



Resort Village of Island View

BYLAW NO. 05-2026 TREE AND VEGETATION NUISANCE BYLAW

A BYLAW OF THE RESORT VILLAGE OF ISLAND VIEW IN THE PROVINCE OF SASKATCHEWAN, TO REGULATE TREES, SHRUBS, VEGETATION, AND NUISANCES AFFECTING PROPERTY LINES, PUBLIC SAFETY, AND MUNICIPAL PROPERTY

WHEREAS The Council of the Resort Village of Island View deems it desirable to regulate trees, shrubs, hedges, and vegetation that may create a nuisance, obstruct public use, interfere with neighbouring properties, or damage municipal infrastructure;

NOW THEREFORE the Council of the Resort Village of Island View enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be cited as the “Tree and Vegetation Nuisance Bylaw.”

2. PURPOSE

2.1 The purpose of this Bylaw is to:

- a. ensure trees and vegetation are maintained in a safe and reasonable manner;
- b. prevent vegetation from creating hazards or nuisances to neighbouring properties, municipal roads, sidewalks, utilities, and public lands;
- c. establish responsibilities of property owners regarding trees and vegetation near property lines; and
- d. protect municipal trees and public infrastructure.

3. DEFINITIONS

3.1 In this Bylaw:

- a. “Council” means the Council of the Resort Village of Island View.
- b. “Municipality” means the Resort Village of Island View.
- c. “nuisance” means any tree, shrub, hedge, root system, branch, or vegetation that:
 - i. obstructs or interferes with pedestrian or vehicle traffic;
 - ii. obstructs sight lines at intersections or driveways;
 - iii. damages or threatens to damage municipal infrastructure, sidewalks, roads, utilities, fences, or neighbouring property;
 - iv. extends beyond a property line in a manner that substantially interferes with the reasonable enjoyment of adjacent property;
 - v. creates an unsafe condition due to decay, instability, disease, or risk of falling;
 - vi. interferes with municipal maintenance operations; or
 - vii. creates conditions conducive to pests or fire hazards.
- d. “owner” means the registered owner, occupant, lessee, or person having care and control of property.



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- e. “tree” means any woody perennial plant capable of reaching a mature height of 4.5 metres or greater, including all roots, trunks, limbs, and branches.
- f. “municipal tree” means any tree located wholly or partially on municipal property, road allowance, easement, park, or public reserve.
- g. “property line” means the legal boundary separating privately owned parcels of land.

4. GENERAL RESPONSIBILITIES OF PROPERTY OWNERS

- 4.1 Every owner shall cause or maintain trees and vegetation on their property in a safe and non-hazardous condition.
- 4.2 No owner shall permit trees, hedges, shrubs, or vegetation to:
 - a. obstruct sidewalks, roadways, lanes, or public pathways;
 - b. interfere with traffic control devices or street lighting;
 - c. obstruct visibility at intersections or driveways;
 - d. encroach upon neighbouring property so as to create a nuisance;
 - e. damage neighbouring structures, fences, or municipal infrastructure; or
 - f. cause a nuisance to occur or remain on any property owned, occupied, leased or controlled by the owner; or
 - g. create a danger to persons or property.
- 4.3 All owners shall ensure branches overhanging public sidewalks or roadways maintain sufficient clearance for pedestrian and vehicle traffic.

5. TREES ENCROACHING OVER PROPERTY LINES

- 5.1 An owner shall not cause or permit a tree or root system originating on their property to create a nuisance on adjacent property.

6. MUNICIPAL TREES

- 6.1 No person shall remove, prune, injure, attach materials to, or otherwise interfere with a Municipal Tree without written permission from the Municipality.
- 6.2 No person shall conduct excavation, construction, landscaping, or storage of heavy equipment within six (6) metres of a Municipal Tree without municipal approval.
- 6.3 The Municipality may require protective barriers or other tree protection measures during nearby construction activities.

7. INSPECTIONS AND ORDERS

- 7.1 After making reasonable efforts to notify an owner, a Bylaw Enforcement Officer or designated municipal official may enter property at reasonable times for the purpose of inspection and enforcement of this Bylaw in accordance with section 362 of *The Municipalities Act*.



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7.2 No person shall obstruct a Bylaw Enforcement Officer, designated municipal official or any other person who is authorised to conduct an inspection from carrying out such an inspection.

7.3 Where an officer determines that a nuisance exists, the Municipality may issue a written Order requiring the owner to remedy the contravention and/or nuisance conditions.

7.4 An Order given under this Bylaw shall specify:

- a. the nature of the violation;
- b. the corrective action required; and
- c. the time within which compliance must occur.

7.5 Orders given under this Bylaw shall be served in accordance with section 390 of *The Municipalities Act*.

7.6 An owner, who is affected by an Order made pursuant to this Bylaw, may appeal that Order in accordance with section 365 of *The Municipalities Act*.

8. MUNICIPAL REMEDIAL ACTION

8.1 In accordance with section 366 of *The Municipalities Act*, where an owner fails to comply with an Order, given under this Bylaw, the Municipality may enter the property effected by that Order and remedy the contravention noted in that Order

8.2 Any costs incurred by the Municipality to remedy the contraventions set out in the Order may be added to the property taxes in accordance with section 369 of *The Municipalities Act*.

9. OFFENCES AND PENALTIES

9.1 Any person who contravenes any provision of this Bylaw is guilty of an offence.

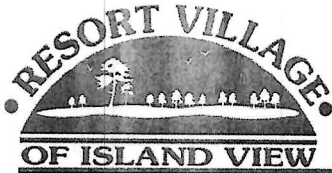
9.2 A person guilty of an offence under this Bylaw is liable upon summary conviction to:

- a. a fine of not less than \$100 and not more than \$10,000 for individuals; and
- b. a fine of not less than \$500 and not more than \$25,000 for corporations.

9.3 Each day that a violation continues constitutes a separate offence.

10. EMERGENCY CONDITIONS

10.1 Where a tree or vegetation presents an immediate danger to public safety, the Municipality may take whatever actions or measures are necessary to eliminate the emergency without prior notice to the owner.



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11. SEVERABILITY

11.1 If any section or provision of this Bylaw is declared invalid, the remainder of the Bylaw shall remain in force.

12. EFFECTIVE DATE

12.1 This Bylaw shall come into force and take effect on the date of final passing.

Read a first time this 30 day of May, 2026.

Read a second time this 22 day of August, 2026.

Read a third time and passed this 22 day of August, 2026.

[SEAL]

Mayor

Chief Administrative Officer

Certified to be a true copy of
Bylaw No. 05-2026 adopted by the
Council of the Resort Village of Island View
on the 22 day of August, 2026.

[SEAL]

Chief Administrative Officer

