

POLICY MANUAL

Title: LANDSCAPE SECURITY POLICY	Policy No: 6.28 Supersedes:
Authority: <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Operational Approval: <input checked="" type="checkbox"/> Council <input type="checkbox"/> CMT <input type="checkbox"/> General Manager	Effective Date: January 27, 2010
	Review Date: February 2011
<p>Policy Statement:</p> <p>That with respect to landscape securities, be it resolved that the policy take effect when approved by Council.</p> <ol style="list-style-type: none"> 1. For any application involving the taking of landscape securities, the applicant shall provide security in the amount of 100% of the landscape cost estimate prior to issuance of the permit. 2. The landscape cost estimate must be provided by a Landscape Architect or Coordinating Professional. Where the landscaping is specifically related to watercourse enhancement and restoration works, a Landscape Architect and/or an Environmental Consultant is required. 3. The following standards for landscaping are imposed: <ul style="list-style-type: none"> • All landscaping works and planting materials shall be provided in accordance with the landscape plan and specifications; • All planting material provided shall be able to survive for a period of one (1) year from the date of the City receiving the L-3 Inspection Report from the Landscape Architect, Coordinating Professional or Environmental Consultant. 4. As a condition of issuance of any permit, the City of Maple Ridge will hold the security set out below to ensure satisfactory provision of landscaping in accordance with the terms of the permit and any plans attached. <ul style="list-style-type: none"> • The applicant shall complete the landscaping works required by the permit prior to occupancy permit being issued by the Manager of Inspections or by his/her designate; • A condition of the posting of the security is that should the applicant fail to carry out the works as outlined in the permit, the City of Maple Ridge may use the security to complete these works by its servants, agents or contractors, and any surplus shall be paid to the Applicant; 	

- If the applicant fails to carry out the works as outlined in the permit, the City of Maple Ridge also has the option of continuing to hold the security until the required landscaping is completed or has the option of drawing on the security and using the funds to complete the required landscaping;
 - If the City of Maple Ridge draws on the security the City or its agents have the irrevocable right to enter onto the property to undertake the required landscaping for which the security was submitted.
5. Should the applicant carry out the landscaping works permitted by the permit, the security shall be returned to the applicant, provided that the sum of 10% of the original landscape security stated in Clause 1 above may be withheld by the City of Maple Ridge for an additional year from the date of occupancy permit being issued for the final phase of the development. At year end and upon re-inspection and written proof from the Landscape Architect and/or Coordinating Profession, if the City deems the landscaping to be completed, the 10% hold back will be released. Should the applicant fail to remedy any aspect of the landscaping not in accordance with the approved plans or specifications, the City may deduct the cost of remedying the defect from the said security and recoup additional costs from the applicant if necessary.
 6. The landscaping security shall only be returned to the party that submitted the security unless a written notice of assignment has been received by the Finance Department of the City of Maple Ridge.
 7. Acceptable landscape securities are as follows:
 - A irrevocable standby Letter of Credit provided that:
 - the document includes an automatic renewal clause; and
 - the document is issued by a Canadian Financial Institution.
 - Term Deposits provide that:
 - they are registered by a Financial Institution without qualification in the name of the City of Maple Ridge;
 - interest is payable by the granting institution directly to the applicant;
 - the document is issued by a Canadian Financial Institution.

Purpose:

To establish a formal policy regarding the receiving and return of landscape securities for the various permits listed under Part 14 – “Planning and Land Use Management”, Division 7 – “Permits and Fees” of the *Local Government Act*. The authority to require landscape securities is specifically referenced in Section 502 – “Requirement for Security” of the Act.

Definitions:

"Automatic renewal clause" must state that: "It is a condition of the Irrevocable Standby Letter of Credit that it shall be deemed to be automatically extended without amendment for a further one (1) year period from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, the issuer notifies the City of Maple Ridge in writing by registered mail that it does not elect to consider this Irrevocable Standby Letter of Credit to be renewable for any additional period."

"Canadian Financial Institution" - Those which are named in the Municipal Investment Policy for the investment of municipal funds.

Key Areas of Responsibility***Action to Take***

- Landscape Plan received and reviewed
- Landscape Cost Estimate provided
- Final Landscape Plan and Cost Estimate reviewed
- Landscape Security received prior to permit issuance
- Security forwarded to Finance Department
- L-3 Schedule received after landscaping is completed
- Release of 90% of security when work is completed as required (staff inspection may occur) and 10% of security retained
- Project placed on one year maintenance period
- Submission of re-inspection letter from Coordinating Professional assuring landscaping has survived a one year maintenance period and all deficiencies are corrected.
- Memo to Finance Department to release the remaining 10% security

Responsibility

Planning Department File Manager