

Municipality of South Bruce

Tree Maintenance Policy By-law # 2018-60 “Schedule A”	
Department: Roads	Prepared by: NG/AW
Management Review: AW	Council Approval:

Purpose:

The standing sub-committee called the “Municipal Tree Committee” shall act as an advisory body implementing this policy.

This policy shall identify the process for removal, trimming, replacement, disposal, payment, and contraventions of the terms identified.

1. Procedure

- (a) **Inspection** – All trees requiring removal or trimming in an urban setting shall be inspected by the Municipal Tree Committee prior to the commencement of any work. Trees within a rural setting will be inspected by the Manager of Operations or his/her delegate. This inspection shall generally include the location of the limit of the right of way to ensure that the tree is within the road allowance. A representative from the Ministry of Natural Resources or a private consultant/arborist may be requested to provide recommendations as to the action required. The final decision regarding the extent of the work to be completed shall be made by the Manager of Operations or his/her delegate.
- (b) **Cutting/Trimming/Stumping** - Whenever trees are cut or trimmed on the municipal road allowance, whether for municipal or private purposes, the work shall be completed by competent persons, qualified and experienced in tree cutting operations. During road construction or road maintenance activities, stumps that have been dug out may be buried within the road allowance or buried on property adjacent to the road allowance with the written consent of the landowner. Burial of stumps shall be in accordance with the M.O.E. regulations. When grinding stumps, a stump shall be considered removed when it has been ground to six inches below ground level so that it can be covered with a layer of topsoil which is sufficient to support vegetation.

2. Notification to property owners:

Where it is determined that a tree is or could affect residents and visitors of the municipality, notification shall be given to property owners prior to trees being cut down or trimmed on their property or on the road allowance adjacent to their property. Where possible, notification shall be written and verbal. In all areas,

trees will be marked with an “X” when they will be cut down or a “dot” when they will be trimmed.

If any resident has an objection to the removal of a tree on municipal property that cannot be resolved by way of discussion with the Manager of Operations the resident must submit their objection in writing for evaluation by the Municipal Tree Committee and if a decision cannot be reached by the Municipal Tree Committee it will go to Council for a final decision.

Anyone wishing tree removal or maintenance for any reason must submit a written request, Appendix “B”, with an explanation, to the Municipal Tree Committee for their decision upon which Municipal Council receives meeting minutes with a recommendation from the Municipal Tree Committee.

3. Tree Removal

In order to prolong the safe life of trees, the municipality will coordinate whenever possible the pruning of dead and dying branches in trees on municipal property.

Trees may be removed from the road allowance and/or private property when;

- They interfere with construction or maintenance operations by the municipality, utilities or private developers, but only when no other reasonable alternative can be found.
- They seriously obstruct the vision of pedestrians or drivers or otherwise present an undue hazard to the traveling public.
- They are considered dangerous; that is when the trunk or any large branch is decayed, hollow or split to the point of being structurally unsound. Trees will be removed when the amount of dead or damaged wood makes it impractical to trim them. Trees may be removed when roots have been cut such that it is felt they will not safely support the tree.
- They are infected with a disease, insect or pest which cannot be controlled, eradicated or cured such that if they are left standing they would constitute a threat or hazard to other trees and public safety.
- They can be clearly defined as having continually caused obstruction problems with underground services. Example; water, sewer, telephone, cable.
- They cause significant sidewalk and/or driveway upheavals.
- Any tree or part thereof, posing an immediate health and safety risk, say the result of a windstorm, ice storm, etc., shall, at the discretion of the Manager of Operations, be exempt from the above rules.

Tree removal for municipal purposes includes but is not limited to the following; to allow for road and/or roadside maintenance and ditching, to remove limbs overhanging a roadway or sidewalk, to remove trees or limbs that impede the visibility of traffic or traffic signs, to remove trees or limbs that cause snow build up or icy conditions on a public roadway or sidewalk, to remove dead or dying trees for the safety of the public.

An exemption to this policy shall be given to the Farm Community where trees located on Municipal Road Allowance(s) overhang an arable field and limbs extending over field shall create a hazard to persons and/or equipment and the

formal written notification, review and approval by the Municipal Tree Committee would restrict the normal and reasonable completion of normal farm practices. Communication between the Manager of Operations or his/her designate would suffice. The Municipality of South Bruce reserves the right to provide or not to provide maintenance upon unmaintained highways as per the Municipalities Minimum Maintenance Standards.

4. Tree Trimming

Trees shall be trimmed in order to:

- Remove dead, damaged or diseased limbs and branches to promote healthy vigorous tree growth and maintain structural integrity
- Provide adequate visibility for pedestrians and/or drivers
- Remove limbs and branches which restrict clearance or otherwise present a hazard to the traveling public
- Remove limbs or branches which are considered dangerous due to their poor condition

Tree trimming for municipal purposes includes, but is not limited to the following; to allow for road and/or roadside maintenance and ditching, to remove limbs overhanging a roadway or sidewalk, to remove trees or limbs that impede the visibility of traffic or traffic signs, to remove trees or limbs that cause snow build up or icy conditions on a public roadway or sidewalk, to remove dead or dying trees for the safety of the public.

5. Stump Removal

All stumps shall be ground and/or removed from municipal road allowance and covered with a layer of topsoil which is sufficient to support vegetation. Stumps left for sculpting from trees to date that the Municipality have cut down will be removed and ground to reduce all future liability issues they may impose on the Municipality. Stumps that were carved prior to enactment of this policy are permitted to remain providing they impose no immediate health and safety concern to the Municipality. When they impose such a threat, the Public Works department shall remove at the discretion of the Manager of Operations.

6. Wood Chipping

All wood chippings created by the Municipality shall be offered to the adjacent property owner at no charge. If the adjacent landowner does not want the chippings, they will be disposed of at the local landfill. All residents will then have access to the chips on a "first come, first serve" basis. The Municipality assumes no risk or liability in the taking or use of the said chips.

7. Tree Planting and Development

The Public Works department will determine health and planting locations with the assistance of the Municipal Tree Committee, if required, under the direction of the Manager of Operations and the Public Works Department and subject to further budget considerations and tree availability.

Planting Program

A tree planting program has been developed to replace trees that have been removed due to disease and old age or proximity to infrastructure installations where root base is fatally damaged.

- Attempt to replace these trees at a minimum rate of 2 trees to 1 tree removed, if possible. These locations would be determined from observation and community feedback. Residents will be responsible for planting and maintaining of their own replacement tree(s).
- Occupied and unoccupied utility standard locations and rights of way shall be avoided when planting trees. (i.e. overhead wires, gas lines, water and sanitary sewer lines and telecommunication lines such as fiber optics).
- Trees shall not be planted within Daylight Triangles at intersections which would impede vision.

Development Program

- The municipality may maintain a growing area, which will be used to grow saplings to an appropriate size. Municipal Properties such as our Landfill Sites shall be utilized.
- The trees will be a variety of native species and size.
- Maintenance of any tree growing area shall be the responsibility of the municipality.
- The municipality shall include as a policy for new residential developments the following requirements:
 - a) Planting a minimum of 1 tree on the frontage of every new home.
 - b) Species and size as identified in Appendix "C".
 - c) The Developer will be responsible for the cost of such tree and a fee, to be established and subject to change from time to time, shall be provided to the Municipality. Upon substantial completion of a home and prior to landscaping and upon location of underground services, the Municipality shall plant the tree in the front yard in a location designated by the property owner.
 - d) The Municipality is to supervise all tree plantings to ensure non conflict with infrastructure services.

The municipality shall keep a list of residents that wish to have a tree planted within road allowance adjacent of their residence. On a yearly basis, the Municipality will endeavor to plant enough trees within road allowance to satisfy the requests made by residents.

8. Tree Removal/Trimming/Stumping Costs:

For Municipal purposes:

When it has been determined by the municipality that tree removal and/or trimming is required for the municipality's purpose, trees within the road allowance will be removed at the municipality's expense, including removal of stump to ground level. Trees within the road allowance or limbs and branches overhanging the road allowance will be trimmed at the municipality's expense.

For Private Purposes:

Tree removal, trimming, and/or stumping required for the installation of a new entranceway or services shall be at the property owner's expense.

Tree removal, replacement or trimming required by a property owner(s) and/or private individuals or businesses for personal benefit shall be at the expense of the property owner(s), individuals or businesses and billed based on actual costs.

The cost, for any tree requiring pruning or removal that is on part municipal land and part private land, will be shared equally between both parties.

9. Wood:

When trees are cut from the municipal road allowance, the wood shall be offered to property owners and/or residents in accordance with the following;

The Municipality shall receive the proceeds from the sale of wood. The price of wood is determined by the Municipal Tree Committee and included within the annual Fee By-law, however donations in lieu of the wood from a downed tree can be accepted in place of set price. The wood shall be offered to adjacent landowners first. If the adjacent landowner does not want to purchase the wood, then it will be offered to local residents on a "first come, first serve" basis. This will be advertised on the municipal website and the Municipal Tree Committee Secretary shall keep a list of residents wanting to purchase wood. Municipal staff will deliver the wood to the purchaser at no cost and is to be placed outside of Municipal Road Allowance on the property of the resident receiving the wood. All cutting and splitting of the wood is the responsibility of the purchaser. Brush, twigs and leaves will be cleaned up by the municipality. The wood will be disposed of at the discretion of roads staff, with the primary focus at selling to the public prior to disposal at Municipal waste sites.

10. Tree Preservation, Protection, Restitution, and Fines:

Unless authorized by the Municipality, a person shall not do, cause, or permit to be done, any of the following to a tree located on lands owned by the Corporation of the Municipality of South Bruce.

- (a) Remove or cut down a tree or any part of a tree.
- (b) Mark, cut, break, debark, deface, damage or in any manner injure or destroy a tree, or any part of a tree.
- (c) Tack, paste, or attach a bill or note or any other thing, or object to a tree or to a stake, post, guard, or other object supporting such tree.
- (d) Deposit, place, store, or maintain any stone, brick, sand, soil, concrete, vehicle, equipment or other material that may impede the free passage of water, air or nutrients to the roots of a tree.
- (e) Chemically spray, fertilize, prune, trim, disturb, or alter a tree or any part of a tree.
- (f) Alter or change soil levels in the vicinity of any tree in a manner likely to cause injury to the tree.

A fine of \$200.00/per tree will be charged and invoiced to the individual from the Municipality of South Bruce who commits any of the above offences. Depending on the nature of the offence, the Municipality may also invoice the individual additional

items such as, stumping, estimated wood quantity per cord and replacement costs for the trees to be replanted at a location under the Municipal Tree Committee's discretion.

When tree removal or logging operations occur on an adjacent private property to road allowance and activity causes damage to Municipal property such as the road surface, ditching, etc. all labour, materials and equipment charges shall be assessed to the land owner where the operations occurred.

11. Reporting:

The Municipal Tree Committee shall report to Council any variance to the set policy and procedures for tree trimming, removal, stumping in the Municipality of South Bruce.



Appendix "B"

Request Form

Request for: <input type="checkbox"/> Removal <input type="checkbox"/> Wood <input type="checkbox"/> Replacement <input type="checkbox"/> Trimming <input type="checkbox"/> Chippings	Name of Institution request made to: Municipal Tree Committee
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<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Miss First Name: _____ Middle Name: _____ Last Name: _____ Address: (Street/Apt. No. / P.O. Box / R.R. No.) _____	Province: _____ Town: _____ Postal Code: _____ Telephone Number (Day): (____) _____ Telephone Number (Evening): (____) _____
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Detailed description of your request:

Full Name (Please print) _____	Signature: _____	Date: _____
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For Institution Use Only		
Date Received:	Request Number:	Municipal approval if considered a Health & Safety Risk: <input type="checkbox"/> Approved _____
Municipal Tree Committee Review Date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Additional Comments:

Personal Information contained on this form is collected pursuant to the Freedom of Information and Protection of Privacy Act / Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Freedom of Information and Privacy Coordinator at the Municipality of South Bruce.

Appendix "C"

Native Tree Species

Sizes and species may vary upon availability. Suggested size is 2 meters in height.

Shade Trees – Large

Hackberry	Celtis-occidentalis
Maple, Sugar	Acer-saccharum
Maple, Red	Acer-rubrum
Oak, Pin	Quercus-palustris
Oak, White	Quercus-bicolor
Oak, Red	Quercus-rubra
Oak, Bur	Quercus-macrocarpa

Small Trees (for confined spaces)

Maple, Amur	Acer-ginnala	(4-6 meters tall)
Maple, Tatarian	Acer-tataricum	(4-6 meters tall)

Appendix “D”

Miscellaneous

1. The ultimate proof as to the location of a tree or trees on or around a property line shall be by a survey prepared by an Ontario Land Surveyor.
Costs to be shared. However, the location of any and all survey bars in the immediate area should be undertaken by Municipal Staff utilizing metal detectors. Further, providing both parties agree, measurements may be taken from the centre of the abutting road allowance.

2. Financing of the Tree Maintenance and Replacement Policy shall be by:
 - Developer - New Tree Installation Fees – to be established;
 - Line Budget items – Roads and Parks Department(s);
 - Public Donations which shall be eligible for an Income Tax Receipt;
 - Submission of Grant Applications towards tree planting;
 - Payments in Lieu of Parkland, Subdivision Developments;
 - Service Club Environmental Projects;
 - Joint Projects with Pupils(Classess) at our local schools – children investing in their future – Kyoto Protocols.