

**Public Tree Policy**

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**Document Revision History**

Amendment Date	Amendment Summary

**Policy Statement**

The purpose of this policy is to govern the removal or planting of trees on public property within the Town of Churchbridge.

**Definitions**

- “**Back Alley**” means the passageway between or behind buildings;
- “**Barrier**” means any fence, frame, guard or other device placed around or near a tree for the purpose of protecting it from injury or harm;
- “**Boulevard**” means the vegetation strip between the sidewalk and a curb;
- “**Bylaw Enforcement**” means a member of the Council Bylaw Enforcement committee designated by the Town to enforce Town bylaws
- “**Certified Contractor**” means an individual who has obtained a certificate of competency in the arboriculture field;
- “**Hazard**” means a dead, dying or unstable tree at risk of falling, breaking or uprooting;
- “**Hedge**” means a boundary formed by closely grown shrubs;
- “**Occupant**” means a person residing at an owned or rented property;
- “**Park**” means all public parks, playground, sports fields and municipal greenspace;
- “**Pest or Disease**” means any insect or disease which is detrimental to the health of a plant;
- “**Private property**” means any land other than public or Town-owned property;
- “**Property owner**” means the assessed owner as shown on the current assessment roll of the town;
- “**Provincial Legislation**” means laws made by the Government of Saskatchewan;
- “**Pruning**” means cutting away dead, damaged or overgrown branches or stems;

**“Public Tree”** means a tree on public property;

**“Road”** means any part of a road allowance, street or way intended for or used by the general public for the passage of vehicles or pedestrians, excluding highways;

**“Town”** means the Town of Churchbridge;

**“Tree Removal”** means the removal of both the above and below ground portion of a tree including landscape repair;

**“Utility”** means the facilities for energy, communications and transportation, the provision of those facilities, and the person responsible for their provision and maintenance. Whether the facilities are publicly or privately owned;

**“Urban Forest”** means naturally occurring and planted trees and associated plants in the urban setting;

**“Work”** means the installation and maintenance of utilities, the paving or repairing of roads, sidewalks or boulevards, the construction, demolition, replacement of any structure, excavation, landscaping activities, snow removal and grounds maintenance.

### **Pruning and Maintenance**

Back lane trees/growth are not the responsibility of the Town and shall be considered the responsibility of the property owner. Excess growth impeding back lane access may be reported to Administration as a Nuisance Bylaw complaint.

### **Planting**

The Town of Churchbridge has the right to plant trees on boulevards adjacent to a private property if the Town deems it necessary.

### **Pest, Disease and Hazards**

Where any public tree has endangered or may endanger any person or property due to damage or disease the Town shall;

- Repair, prune or remove the tree;
- Treat or disinfect the tree; and
- Make all reasonable efforts to preserve and protect the tree.

### **Removal**

Requests for removal of public trees located on the boulevard adjacent to private property or in a new development shall;

- Be made by the property owner or developer;
- Be given to the Administrator in writing; and

- Specify the location of the public tree, the reason for requesting the removal and all other details deemed relevant to the request.

The Administrator upon receiving a tree removal request shall perform a tree evaluation to determine the validity of the request. Upon completion of the evaluation, the Administrator and/or Council shall approve the removal.

Responsibility for the cost of removal shall be incurred by the Town if the tree is;

- An immediate hazard to surrounding people or property; or
- Positive for Dutch Elm Disease.

And the work will be done on a timeline as determined by the Town.

Responsibility for the cost of removal shall be incurred by the property owner if the tree is:

- Is being removed for the purposes of landscaping; or
- If the property owner wants to expedite the removal of the tree for any reason other than those named in the section above.

A property owner will not be reimbursed for the removal of the tree if they choose to remove it themselves for the above reasons.

The Town may grant a property owner approval to remove a public tree that is an immediate hazard or Dutch Elm positive at their cost and submit an invoice for reimbursement in special circumstances. The property owner must acquire prior approval and the tree must be evaluated before the work may occur and the invoice must be from a qualified contractor or it will not be considered.

For all approved public tree removals which also include the removal of the stump, the Town shall provide backfill.

\*For the purposes of this policy, an immediate hazard shall mean obviously unstable, breaking or broken. This designation shall be at the discretion of the Town.