



## **Trees on Municipal Property Maintenance Policy**

**Policy Manual Section:** Municipal Services - Public Works

**Policy Number:** M-PW-005

**Authority:** 697/21

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**Department Responsible:** Public Works

**Revision Date:** N/A

**Review Date:** November 2023

**Status:** Active

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### **Purpose:**

The purpose of this policy is to provide clear and consistent tree management and maintenance guidelines. The policy focuses on the conservation, maintenance, planting and removal (when necessary, under certain circumstances) of trees on Town owned property.

The Town recognizes that the trees within the municipality are an important environmental resource. This policy is designed to help the Town balance its responsibility to preserve and enhance the municipal treescape, while at the same time providing a basis for tree maintenance, planting and removal where necessary.

### **Policy Statement:**

The Trees on Municipal Property Maintenance Policy authorizes the removal or trimming of trees along road allowances and alleys and on all other Town owned property.

### **Scope:**

The policy applies to all trees on Town owned property within the Town of LaSalle.

### **Policy:**

#### **Part 1: Lands on or adjacent to a public highway assumed for public use**

##### **1. Authority**



The Town will exercise its authority to deal with trees on or adjacent to lands assumed for public use as a public highway in accordance with the legislation. In all instances the health and safety of the public will be the Town's primary concern.

Tree removal will be authorized by the Director of Public Works (or his/her designate).

Removal of any tree should only be considered as a last resort after other options are exhausted.

The authority for the inspection and removal of decayed, damaged or dangerous trees or branches of trees is authorized by Section 62 of the *Municipal Act*, 2001.

### **Entry on land, tree trimming**

**62. (1)** A municipality may, at any reasonable time, enter upon land lying along any of its highways,

- (a) to inspect trees and conduct tests on trees; and
- (b) to remove decayed, damaged or dangerous trees or branches of trees if, in the opinion of the municipality, the trees or branches pose a danger to the health or safety of any person using the highway. 2001, c.25, s. 62 (1)

### **Immediate danger**

**(2)** An employee or agent of the municipality may remove a decayed, damaged or dangerous tree or branch of a tree immediately and without notice to the owner of the land upon which the tree is located if, in the opinion of the employee or agent, the tree or branch poses an immediate danger to the health or safety of any person using the highway. 2001, c. 25, s. 62 (2); 2006, c. 32, Sched. A, s. 26

## **2. Tree Trimming and Removal**

Trees on or adjacent to lands assumed for public use as a public highway may be trimmed or removed at the Town's expense if:

- a. The tree branches are obstructing the visibility of an intersection, road sign, signal or streetlight or any portion of the highway;
- b. The tree branches are interfering with traffic, pedestrians or maintenance equipment;
- c. The tree appears to have unhealthy sections;



- d. The tree or any portion of the tree poses a danger to the health and safety of any person using the Town owned property;
- e. The tree is causing damage to public properties such as damage caused by roots to underground services, driveway approaches and sidewalks. Note: loss of scenic views, excess shade, or leaf/needle/seed/sap or any other tree litter/debris is not considered to be damage.);
- f. The tree is preventing the installation or repair of municipal or public utilities; or
- g. A tree species not preferred in its current location may be removed by the Town at its own expense.

### **3. Tree Replacement**

Where possible or appropriate, any tree removed from public property can be replaced at the discretion of the Director of Public Works, or (his/her Designate). Replacement of trees that are removed will be of a species as determined and at the sole expense of the Town.

## **Part 2: All Other Town Owned Lands**

### **1. Authority**

The Town will exercise its authority to deal with trees on all lands other than lands on or adjacent to those lands assumed for public use as a public highway in accordance with this section. In all instances the health and safety of the public will be the Town's primary concern.

The Town has the authority to assess the trees on Town owned land from time to time.

Tree removal will be authorized by the Director of Public Works (or his/her designate).

Removal of any tree should only be considered as a last resort after other options are exhausted.

### **2. Tree Trimming and Removal**

Trees on all lands other than those lands assumed for public use as a public highway may be trimmed or removed at the Town's expense if:

- a. The tree branches are interfering with access to municipal services;
- b. The tree appears to have unhealthy sections;



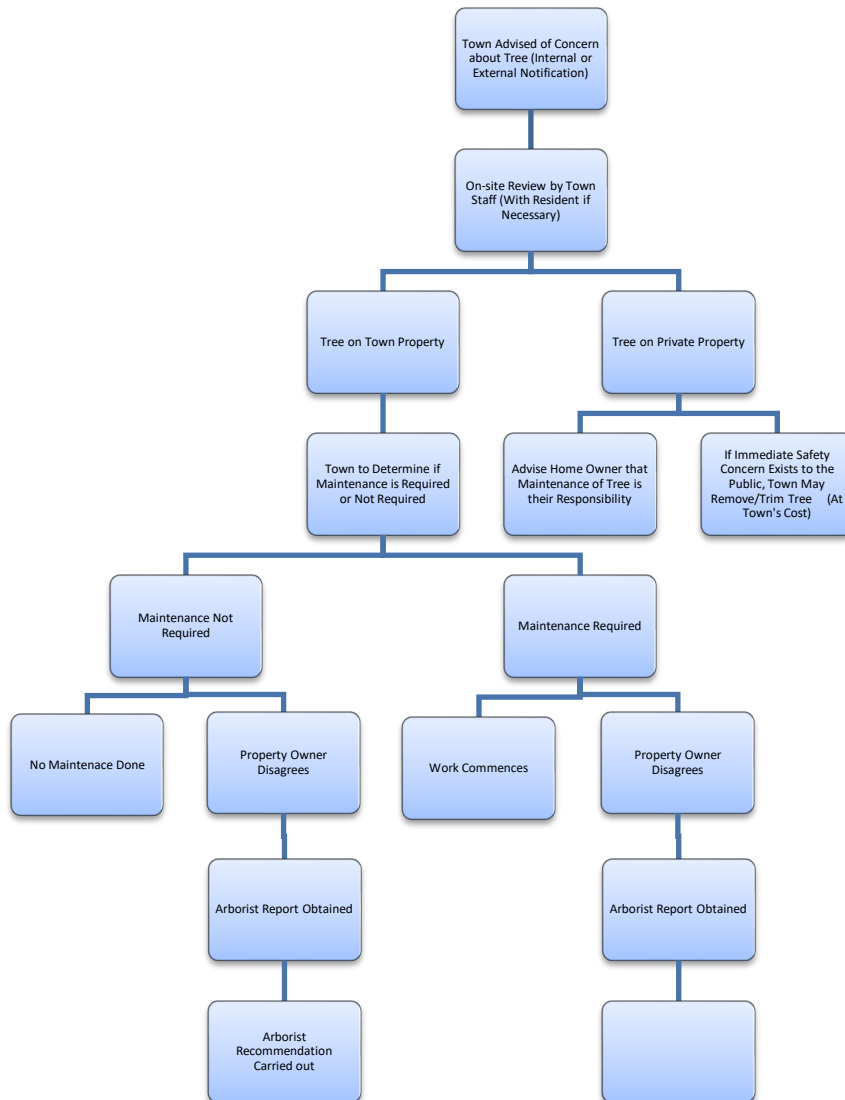
- c. The tree or any portion of the tree poses a danger to the health and safety of any person using the Towns property;
- d. The tree is causing damage to public properties. Note: loss of scenic views, excess shade, or leaf/needle/seed/sap or any other tree litter/debris is not considered to be damage; or
- e. A tree species is not preferred in its current location.



**Part 3:**

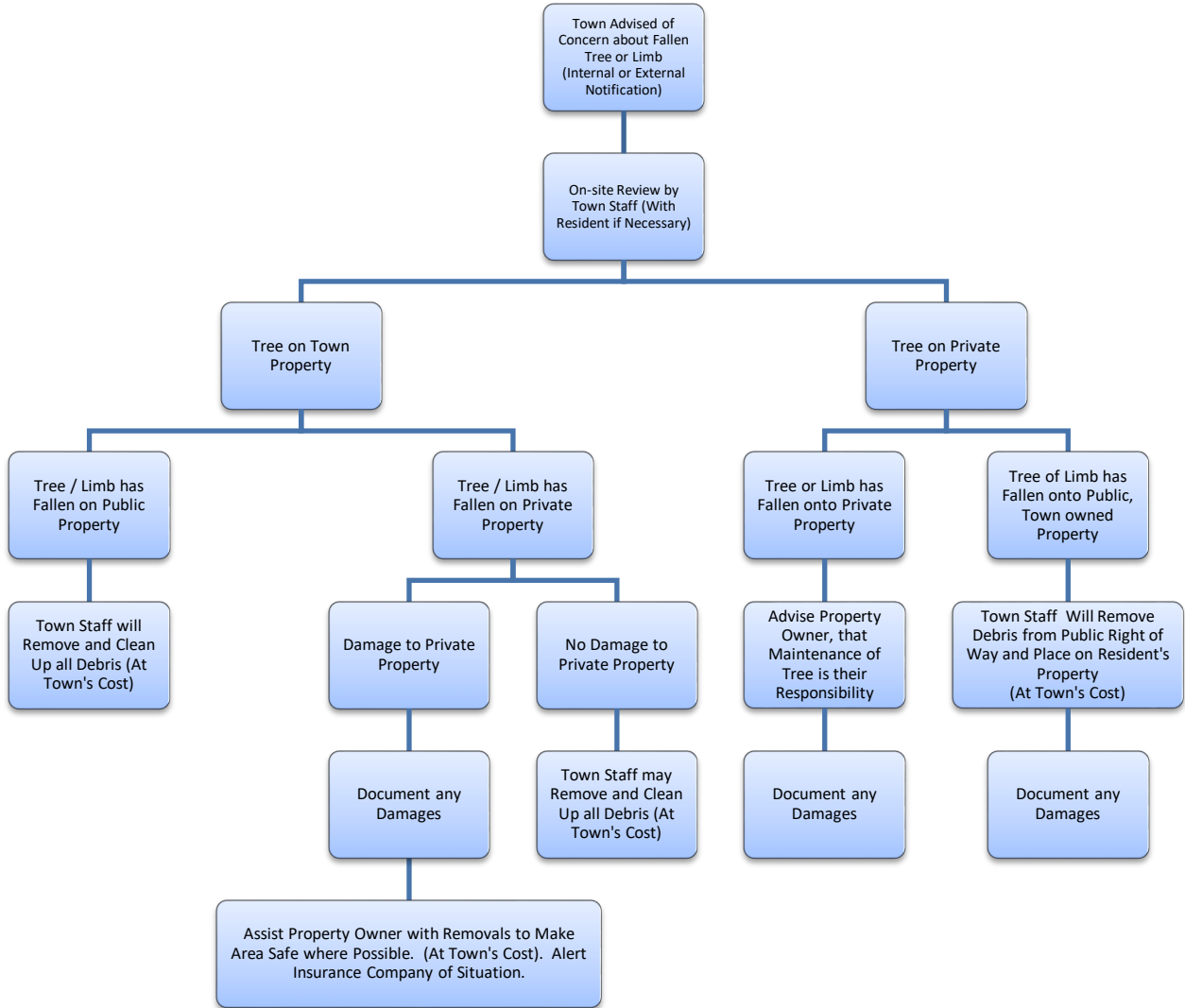
**Tree Maintenance Response Process**

**i. Investigate Tree for Trimming or Removal**





**ii) Investigate Tree or Large Limb that Has Fallen**





**Part 4:**

**Determining if a Tree is on Public or Private Property**

In all cases it is important to determine ownership of any tree in question for maintenance purposes.

For the purposes of this policy, if the trunk of a tree is found to be completely on private property, the owner of said property is responsible for said tree.

If any part of the trunk of a tree, at ground level, is located on property owned by the Town of LaSalle, the Town is responsible for said tree.

The determination of the actual lot line is best done using property bars to locate property lines. If these are not available, the use of InfoLaSalle GIS information can be used to approximate a lot line. If necessary, a Land Surveyor may be used to determine lot lines. This service would be at the expense of the Town.

**Responsibilities:**

The Director of Public Works, along with the Manager of Roads and Parks, Manager of Water and Waste Water, Manager of Engineering and Manager of Facilities, as well as department Supervisors and Staff are responsible for following this policy.

**References and Related Documents:**

None

**Attachments:**

None