

**VILLAGE OF ALLIANCE
BYLAW #2024-06
MUNICIPAL BOULEVARD BYLAW**

BEING A BYLAW OF THE VILLAGE OF ALLIANCE, IN THE PROVINCE OF ALBERTA, CONCERNING BOULEVARDS, BOULEVARD TREES AND MAINTENANCE THEREOF WITHING THE VILLAGE OF ALLIANCE.

WHEREAS Section 7 of the Municipal Government Act, being Chapter M-26, 200 permits a municipality to provide system for the establishment and maintenance of public lands including boulevards; and

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

NOW THEREFORE, the Council of the Village of Alliance, 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 adjacent 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 Village of Alliance.
- 1.4. "Property Owner" means the Owner of the property adjacent to a boulevard.
- 1.5. "Village" means the Village of Alliance.

2. General Maintenance

- 2.1. A person shall maintain any boulevard or back alley adjacent to the property they owner occupy by:
 - I. Keeping any grass on the boulevard cut to a length of no more than 10 centimeters;
 - II. Preventing weeds of other vegetation from growing uncontrolled;
 - III. Removing any accumulation of fallen leaves of other debris; and
 - IV. Removing snow and ice from sidewalks and within the immediate vicinity of fire hydrant.
- 2.2. No person other than the Village of those contracted by the Village 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 Village.
- 2.3. The Village 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 the Village staff or those contracted by the Village.
- 3.2. Plantings located on the boulevards or back alley that have not been approved by the Village 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 Village Staff or those contracted by the Village.
- 3.5. Boulevard trees that are deemed dead or diseased by the Village or in the opinion of the Village warrant removal due to interfering with the lines, poles, conduits, pipes, sewers, or other works of the municipality shall be removed at the Village's expense.
- 3.6. It shall be at the Village discretion whether a remaining stump should be removed.

- 3.7. Boulevard trees that are deemed by the Village 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 Village.
- 3.8. A property owner may request the removal of a tree adjacent to their property by submitting an application to the CAO. The Village shall avoid the removal of healthy trees except in extenuating circumstances. If approved, trees that are not deemed dead or diseased by the Village 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 Village 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. Application for tree removal or pruning that are denied may be appealed by submitting a written letter to the Village Council no later than 14 days after the denial of the application is made. The decision of the Council shall be final.
- 3.11. Removed trees shall be replaced with new trees when desirable at the discretion of the Village.
- 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 portion thereof falling on a boulevard or other Village property shall be removed by the owner at their expense.
- 4.2. If the tree is not removed within five (5) days the Village 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 Village shall call for its immediate removal, failing which the Village 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 rest of the Bylaw remains in force unaffected by the finding or by the severance of that term.

7. Enactment

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

READ a first time on this ____ day of _____ 2024.

READ a second time on this ____ day of _____ 2024.

READ a third and final time on this ____ day of _____ 2024.

Chief Elected Official

Administration