEGETATION

- 4.1 If a tree violates clearance standards and/or any other violation outlined in section 3, the Town will issue a **Notice to Prune Trees/Vegetation** to the registered property owner (see **Schedule A**).
- 4.2 The initial notice shall include:
- 4.2.1 Property address/legal description
 - 4.2.2 Description of non-compliance
 - 4.2.3 Required corrective actions
 - 4.2.4 Date notice was issued
 - 4.2.5 Deadline for compliance (21 days from issue date)
 - 4.2.6 Appeal instructions (see **Schedule B**)
- 4.3 If no appeal is submitted and corrective action is not taken within 21 days, a **Final Notice** will be issued with a 7-day compliance deadline.
- 4.4 If no action is taken after the Final Notice, the Town may complete the work and charge costs to the property owner's tax roll per Section 545 of the *Municipal Government Act*.

5 GRASS/YARD MAINTENANCE

- 5.1 All yards and lots shall permit adequate access, and shall be kept clean and free from rubbish, debris, undergrowth, and weeds.
- 5.1.1 The owner, lessee, tenant, or agent of the owner is required to control dandelions, noxious weeds, grass, or plants within their said property line as well as one half of the width of the lane or alley adjoining the property owned or occupied by them.
 - 5.1.2 The owner lessee, tenant, or agent of the owner is required to cut the grass and maintain all trees and plants on the boulevard adjoining the property owned or occupied by them.

6 ENFORCEMENT

- 6.1 The Town of Stavely is not obligated to enforce this bylaw. Decisions regarding enforcement will be based on available staff and financial resources.

7 SEVERABILITY

- 7.1 If any part of this bylaw is found invalid by a court, the remaining provisions shall remain in effect.
- 7.2 Offences will be outlined in **Schedule D**.
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8 BYLAW IN EFFECT

- 8.1 This Bylaw shall come into force on the third reading thereof.

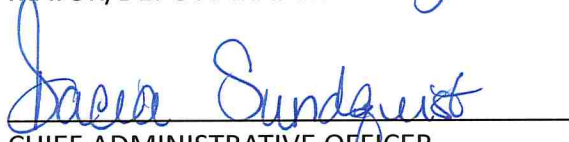
Read the first time in Council, this 9th day of June, 2025.

Read a second time in Council this 9th day of June, 2025.

Unanimous consent given to present for third reading this 9th day of June, 2025.

Read a third time in Council and finally passed this this 9th day of June, 2025.


MAYOR/DEPUTY MAYOR


CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"
TOWN OF STAVELY
BYLAW #888



NOTICE TO PRUNE TREES / VEGETATION

To: _____

Mailing Address: _____

Property Address: _____

Legal Description - Lot(s): _____ Block: _____ Plan: _____ Roll #: _____

Date of Inspection: _____ day of _____, 20_____

Following an inspection of the above property, it has been determined that tree(s) or vegetation on or adjacent to your property are interfering with pedestrian or vehicular traffic or are otherwise in violation of the Town's Landscape Maintenance Bylaw due to conditions such as:

- Dead, dying, or diseased trees
- Overhanging branches causing clearance issues
- Structural hazards or safety concerns

You are hereby ordered to:

This action must be completed by: _____ day of _____, 20_____ (**21 Days from Notice Date**) Failure to comply may result in the Town performing the necessary work under the authority of the *Municipal Government Act* (Section 545), and the cost may be added to your property tax roll.

Initial Notice Issued: _____ Date: _____

By: _____ Signature: _____

Final Notice Issued (if required): _____ Date: _____

By: _____ Signature: _____

IMPORTANT: See reverse for appeal information.

RW [Signature]

SCHEDULE "A"



**BYLAW #888
TOWN OF STAVELY**

PROCEDURE FOR REQUESTING A REVIEW OF THE ORDER

Pursuant to section 547(1) of the Municipal Government Act a person who received a written order under section 545 may by written notice request a review of the order, as per the Appeal for attached as "Schedule B" of this bylaw.

Pursuant to section 547(1)(a) of the Municipal Government Act a written request for a review much be filed within 14 days after the date that the order is received and accompanied by the fee outlined in Schedule D.

Requests for review much be received by:

Stavelly Town Council
Town of Stavelly
Box 249, 5001 50th Ave
Stavelly, Alberta T0L1Z0

SCHEDULE "B"



BYLAW #888
TOWN OF STAVELY

APPEAL NOTICE

If you wish to appeal this order, the following form must be completed and submitted with the fee outlined in **Schedule D** to Town Council within **14 days** of the date the Notice or Order was issued.

Date: _____

To: **Town Council, Town of Stavelly**
5001 50th Avenue
Box 249
Stavelly, AB
T0L 1Z0

I am appealing the Order dated: _____ regarding
the property at: _____.

Reasons for Appeal:

(Attach additional pages if necessary)

Signature: _____
Printed Name: _____
Phone (Home): _____
Phone (Work): _____
Mailing Address: _____

Note: Appeals received after the 14-day deadline will not be considered.

SCHEDULE "C"



BYLAW #888 TOWN OF STAVELY

TREE MAINTENANCE GUIDELINES

Purpose

To protect and maintain the urban tree canopy by establishing standard practices for tree care on public and private property that impacts municipal areas.

General Benefits of Trees

- Enhance property values and community aesthetics
 - Provide shade, privacy, and habitat
 - Improve air quality and reduce noise
 - Prevent erosion and moderate climate
-

Tree Pruning Standards

For Young Trees:

- Promote a strong central leader
- Remove competing or co-dominant branches early
- Use clean, sharp tools to avoid bark damage

For Mature Trees:

- Only remove dead, damaged, or weak limbs
- Use proper pruning techniques (three-cut method)
- Avoid "topping" trees; this practice is prohibited
- Maintain at least one-third of the foliage in the lower two-thirds of the canopy

Cutting Guidelines:

- Use a three-cut method for large branches
 - Cut just outside the branch collar
 - Do not use wound dressings
-

Clearance Standards

- **Over Sidewalks:** Minimum vertical clearance of 2.44 m (8 feet)
 - **Over Streets/Alleys:** Minimum vertical clearance of 4.27 m (14 feet) at curb line
 - **Side Clearance:** Minimum horizontal clearance of 30.5 cm (1 foot) from edges
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Removal of Trees

Tree removal from public lands is at the sole discretion of the Public Works Foreman. Criteria for removal may include:

- Dead, dying, or structurally hazardous trees
 - Trees that obstruct infrastructure and cannot be pruned
 - Situations requiring replanting with a more suitable species
-

Hiring an Arborist

Certified Arborists are trained to:

- Diagnose tree health
 - Prune safely and properly
 - Manage risk and hazards
- Ensure any hired Arborist is ISA-certified, insured, and experienced.
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ANSI A300 Tree Care Standards

- No more than 25% of live foliage removed in one season
- Maintain structural integrity and safety
- No spiked climbing unless tree is being removed

SCHEDULE "C"



**BYLAW #888
TOWN OF STAVELY**

FEE SCHEDULE

SECTION	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
(2) RESPONSIBILITIES	\$100	\$250	\$500
(3) NOTICE TO PRUNE	\$100	\$250	\$500
(5) GRASS/YARD MAINTENANCE	\$100	\$250	\$500

APPEAL FORM	\$650
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