

## INFORMATION FOR THE APPLICATION OF A PRIVATE TIMBER MARK IN THE CHILLIWACK FOREST DISTRICT

### Submit completed applications to:

FrontCounter B.C. – South Coast Service Centre  
Suite 200 – 10428 153<sup>rd</sup> St  
Surrey, B.C. V3R 1E1

Phone: 604-586-4400

Fax: 604-586-4434

Toll free: 1-877-855-3222

E-Mail: [AuthorizingAgency.Surrey@gov.bc.ca](mailto:AuthorizingAgency.Surrey@gov.bc.ca)

1. The “Application for Private Timber Mark” must be completed and signed by **all REGISTERED OWNER(S)** of the property from which timber is to be harvested.
2. THE TIMBER MARK IS TO BE USED EXCLUSIVELY ON THE TRACT OF LAND DESCRIBED IN THE LEGAL DESCRIPTION.
3. FULL NAMES of all parties appearing on the State of Title Certificate for the property that the timber is to be harvested from must be listed on the “Application” and each individual must sign the “Application”.
4. **To avoid any unnecessary delays in processing, please ensure that all information requested on the application is supplied.** Should you encounter any problems in the completion of the “Application”, please call FrontCounter BC for clarification before submitting the application.
5. E-Mail, Fax or Mail your completed “Application” to the address or fax indicated above. PLEASE ALLOW 21 DAYS FOR PROCESSING.

### UNAUTHORIZED CUTTING OF CROWN TIMBER - TRESPASS

Timber (trees, whether standing, fallen, living, dead, limbed, bucked or peeled) on Crown land is the property of the Crown and requires Ministry of Forests authorization under the *FOREST ACT* before it can be cut or removed. Cutting timber without authorization is illegal and, therefore, is subject to timber trespass charges under the Section 71 of the *FOREST AND RANGE PRACTICES ACT* and may be further punishable under the Criminal Code.

**DOCUMENTS FOR TIMBER MARKING DO NOT CONSTITUTE AUTHORITY TO CUT TIMBER. IT IS THE RESPONSIBILITY OF THE HOLDER TO LOCATE ALL LEGAL BOUNDARIES AND TO ENSURE CUTTING IS CONFINED WITHIN THOSE BOUNDARIES. BY ACCEPTING A TIMBER MARK THE HOLDER AGREES TO BE RESPONSIBLE FOR ALL WOOD BEARING THAT MARK.**

### DESIGNATION OF PLACE OF SCALING

Timber may not be removed from the property unless a scaling site(s) has been designated, and timber may be transported only to scaling sites which have been designated for the timber mark. **The Scale site designation may be obtained by completing the Mark Site Designation Application (FS1307) and forwarding it to the Chilliwack Forest District Office (Fax: 604 702-5711, E-Mail: [Forests.ChilliwackDistrictOffice@gov.bc.ca](mailto:Forests.ChilliwackDistrictOffice@gov.bc.ca), Mail: 46360 Airport Road, Chilliwack, B.C.V2P 1A5).** This includes designations to sites outside the Chilliwack Forest District.

**It is an offence to transport unscaled timber to any location other than a scale site to which it has been designated.**

### SCALING

ALL TIMBER REMOVED FROM PRIVATE LAND MUST BE SCALED IN ACCORDANCE WITH PART 6 OF THE *FOREST ACT*. NOT TO DO SO IS AN OFFENCE, AND WOULD ALSO RENDER THE TIMBER SUBJECT TO FORFEITURE.

### TIMBER MARKING

BEFORE TIMBER IS REMOVED FROM THE PROPERTY IT MUST BE MARKED IN THE PRESCRIBED MANNER WITH THE TIMBER MARK REGISTERED TO THE PROPERTY.

- Where logs are transported by truck, the timber mark must be hammer-indented on at least 2 log ends at the front end and 2 log ends at the back end of the load. The timber mark must also be painted on each side of the load.
- Where the total volume to be removed from the property does not exceed 300m<sup>3</sup>, crayon may be substituted for hammer-indentation.
- If timber is to be watered before scaling please contact the district scaling office.
- When transporting blocks on a pallet, a minimum of 4 marked blocks on each corner of the 2 sides of each pallet is required. Crayon marking is permitted for blocks.
- Timber which is not marked in the prescribed manner is subject to forfeiture, and the holder of the timber mark is subject to prosecution for an offence.

### FOREST FIRE HAZARD REQUIREMENTS

Section 7 of the *WILDFIRE ACT* requires the disposal of logging slash on any logged area where it has been determined that a fire hazard exists. If a fire hazard has not been removed as required, Section 7 of the *WILDFIRE ACT* authorizes a designated forest official to instruct the owner of the land or persons creating the slash to abate the hazard by burning or other means; if this is not done, a penalty may be assessed.

Where slash is to be disposed of by burning, a Burning Permit is required before the removal of the fire hazard. Please call 1-888-797-1717 for a burning permit.

## TO ALL APPLICANTS WHO ARE APPLYING FOR A REGISTERED TIMBER MARK

If you are applying for a Timber Mark with the Front Counter BC, please note the following. For transporting timber, you require a Timber Mark Certificate. This Mark is valid for 5 years.

### **All Timber Mark Applications require the following:**

1. **Full legal name(s), current mailing address(es), BC Driver's License number (or birth certificate number), birthdate(s) and signature(s) of all land owner(s);** or person, who is signing on behalf of a company. No abbreviations please.
2. Only the **owner(s) of the land in fee simple, registered owner(s) of timber and an agreement of purchase** can apply.

If the property is in two or more names, it is necessary for all land owners to complete, sign, and date the application forms. The first individual listed on the application form will then become the Primary Mark Holder. If land owner(s) are unavailable to sign the application, a legal power of attorney or notarized letter of authorization from the applicant(s) must be included. This letter should accompany the application, or it can be e-mailed, mailed, or faxed to your local forest office.

3. A photocopy of your **State of Title Certificate or Form A** is required. You can request a copy of your state of title certificate from the Land Title office.
4. A copy of the **survey plan (map)** which shows the location of your property boundaries and corner posts in relation to other known geographical features. This map can be obtained from the Land Title office.

**A Timber Mark application can take up to 21 working days to process and be issued.**

**Incomplete and incorrect applications will be returned.**

## FS 361 - APPLICATION FOR PRIVATE TIMBER MARK INSTRUCTIONS

### Introduction:

In June 2003, Section 85 of the Forest Act was amended such that the following persons can now apply for a Timber Mark Certificate on private land:

- (1) the owner of timber on private land under a charge registered in the land title office against the private land
- (2) the persons who according to the records of the land title office is the beneficial owner of private land as (a) the registered owner of the land, or (b) the holder of an agreement to purchase the private land

Accordingly the (FS361) Application Form for Private Timber Mark was updated to reflect those changes. The following Explanatory Notes are provided for the attached sample form:

1. Section 1 is similar to the previous application form where the applicant is asked to select one box indicating whether it the application is in respect to a New application, Amendment to an existing Timber Mark Certificate or a Renewal of an existing Timber Mark Certificate.
2. Section 2 is carried over from the previous application form and is self-explanatory.
3. Section 3 is a new section, with explanatory notes included in the form. Only one box may be selected.
4. Section 4 is similar to the previous application form requesting a full legal description of the Private Property to which the Timber Mark Certificate will apply. This may be obtained from the Land Titles Office or British Columbia Assessment Notice. The Land District name, Geographic Location name, PID/LTO number(s) are also found on the land title and/or British Columbia Assessment Notice. An estimate only is required for hectares being logged and number of truckloads that will be removed from the private property.
5. This section is carried from the previous application form which requires the applicant(s) name, mailing address, telephone and/or FAX the applicant may be reached date of the application and signature(s). Note: If there is more than one registered owner, the information above is required for all registered owners. For a registered company, the registration number is required.
6. The applicant(s) are required to designate the place of scale (if known).

**The Timber Mark Application must be be faxed or mailed to your local Front Counter BC office. For further information, please contact your local Front Counter BC office.**

# FS 361 - APPLICATION FOR PRIVATE TIMBER MARK

CERTIFICATE #

NEW APPLICATION       AMENDMENT       RENEWAL

If the private property is adjacent to Crown land, the application must be accompanied by a legal survey plan of the property. The *Forest and Range Practices Act*, Section 53(1) states "Before an owner or occupier of private land that is adjacent to Crown land authorizes another person to cut or remove timber from the private land, the owner or occupier must inform that other person of the boundaries of the private land, and Section 53(2) states "Before a person cuts or removes timber from private land adjacent to Crown land, the person must ascertain the boundaries of the private land".."

The private land described in this application adjoins Crown land       YES       NO       SURVEY ATTACHED

**The application must be accompanied by proof of ownership in the form of: State of Title Certificate, Assessment Notice, Property Tax Notice or Free Hold Transfer (Form "A").**

A. REGISTERED OWNER(S) OF TIMBER       B. OWNER(S) OF THE LAND IN FEE SIMPLE       C. AGREEMENT TO PURCHASE (LTO)

A. All persons who are owners of the timber under a charge registered in the Land Title Office against the private land to which the timber mark application applies, must sign this application. [If the property is registered in a Corporate name, it must be signed by a person with signing authority]

B. All registered owners in fee simple of the land to which the timber mark application applies, must sign the application.

C. All persons who according to the records of the Land Title Office are the beneficial owners of the private land as the holders of an agreement to purchase the private land must be listed in the application and must sign this application.

**FULL LEGAL DESCRIPTION OF PROPERTY**

**GEOGRAPHIC LOCATION OF PROPERTY**

Parcel Identifier Numbers / LTO

HECTARES  
BEING  
LOGGED

EST.  
LOADS /  
TREES

**REGISTERED OWNER (for additional owners - see over or next page)**

LAST NAME	FIRST	MIDDLE	DRIVER'S LICENCE
MAILING ADDRESS			DATE OF BIRTH
			OTHER IDENTIFICATION (or Corp No.)
POSTAL CODE	BUSINESS PHONE	HOME PHONE	FAX NO.
CLIENT NO. (Office Use)			

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath, and by virtue of the Canada Evidence Act.      **SIGNATURE OF APPLICANT** \_\_\_\_\_

Use the reverse if more space is required for additional registered owner information

Timber covered under this timber mark will be scaled at the following sawmill or place of scale. (if known)

Name of sawmill or scale site	No. of loads	Location

**FOR OFFICE USE ONLY**      CASCADES:       WEST COAST       EAST / INTERIOR

The collection, use and disclosure of personal information is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*. The personal information and data requested on this form is collected for the purpose of evaluating requests for private timber marks and creating a relationship between the Ministry and clients and will be used to monitor the movement of timber and for law enforcement purposes in accordance with Section 84 of the *Forest Act*.

For details, contact the Registrar of Timber Marks, Resource Tenures and Engineering Branch, Suite 250-1675 Douglas Street, Victoria, BC V8W 2G5 Telephone (250) 387-8327. Please mail or fax to your local Forest District Office

# FS 361 - APPLICATION FOR PRIVATE TIMBER MARK

## ADDITIONAL REGISTERED OWNER

LAST NAME		FIRST		MIDDLE		DRIVER'S LICENCE	
MAILING ADDRESS						DATE OF BIRTH	
						OTHER IDENTIFICATION (or Corp No.)	
POSTAL CODE		BUSINESS PHONE		HOME PHONE		FAX NO.	
						CLIENT NO. (Office Use)	

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath, and by virtue of the Canada Evidence Act.      **SIGNATURE OF APPLICANT** \_\_\_\_\_

## ADDITIONAL REGISTERED OWNER

LAST NAME		FIRST		MIDDLE		DRIVER'S LICENCE	
MAILING ADDRESS						DATE OF BIRTH	
						OTHER IDENTIFICATION (or Corp No.)	
POSTAL CODE		BUSINESS PHONE		HOME PHONE		FAX NO.	
						CLIENT NO. (Office Use)	

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath, and by virtue of the Canada Evidence Act.      **SIGNATURE OF APPLICANT** \_\_\_\_\_

## ADDITIONAL REGISTERED OWNER

LAST NAME		FIRST		MIDDLE		DRIVER'S LICENCE	
MAILING ADDRESS						DATE OF BIRTH	
						OTHER IDENTIFICATION (or Corp No.)	
POSTAL CODE		BUSINESS PHONE		HOME PHONE		FAX NO.	
						CLIENT NO. (Office Use)	

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath, and by virtue of the Canada Evidence Act.      **SIGNATURE OF APPLICANT** \_\_\_\_\_

## ADDITIONAL REGISTERED OWNER

LAST NAME		FIRST		MIDDLE		DRIVER'S LICENCE	
MAILING ADDRESS						DATE OF BIRTH	
						OTHER IDENTIFICATION (or Corp No.)	
POSTAL CODE		BUSINESS PHONE		HOME PHONE		FAX NO.	
						CLIENT NO. (Office Use)	

I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under Oath, and by virtue of the Canada Evidence Act.      **SIGNATURE OF APPLICANT** \_\_\_\_\_