

TILLAMOOK COUNTY PUBLIC WORKS DEPARTMENT

POLICY #S-11

TREE REMOVAL AND TRIMMING POLICY

Recommended by County Roads Advisory Committee

Date: 11/21/00

Approved by Board of Commissioners

Date: 11/27/00

BACKGROUND

Tillamook County often receives requests for the County Road Crew to remove or trim a tree that is within a public road right-of-way.

Legally, trees on most public roads belong to the adjacent property owner. In most cases, the county only has a right-of-way. The right-of way allows us to trim or remove any trees in the right-of-way if there is a need to do so for road purposes. We are not allowed to damage or remove any trees unless it is necessary for road purposes. Road purposes include, but are not limited to road construction, drainage facilities, road maintenance, improving driver sight distance and removing hazard trees that endanger the driving public.

Utilities also have a right to be in public road right-of-ways. They have a right to trim or remove trees in the right-of-way as necessary to construct and protect their facilities.

If the tree is a hazard to the adjacent property, the county does not have a liability unless the county performed some action that caused the tree to be a hazard. The responsibility for the hazard tree lies with the adjacent property owner, whom is the owner of the tree.

Historically, trees falling in roadways have rarely resulted in vehicle damage or injury to roadway drivers.

The county does not have the right to trim a tree to provide better scenic visibility of a property owner (as opposed to the right to trim trees to improve sight distance of a driver).

POLICIES

1. Hazard Trees. When notified of a potential hazard tree, county personnel will inspect the trees to determine if there is any deterioration of the tree or its foundation that would make the tree an imminent hazard to the traveling public.

If it is an imminent hazard the road department will remove the tree or otherwise resolve the safety issue as soon as it is feasibly possible

If the trees are not an imminent hazard to the traveling public, the Road Department will not spend public road funds for the tree's removal.

2. Sight-Distance and Overhanging limb Hazards. Trees will either be trimmed or removed if they become a hazard to the traveling public, even if they are healthy trees.

A county road department supervisor will make the determination of the need for the tree trimming or removal. During the removal the trees will be trimmed or removed beyond the imminent need in order to prevent the need for regular repeated maintenance at the same location.

3. Disposal of woody debris. Whenever county crews trim or remove trees the large wood sections shall be left as close to its original location as is possible without causing a safety problem. The downed tree remains the property of the adjacent property owner.

The small woody debris shall be chipped, removed or left by the side of the road, at the discretion of a Road Department Supervisor

4. Property owner tree removal. A property owner may remove or trim the trees adjacent to their property. The Road Department has no permit process regarding work on the trees, we do advise the following:
- If the work on the trees requires personnel or equipment being in the roadway, they should contact the Road Department first, so we can make sure the work is done in a safe manner.
 - If there is a risk of trees or branches falling in the roadway, putting the traveling public at risk, they should contact the Road Department first, so we can make sure the work is done in a safe manner.
 - If any work is being done in a riparian area, they should contact the Community Development Department.
 - If they are planning to sell any of the wood material they should contact the Oregon Department of Forestry.
 - Exposed stumps should not be left in the right-of-way. The stumps should either be removed or the tree cut off at ground level.