

Town of Rutland Policy on Tree Removal *and Tree Trimming*

Oak Wilt Management

Whereas the Town of Rutland Board recognizes that Oak Wilt is spread more readily from tree to tree during the spring and summer months than during other times of the year, the Board hereby declares its intention to help control the spread of this disease by regulating work on these tree species during this sensitive period.

The Town instructs its employees and contractors that no removal, pruning or maintenance of any Oak Tree shall be conducted annually between the dates of March 1 to November 1 without written permission from the Board.

- ***The Board may grant an exemption in cases where pruning or removal is necessary to abate an imminent and immediate hazard or in cases of storm damaged trees.***
- ***The Board may grant an exemption for public utilities; however, such an exemption shall be stipulated within the work permit issued by the Town to the utility.***
- ***In the case of any exemption, all possible precautions shall be exercised in order to limit the infection of these trees, including the application of a sterile wound dressing/paint to pruning wounds created during this time. Such wound dressing should be applied immediately at the time pruning occurs.***

The width of the Town road Right of Way by Wisconsin Law (WI Stat 82.18) is presumed to be 66 feet or 33 feet on either side of the center line (when no government acquisition records exist).

It is the hope of the Town Board that residents in the Town of Rutland will be mindful of how easily Oak Wilt can spread and kill trees as they manage their own oaks.

The Town of Rutland Road Patrolmen shall notify the Town of Rutland Board when they believe a tree within the road right-of-way, whether dead or alive, is threatening the road and/or traffic on the road. The Board will give approval to proceed with removal of the tree at Town expense after the property owner has been notified. 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 at the Town's expense.

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 the Town road, but has only minimal limbs that 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 that 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 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 Boards 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. This policy has been updated and approved at the regular monthly Board on January 23, 2024.