

THE CORPORATION OF
THE COUNTY OF OXFORD

WOODLANDS CONSERVATION BY-LAW NO.: _____

To prohibit or regulate the harvesting, destruction or injuring
of trees in woodlands in the
County of Oxford

WHEREAS s.135(2) of the *Municipal Act, 2001*, R.S.O. 2001, c.25 as amended, (hereinafter referred to as "the Act") permits the enactment of a by-law by the Council of the Corporation of the County of Oxford (hereinafter referred to as "the County") to prohibit or regulate the harvest, injury or destruction of trees in woodlands;

AND WHEREAS s.135(7) of the Act provides that a by-law enacted in accordance with s.135(2) of the Act may require that a permit be obtained to harvest, injure or destroy trees and that a municipality may impose conditions on a permit, including conditions relating to the manner in which harvesting, injuring or destroying occurs and the qualification of persons authorized for this purpose;

AND WHEREAS Council has determined that it is desirable to enact such a by-law for purposes including, but not limited to, the following:

- achieving the goals and objectives of the County Official Plan with respect to sustaining the community's environmental and natural heritage resources;
- conserving and improving woodlands through Good Forestry Practices;
- protecting, promoting and enhancing the value of woodlands for social, economic and environmental value; and
- enhancing biodiversity and forest resilience to assist the community in adapting to climate change, and other environmental threats to forest health.

NOW THEREFORE the Council of the Corporation of the County of Oxford HEREBY ENACTS as follows:

1. DEFINITIONS

In this by-law:

- 1.1 "Acceptable Growing Stock (AGS)" means *trees* suitable for retention in the stand for at least 1 cutting cycle, comprising *trees* of commercial species and of such form and quality as to be saleable as sawlog products at some future date.
- 1.2 "Basal area" means the area of the cross-section of the stem of a *tree* taken at a point of measurement 1.37 metres (4.5 ft.) above the point on the *tree* where the ground meets the stump in an undisturbed state at the base of the *tree*.
- 1.3 "Building Permit" means a building permit issued under the Building Code Act 1992, R.S.O. c.23, as amended.
- 1.4 "Business day" means any day falling on or between Monday and Friday of each week but does not include New Year's Day; Family Day; Good Friday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving; Remembrance Day; Christmas Day or Boxing Day.

- 1.5 "By-Law Officer" means an individual or individuals appointed by *Council* for the administration and enforcement of this By-Law.
- 1.6 "Certified Tree Marker" means an individual who has full certification in good standing for marking under the Ontario Ministry of Natural Resources and Forestry (MNR) Certified Tree Marker program or similar program approved by the MNR, has maintained proper accreditation, and has demonstrated experience to mark according to *Good Forestry Practice* within Oxford County.
- 1.7 "Committee" means the Woodlands Conservation By-law Appeal Committee as designated by a By-Law of the Corporation of the County of Oxford.
- 1.8 "Coppice growth" means where more than one *tree* stem grows from a single *tree* stump.
- 1.9 "Cord" means a pile of fuelwood measuring not more than 1.21 m (3.96 ft) x 1.21 m x 2.43 m (7.97 ft.)
- 1.10 "Council" means the Council of the Corporation of the County of Oxford.
- 1.11 "County Clerk" means the County Clerk of the Corporation of the County of Oxford.
- 1.12 "Destroy" means any action which causes or results in the irreversible *injury* or death of a *tree*.
- 1.13 "Diameter" means the diameter of the stem of a *tree* measured outside the bark at a specified point of measurement.
- 1.14 "Drip Line" means an imaginary line running directly beneath the outermost branches of the *trees* forming the perimeter of the *woodlands*.
- 1.15 "Diameter Breast Height (DBH)" means the diameter of the stem of a *tree* measured at a point that is 1.37 metres (4.5 ft.) above the highest point of the ground in an undisturbed state at the base of the stem or trunk of the *tree*.
- 1.16 "Good Forestry Practices" means the proper implementation of *harvest*, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which they are being applied and that minimize detriments to forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health, and the aesthetics and recreational opportunities of the landscape and also includes, but is not limited to, the forestry management practices set out in the Provincial Silvicultural Guidelines as referred to in the Forest Operation and Silviculture Manual, as revised, prepared under the authority of the Crown Forest Sustainability Act, R.S.O. 1994, c.25. These Provincial Silvicultural Guidelines include, but are not limited to: A Silvicultural Guide to Managing Southern Ontario Forests, Silvicultural Guide for the Tolerant Hardwood Forest in Ontario, A Tree Marking Guide for the Tolerant Hardwood Working Group in Ontario, A Silvicultural Guide for the Great Lakes-St. Lawrence Conifer Forest in Ontario, Ontario Tree Marking Guide.
- 1.17 "Harvest" means the *injury* or *destruction* of a *tree* through cutting or other mechanized means, which results in the irreversible *injury* or death of a *tree* by design and further, includes any work, efforts or attempt to move or gather such *trees* having been cut or otherwise *destroyed*.

- 1.18 "Injure" or "Injury" means any action that causes physical, biological or chemical damage to a *tree* including any lasting damage to a *tree* which has the effect of inhibiting or terminating its growth but does not include pruning branches for maintenance purposes.
- 1.19 "Log" means a portion of a *tree* of a prescribed species reduced to a size suitable for loading on a vehicle for transport to a processing mill for the production of lumber or other products.
- 1.20 "Logger" means an individual or company or similar group who cuts *trees* for purchase, sale or other profit, on behalf of the landowner.
- 1.21 "Local Municipality" means each of the municipalities of Blandford-Blenheim, East Zorra-Tavistock, Norwich, South-West Oxford, Zorra, Ingersoll, Tillsonburg and Woodstock.
- 1.22 "Owner" means a *person* having any right, title, interest or equity in land.
- 1.23 "Own Use" means a use by the *Owner* that does not include a sale, exchange or other disposition of *trees harvested, injured or destroyed*.
- 1.24 "Permit" means a written authorization issued pursuant to this By-law by the *By-law Officer* as provided in Schedule "H".
- 1.25 "Person" means any individual, corporation, partnership, association, firm, trust, or other entity and includes anyone acting on behalf or under the authority of such entity.
- 1.26 "Plantation" means a wooded area where *trees* have been planted or seeded in a pre-determined pattern or rows and are *harvested* for commercial purposes in-keeping with the original purpose of planting.
- 1.27 "Plot" means a specific area set out for the purpose of measuring the number of *trees* within *woodlands*.
- 1.28 "Point of Measurement" means that point on the *tree* trunk measured above the highest point of the ground in an undisturbed state at the base of the stem or trunk of the *tree* where the ground meets the stump. For *coppice growth*, "point of measurement" means that point on the *tree* trunk where the *tree* stems separate, provided that such point of separation is less than 1.27 metres (50 inches) from where the ground meets the base of the *tree*.
- 1.29 "Pruning" means the removal of a *tree* branch or branches from a *tree* by cutting at the point outside the branch collar, but does not include the removal of more than one third of the *tree's* leaf bearing crown.
- 1.30 "Qualified OPFA Member" means a Registered Professional Forester or Associate Member of the Ontario Professional Foresters Association as defined by the Professional Foresters Act 2000, S.O. 2000, c.18, as amended, to practice professional forestry, unless a suspension, term, condition or limitation of certification applies which would restrict the Member from carrying out responsibilities under this By-law.
- 1.31 "Silviculture" means the art, science, theory and practice of controlling forest establishment, composition, growth and quality of forests to achieve forest management objectives.
- 1.32 "Silvicultural Prescription" means the site specific and operational plan prepared by a *Qualified OPFA Member* that describes the existing *woodlands* conditions and

woodlands management objectives for an area and which prescribes the methods for *harvesting* the existing *woodlands* stand and a series of silvicultural treatments that will be carried out to establish a free-growing stand in a manner that accommodates other resource values as identified.

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- 1.33 "Tree" means any species of woody perennial plant, including its root system, which has reached or can reach a height of at least 4.5 meters (14.8 ft.) at physiological maturity.
- 1.34 "Unacceptable Growing Stock (UGS)" means *trees* that have a high risk of dying, and are expected to decline over the next cutting cycle, including *trees* of poor form and/or low quality.
- 1.35 "Watercourse" means a natural or man-made waterway containing flowing water for at least a portion of the year.
- 1.36 "Woodlands" means land at least one hectare in area with at least:
- (i) 1000 *trees* of any size, per hectare; or
 - (ii) 750 *trees* measuring over five (5) centimetres (2 in.) in diameter at *DBH*, per hectare; or
 - (iii) 500 *trees* measuring over twelve (12) centimetres (5 in.) in diameter at *DBH*, per hectare; or
 - (iv) 250 *trees* measuring over twenty (20) centimetres (8 in.) in diameter at *DBH*, per hectare.

Woodlands do not include a cultivated fruit or nut orchard, a Christmas *tree plantation* or a registered *tree nursery*.

For the purpose of this definition of *woodlands*, all measurements of a *tree* will generally be taken at 1.37 metres (4.5 feet) from the ground, however, where a *tree* cannot be measured at 1.37 metres (4.5 feet) at *DBH*, the *tree* will be measured or tallied at the *tree's* highest point. The boundary of *woodlands* shall be defined by the ecological limit of the *woodlands* and not by the property boundary; this includes the drip line of the outermost *trees*. Where a potential *woodland* is dissected by a road or path not wider than 30 metres (98 feet) or by a natural feature such as a creek, the boundary of the *woodland* shall be deemed to cross the road, path or natural feature, but the area of the *woodland* shall be calculated exclusive of the area of the road, path or natural feature.

Notwithstanding the foregoing, where a *Local Municipality* has approved a By-law to prohibit or regulate the *harvesting, injuring or destruction* of *trees* in *woodlands* within the *Local Municipality*, *woodlands* shall mean land that is identified as *woodlands* in accordance with the definition(s) contained in the local municipal By-law.

Alternatively, where a *Local Municipality* has approved a By-law to delegate authority respecting the prohibition or regulation of the *harvesting, injuring or destruction* of *trees* to the County of Oxford, *woodlands* shall mean land that is identified as *woodlands* in accordance with the definition(s) contained in the delegation By-law.

2. GENERAL PROHIBITION

Except as provided in this By-law, no *person*, through their own actions or through the actions of any other *person*, shall *harvest, injure or destroy*, or cause or permit to be *harvested, injured or destroyed*, any *tree* located in *woodlands*.

3. EXCEPTION

Notwithstanding Section 2, a *person* may *harvest, injure or destroy trees* located in *woodlands*, subject to obtaining a *Good Forestry Practices Permit*, as follows:

- (i) Every *person* who intends to *harvest, injure* or *destroy trees* pursuant to this By-law shall complete and submit to the *By-law Officer* or a designate, an application for a *Good Forestry Practices Permit* in the form prescribed in Schedule “B” to this By-law containing all of the information required by the application form, not less than 20 business days and not more than one (1) year prior to the start of the *harvest, injury* or *destruction of trees*, together with the following:
- a) a copy of the *silvicultural prescription* prepared by a *Qualified OPFA Member*, to the satisfaction of the *By-law Officer*;
 - b) the prescribed fee as set out in Schedule “A”.
- (ii) A *Good Forestry Practices Permit* issued in accordance with the terms and requirements of this By-law shall be subject to the following terms and conditions:
- a) the *harvesting, injury* or *destruction of trees* shall be in accordance with *Good Forestry Practices* and as described in a *silvicultural prescription* prepared by a *Qualified OPFA Member*.
 - b) the *owner* or applicant shall post a Notice of Tree Harvest prior to *harvesting, injuring* or *destroying trees* and such posting shall be located on the subject property in a manner that is clearly visible and legible from a public highway or other place to which the public has access. The Notice of Tree Harvest shall be in the format prescribed in Schedule “1” to this By-law.
 - c) the *owner* or applicant shall notify the *By-law Officer* during regular business hours, not less than 24 hours prior to *harvesting, injuring* or *destroying trees* and again upon resumption of activities after any two (2) week period of inactivity.
- (iii) The issuance of any *Good Forestry Practices Permit* may be for such time and subject to such terms and conditions as the *By-law Officer* considers advisable and as are set out in the *permit*.
- (iv) A *silvicultural prescription* as required by this By-law shall incorporate *good forestry practices* and demonstrate that:
- a) the *harvest, injuring* or *destruction of trees* will not reduce the number of *trees* per hectare below the minimum number of *trees* per hectare required to be considered a *woodland*;
 - b) the *harvest, injuring* or *destruction of trees* does not reduce the *basal area* in that part of the *woodlands* where *trees* which measure 25 cm (10 in) or more at *DBH* have been *injured* or *destroyed* below 15 m²/ha (161 ft²/acre).

Notwithstanding subsection 3(v)b), a *Good Forestry Practices Permit* may be issued provided that the *By-law Officer* is satisfied that the *harvesting of trees* is consistent with *good forestry practices*.

- (v) The *trees* to be *harvested, injured* or *destroyed* have been clearly marked above *DBH* on opposite sides of the *tree*. The mark shall be at least 8 cm (4 in) in diameter for hardwood sawlogs/poles and a slash 20 cm (8 in) long for fuelwood/logs. A similar mark shall be placed at the base of the *tree* below the saw line and extending to the ground. All *trees* shall be marked facing the same direction unless the terrain requires a change in direction, in which case the marking will proceed consistently with the terrain. For conifer plantation row thinning only, the first and last *tree* in the row as well as an occasional *tree* shall be marked.
- (vi) The *person* who is *harvesting, injuring* or *destroying trees* has complied with all of the requirements of this By-law and is in good standing with the County of Oxford.

- (vii) Where *trees* are marked for *harvest, injury or destruction* in accordance with this By-law, no *person* shall fail to *harvest or destroy* any *tree* so marked unless to do so would breach the provisions of the Health and Safety Act, R.S.O. 1990 c.0.1
- (vii) a *person* shall not:
- a) *harvest, injure or destroy* a *tree* that has not been marked;
 - b) leave a *harvested tree* suspended in another *tree*;
 - c) *harvest, injure or destroy* any *tree* unnecessarily that is to remain standing after the *harvest, injuring or destroying of trees* is completed;
 - d) operate a vehicle, equipment or machinery or conduct their operations in such a manner or at such a time that results in excessive damage to the soil, wetlands, natural areas or other portions of the *woodlands*;
 - e) operate a vehicle, equipment or machinery or conduct their operations in such a manner or at such a time, that results in the leaving of any part of a *tree* in a *watercourse* including any *trees* that have not been cut, but have been pushed, knocked over or otherwise come to rest in a *watercourse*;
 - f) leave a *tree* top, which can safely be trimmed and is not scheduled for fuelwood processing, higher than 1.5 metres (4.92 ft.) from the ground to the highest branch;
 - g) *harvest, injure or destroy* a *tree*, which shall result in any part thereof crossing a property boundary, without the written permission of the adjoining property *owner*;
 - h) *harvest, injure or destroy* a *tree*, which is on the property boundary, without the written permission of the adjoining property *owner*.

4. **EXEMPTIONS**

This By-law does not apply to any mandatory exemption as set out in the Municipal Act, as amended from time to time. Mandatory exemptions contained in the Municipal Act are listed in Appendix A to this By-law. Appendix A may be modified to reflect changes to the Municipal Act, as amended from time to time, without amendment to this By-law.

In addition to any exemption as set out in the Municipal Act, this By-law shall not apply to:

- (i) the *harvest, injuring or destruction of trees* required to erect any building, structure or thing in respect of which a *building permit* has been issued and has taken into consideration the protection of *trees* surrounding the structure or work within the building envelope, provided that no *tree* is *harvested, injured or destroyed* that is more than 15 metres (49.2 feet) from the outer edge of the building, structure or thing;
- (ii) the *harvest, injuring or destruction of trees* that is reasonably required to install and provide utilities and/or, a single lane driveway for vehicular access, for the construction or use of a building, structure or thing in respect of which a *building permit* has been issued.
- (iii) the *harvest, injury or destruction of trees* by the *owner* of a *woodland* for the *owner's own use* which results in the production of less than 20 logs or 20 cords of fuelwood per *woodland* per calendar year, provided that such activity does not reduce the number of *trees* per hectare below the minimum number of *trees* per hectare required to be considered a *woodland*, does not reduce the overall area of the *woodland* and that the activity is consistent with *good forestry practices*.

- (iv) the *harvest, injury or destruction of trees* where said *trees* are *harvested, injured or destroyed* pursuant to a legally binding contract, provided that:
 - a) the *owner* of the *woodland* has given notice in accordance with this By-law; and
 - b) a contract was signed between the *owner* and contractor immediately preceding the date on which this By-law came into force and effect; and
 - c) proof of the signed contract, and a down payment made to the *owner*, to the satisfaction of the *By-law Officer*; and
 - d) the *trees* subject to the contract are *harvested, injured or destroyed* in a manner consistent with this By-law within two (2) years of the enactment of this By-law.

5. **MINOR EXEMPTION PERMIT**

- (i) Notwithstanding Section 3, the *By-law Officer* may issue a Minor Exemption Permit.
- (ii) Every *person* who intends to obtain a Minor Exemption Permit shall complete and submit to the *By-law Officer* or designate, an application in the form prescribed in Schedule "C" to this By-law containing all of the information required by the application form, not less than 30 business days and not more than one (1) year prior to the start of any *harvest, injury or destruction of trees*, together with the prescribed fee as set out in Schedule "A".
- (iii) The *By-law Officer* may issue a Minor Exemption Permit where, in the opinion of the *By-law Officer*:
 - a) the *harvest, injury or destruction of trees* along the immediate perimeter of a productive agricultural field is desirable where said *trees* are impeding existing agricultural operations, including interference with private tile drainage works, and where said *harvest, injury or destruction of trees* does not occur more than 1.8 m (6 ft) from the normal cultivated area of trees that are 50 mm (2 inches) or less in diameter at DBH;
 - b) the *harvest, injury or destruction of trees* within *woodlands* is necessary with regard to the installation, maintenance or repair of any open or closed private drainage works provided that where the said work includes the installation of drainage tile or the replacement of existing drainage tile, the said tile shall be constructed of a non-perforated pipe within or immediately adjacent to *woodlands*;
 - c) the *trees* to be *harvested, injured or destroyed* are not located within a *woodland*, or portion thereof, that is identified as part of the Natural Heritage System in the County of Oxford Official Plan, or are not within 30 m (98.4 ft) of an open watercourse; or
 - d) the *pruning* and/or trimming of *trees* along the edge of *woodlands* or a fence row is necessary to provide passage of agricultural equipment, provided that the extent that the said *pruning* and/or trimming is limited to that reasonably necessary to permit the passage of equipment.
- (iv) The *By-law Officer* may impose such conditions to the *permit* that relate to the manner in which *harvesting, injuring or destroying trees* is to occur that are, in the opinion of the *By-law Officer*, reasonable and appropriate.
- (v) The *By-law Officer* shall notify the *owner* and/or applicant in writing regarding the approval or denial of any application for a Minor Exemption Permit.
- (vi) A Minor Exemption Permit is valid for up to 365 days from the date of issuance by the *By-law Officer*.

6. COMMITTEE EXEMPTION

- (i) Notwithstanding any provision contained in this By-law, a *person* may request an exemption from this By-law from the *Committee*. Every *person* who intends to obtain a *Committee* Exemption shall complete and submit to the *By-law Officer* or designate, an application in the form prescribed in Schedule "D" to this By-law containing all of the information required by the application form not less than 60 days and not more than one (1) year prior to the start of any *harvest, injury or destruction of trees*, together with the prescribed fee as set out in Schedule "A".
- (ii) Public Notice of *Committee* Exemption shall be circulated by regular mail not less than 20 days prior to the *Committee* meeting at which the application will be considered, to the *owner*, the applicant and/or the applicant's authorized agent and to all assessed *owners* of land that abut the lands subject to the application. The Public Notice of *Committee* Exemption shall contain information as prescribed in Schedule "E".
- (iii) The *owner* or applicant shall post a Public Notice of *Committee* Exemption Request not less than 20 days prior to the *Committee* meeting at which the application will be considered and such posting shall be located on the subject property in a manner that is clearly visible and legible from a public highway or other place to which the public has access. The Public Notice of *Committee* Exemption Request shall be in the format prescribed in Schedule "E".
- (iv) The application for *Committee* Exemption shall be circulated to those agencies that, in the opinion of the *Committee*, the *By-law Officer* or designate, may have an interest in the application, for the purpose of obtaining comments regarding the application.
- (v) In consideration of a request for a *Committee* Exemption, the *Committee* may:
 - a) grant the exemption request;
 - b) grant the exemption request with modifications; or
 - c) refuse the exemption request.
- (vi) When evaluating a request for *Committee* Exemption, the *Committee* shall consider whether the *harvest, injuring or destruction of trees* proposed by the application:
 - a) is appropriate for the development or use of the land; and
 - b) maintains the intent and purpose of the By-law.
- (vii) *Committee* may impose terms and conditions to the *Committee* Exemption that are reasonable and desirable for the appropriate development or use of the land on which the said exemption is granted.
- (i) *Committee* shall hear any *person* choosing to speak with respect to the request for *Committee* Exemption prior to making a decision regarding the said request and may consider other such matters as the *Committee* deems advisable.
- (viii) The *owner* or applicant shall be notified in writing with respect to the *Committee's* decision regarding the approval or denial of any application for a *Committee* Exemption.

7. ORDER TO DISCONTINUE ACTIVITY

- (i) Where the *By-Law Officer* or designate is satisfied that a contravention of this By-Law

has occurred, the *By-Law Officer*, or designate, may issue an Order to Discontinue Activity requiring the *person* who contravened the By-Law or who caused or permitted the *harvest, injuring or destruction of trees* in contravention of the By-Law, to stop and discontinue the *harvest, injuring or destruction of trees*. The Order to Discontinue Activity as set out in Schedule "F", shall include the following:

- a) the municipal address and/or the legal description of the land;
- b) reasonable particulars of the contravention;
- c) the date of inspection; and
- d) the date by which compliance with the Order must be achieved.

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8. SERVICE OF AN ORDER

- (i) An Order issued under this By-law shall be served on the *owner* of the property and such other *persons* affected by the Order, as determined by the *By-law Officer* or designate, and a copy of the Order shall be posted on the property.
- (ii) An Order issued under this By-law may be served personally or by registered mail sent to the last known address of:
 - a) the *owner* or the *woodlands*; and/or
 - b) the *person* or *persons* identified as having *harvested, injured* or *destroyed trees*.
- (iii) Where an Order is served by registered mail, service shall be deemed to have been made on the fifth day after the day of mailing.
- (iv) Where an Order cannot be served in accordance with Section 8(i), (ii) or (iii), the *By-law Officer*, or designate, shall place a placard containing the terms of the Order in a conspicuous place on the affected property and the placing of the placard shall be deemed to be sufficient service of the Order on the *person* or *persons* to whom the Order is directed.

9. ENFORCEMENT

- (i) This By-Law shall be enforced by a *By-law Officer* appointed by *Council*.
- (ii) A *By-Law Officer* may, at any reasonable time, enter and inspect any land to determine whether this By-Law, an Order or a condition of a *permit* is being complied with.
- (iii) A *By-law Officer* exercising a power may be accompanied by a *person* or *persons* under the *By-law Officer's* direction.
- (iv) No *person* shall hinder or obstruct a *By-law Officer* or attempt to hinder or obstruct a *By-law Officer* who is performing a duty in accordance with this By-law.
- (v) Any *person* who provides false information to a *By-law Officer* shall be deemed to have hindered or obstructed the *By-law Officer* in the discharge of their duties.

10. PENALTY

- (i) Any *person* who contravenes any provision of this By-Law, or an Order issued under this By-law, is guilty of an offence and is liable:
 - a) on first conviction, to a fine of not more than \$10,000.00 or \$1,000 per *tree injured* or *destroyed*, whichever is the greater; and
 - b) on any subsequent conviction, to a fine of not more than \$25,000.00 or \$2,500 per *tree injured* or *destroyed*, whichever is greater.
- (ii) Notwithstanding subsection 10(i)a) and (i)b) above, where a *person* convicted is a corporation, partnership, association, firm, trust or other entity or anyone acting on behalf of, or under the authority of such entity:
 - a) the maximum fine in subsection 10(i)a) is \$50,000 or \$5,000 per *tree injured* or *destroyed*, whichever is greater; and

- b) the maximum fine in subsection 10(i)b) is \$100,000 or \$10,000 per *tree injured or destroyed*, whichever is greater.
- (iii) If a *person* is convicted of an offence for contravening this By-Law or an Order issued under this By-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may order the *person* to rehabilitate the land or to plant or replant *trees* in such a manner and within such period as the court considers appropriate, including any silvicultural treatment necessary to re-establish the *trees*.

11. ADMINISTRATION

- (i) Schedules “A” to “I”, inclusive, form part of this By-Law.
- (ii) If any Section or Sections of this By-law or parts thereof are found by any Court of competent jurisdiction to be illegal or beyond the power of the *Council* to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of this By-Law shall be deemed to be separate and independent therefrom and continue in full force and effect unless and until similarly found illegal.
- (iii) For the purposes of this By-law, words used in the singular number include the plural and words used in the plural include the singular and words which refer to the masculine shall include the feminine, and visa versa, where applicable.
- (iv) For the purposes of this By-law, words in italicized text are defined in Section 1. Such defined words will not be italicized where the context in which the word is used does not correspond to the definition contained herein.
- (v) The short title of this By-Law is the "Woodlands Conservation By-law".
- (vi) Woodlands Conservation By-Law No. 4489-2004, as amended, of the County of Oxford shall be repealed effective on the coming into force and effect of this By-law.
- (vii) Notwithstanding subsection (vi) of this Section, By-Law No. 4489-2004, as amended, of the County of Oxford shall continue to apply to applications filed, *permits* issued and/or proceedings in respect of offences that occurred before its repeal, proof of which has been provided satisfactory to a *By-law Officer*.
- (viii) Measurements are given in both metric and imperial units in this By-law. For the purposes of this By-Law, the metric unit shall govern.

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