

**DOGWOOD, RHODODENDRON AND TRILLIUM
PROTECTION ACT
[RSBC 1996] CHAPTER 100**

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Definitions

1 In this Act:

"dogwood" means the shrub or tree, *Cornus nuttallii*, commonly known as western flowering dogwood;

"owner" includes a lessee and a person holding land under pre-emption record from the government or under agreement to purchase;

"public work" means any work or act authorized to be constructed or undertaken by or under any Act of British Columbia;

"rhododendron" means the evergreen shrub, *Rhododendron macrophyllum*, known as rhododendron;

"trillium" means the plant, *Trillium ovatum*, commonly known as western trillium or wake robin.

Prohibition

2 A person must not pick, cut down, dig or pull up, or knowingly injure or destroy, whether in blossom or not, a dogwood, rhododendron or trillium on land of a private owner, without the prior consent of the private owner, or on land belonging to the government or to a municipality.

Exception

3 Section 2 does not apply to

(a) free miners, land surveyors, timber cruisers, foresters and lumber workers engaged in the lawful carrying out of their respective occupations, or

(b) persons engaged in the lawful carrying out of a public work.

Limitation of action

4 An information for an offence against this Act must be laid within 30 days from the happening of the offence.

Onus of proof

5 In a prosecution under this Act in respect of dogwood, rhododendron or trillium on land of a private owner, the onus of proof is on the defendant to show that the consent mentioned in section 2 was obtained.

Offence and penalty

6 (1) A person who contravenes this Act commits an offence.

(2) A person who commits an offence under subsection (1) is liable on conviction to a fine of not more than \$25.

(3) Subject to subsection (4), and despite any law to the contrary, all fines imposed under this Act must be paid into the consolidated revenue fund.

(4) A court imposing a fine under this Act may direct that 1/2 of it be paid to the person on whose information the fine is recovered.