



## THE CORPORATION OF THE TOWNSHIP OF TAY COUNCIL POLICIES MANUAL

<b>SUBJECT: Level of Service Tree and Brush Removal</b>	<b>EFFECTIVE DATE: August 26, 2015</b>
<b>REVISION DATE: July 22, 2020</b>	<b>PAGE: 1 of 2</b>

### **TREE & BRUSH REMOVAL**

#### **Objective:**

This policy is issued for the purpose of:

1. Establishing guidelines for removal of trees or brush on municipally-owned land abutting private property; and,
2. Establishing guidelines for removal of debris from healthy Township trees that have fallen on to abutting private property.

#### **Policy:**

##### **Part 1 – Standing Dead and Hazard Trees**

If the ownership of the tree is difficult to establish, the Township may require that the property owner submits a written request for tree removal to the Works Superintendent with a copy of the legal survey of the subject property; and/or, each property owner must identify and mark each property bar, where the request for tree removal is located. This will allow determination of responsibility for the tree.

Upon receipt of the request the Operational Services Department will inspect the tree in question to determine if the request is legitimate.

The Operational Services Department upon inspection will determine whether the tree is live, green and producing leaves etc. and whether or not to be deemed a safety hazard.

If the Township of Tay recognizes that a tree is a safety hazard, the tree will be removed as follows:

- a) If the tree is deemed to be on Township property, the Township will bear the cost.
- b) Where the Operational Services Department determines the tree is to be removed and the tree is on the property line, then the Township and adjacent property owner will share the expense proportionally. The cost is proportioned based on the portion of the tree trunk on Township property.
- c) The property owner's share of the cost of the tree to be removed must be submitted to the Township prior to the tree's removal.



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No property owner who requests the removal of a hazardous tree will be given approval to remove the tree if deemed to be on the property line. The work shall be managed by the Township.

The Operational Services Department will make arrangements to remove the tree using a certified person who has the required qualifications and insurance to satisfy the Township of Tay.

The Township of Tay will not remove trees on Township properties, roadways or easements, where the request is made by a property owner who intends to install a driveway or building or any other project that the property owner undertakes for their benefit.

Where the property owner makes a request as outlined in the above paragraph, the Operational Services Department will inspect the property prior to granting approval. If approval is granted the property owner must bear the cost of removal and submit the estimated cost to the Township of Tay prior to commencing the work. The property owner shall hire a qualified person for the tree removal.

### Part 2 – Fallen Trees

**Healthy trees** occasionally fall due to wind or other natural causes. When such a tree is growing on Township land and falls, in whole or in part, on private land abutting the Township land, the Township does not have legal responsibility to address the fallen tree. When a tree falls on to private property resulting in damage (fence, building, vehicles, other trees of value, etc.) the Township shall advise the property owner to report the loss to their insurance provider.

Otherwise, for **healthy trees** not causing damage the Township shall remove the tree from private property. It is recognized that this is not an urgent task, particularly if in the context of a major storm or tornado.

In the case of **dead or hazard** Township trees falling on to private property, provided that the owner did not suffer any property damage the Township shall remove such trees from the private lands. In the event of property damage, each party shall immediately advise their respective insurance providers who in turn will provide the required direction.