

## Town of Rutland Policy on Tree Removal

Where the Road Patrolmen believe a tree, dead or alive, is threatening the road and/or traffic on the road, the Patrolmen should notify the Board. The Board will give approval to proceed with removal of the tree at Town expense after the property owner has been notified. This applies to trees located in the road right of way. If the tree is beyond the right of way, the Town Board will attempt to get the approval of the property owner before proceeding with the removal.

Where the Road Patrolmen believe a tree, dead or alive, is threatening private property, but not threatening the Town Road, the Town will leave removal to the discretion of the property owner. The Town will not participate in the removal in this case, regardless of whether the tree is in the right of way or on private property.

Where the Road Patrolmen believe a tree is threatening both private property and the Town Road, the Town will offer to split the cost equitably between the Town and the affected property owner(s). Equitably means to split the estimated cost evenly, unless the risk is very one-sided, in which case the cost will be split according to the risk. That is, if the tree is leaning over a Town road, but has only minimal limbs which might affect the private property, the Town Board may offer to pay more than half the cost. If the tree is leaning toward the private property, but has limbs which could impact the road, the Town will offer to pay the cost of removing the threatening limbs and leave the rest of the removal to the private property owner. This applies to trees regardless of whether they are in the right of way or just on the private property.

In cases where costs are shared, the Town may include labor and equipment costs in its part of the cost.

In cases where costs are shared, the Town will contract for the work and will bill the property owner for the property owner's share. If the property owner's share is not paid in a timely manner, it may be placed on the property tax bill as a special charge and/or submitted to the State debt collection program at the Board's discretion.

The Town will not remove stumps. If a property owner wishes to have stumps removed, they will be responsible for the expense, as well as contacting diggers hotline before proceeding with the work.

Written policy adopted by the Rutland Town Board at the regular monthly Board meeting on November 6, 2014.