

**CITY OF KELOWNA
BYLAW NO. 9117**

**A bylaw to amend City of Kelowna Nuisance Trees and
Shrubs Bylaw No. 6469-89.**

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, hereby enacts as follows:

1. THAT City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469-89 be amended by:
 - (a) Deleting the definition of "Nuisance" from section 1 of the bylaw and replacing it with the following:

"Nuisance" shall mean any part of a tree, shrub, hedge or bush that:

 - (i) extends over a highway at a height lower than 5 metres;
 - (ii) is a hazard;
 - (iii) adversely affects the safety or convenience of the public; or
 - (iv) is injurious to any highway road bed, sidewalk, utility or other public work.
 - (a) Adding the following definition in the appropriate location in section 1 of the bylaw:

"Hazard" shall mean any standing dead tree that is closer than its height to a property line, or or any tree that is closer than its height to a property line and has been assessed by a certified arborist to be a hazard. For certainty, any standing burned tree with no apparent live growth shall be considered a standing dead tree.
2. This bylaw shall come into full force and effect and be binding on all persons as from the date of adoption.

Read a first, second and third time by the Municipal Council this 1st day of December, 2003.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk