

TOWN OF NIAGARA-ON-THE-LAKE

POLICY

*POLICY NO. PW-RDS-013
SUPERSEDES NO. PW-RDS-004*

TITLE: *Tree Removal*

APPROVAL DATE: **April 22, 1996**

EFFECTIVE DATE: **April 23, 1996**

PURPOSE:

POLICY STATEMENT:

1. When considered necessary, the Town will remove trees from town road allowances, to protect the travelling public and property owners from possible injury or damages. Every effort will be made to cooperate with owners when trees adjacent to their property are to be removed.
2. All abutting property owners shall be advised by the Works Department regarding trees which are to be removed. Trees to be removed in conjunction with road construction will be marked, and abutting owners advised.
3. Trees shall be removed when:
 - (a) They interfere with construction or maintenance operations by the town, utilities or private developers, but only when no other reasonable alternative can be found.
 - (b) They seriously impede approved access to private property.
 - (c) They seriously obstruct the vision of pedestrians or drivers or otherwise present an undue hazard to the travelling public.
 - (d) 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 that they will not safely support the tree.
 - (e) They are infected with a disease, insect or pest which cannot be controlled, eradicated or cured.
4. Removal Costs:
 - (a) Trees within the road allowance will be removed at town's expense, including removal of stump to ground level.
 - (b) In accordance with the Highway Improvement Act, a tree located on private property adjoining the Town road allowance which causes drifting of snow or otherwise injuriously affects the road or obstructs vision of persons using the road may be removed by agreement with the owner or under a court order authorizing the removal at the expense of the Town.

- (c) Removal of trees straddling the street line will be cost shared with the adjacent property owner, on the proportions straddling the street line.
- (d) Tree removal, replacement or trimming required for the installation of a new entranceway, shall be at the property owner's expense.
- (e) Tree removal, replacement or trimming required by a property owner for reasons which are to his benefit only, shall be at the property owner's expense, upon approval from the Works Department.