

THE TOWN OF MORDEN

POLICY & PROCEDURES MANUAL

<i>Reference</i> Community Services	<i>Classification</i> Policy
<i>Subject</i> Tree Control	<i>Pages</i> 5
<i>Authority</i> Council	<i>Effective Date</i> June 13 th , 2005 Amended July 16, 2007
<i>Approved</i> June 13, 2005 – Resolution #3 Amended July 16, 2007 – Resolution #8.8	<i>Index</i> C/S-004

1) PURPOSE:

To provide guidelines for the planting, maintenance, protection and removal of shade trees and shrubbery located along public streets, parks and other rights-of-way within the Town of Morden.

The objectives of this policy are to:

- a) Establish the responsibility of the Town with respect to the provision and care of boulevard trees/shrubs.
- b) Establish the responsibility of property owners/occupants with respect to the care of trees that are located on private property.
- c) Establish a program for consistent and planned planting of trees and/or shrubs in new subdivisions and previously developed areas of the Town.

2) PRINCIPLES:

In order to facilitate a reasonable and cost effective program structure, the following operating principles have been adopted as the foundation for this policy:

- a) The Town maintains the exclusive right and responsibility for planting, removing, pruning and protecting any and all boulevard trees and/or shrubs situated on Town of Morden property. The only exception to this principle will be in those instances where a development plan requires the developer to plant the boulevard trees. In these instances, the developer will be required to follow the guidelines contained within this policy.
- b) The Town will endeavor to ensure that at least one boulevard tree is present for each residential frontage.

- c) The provisions of Town of Morden policy # W/O – 006 regarding the placement of trees in new developments will be followed as part of this policy. All planting of trees in new developments will be subject to the terms of the applicable development plan.
- d) The Town is committed to maintaining the philosophy that two trees will be planted for each tree that is removed.
- e) All aspects of this tree control program will be carried out subject to approval within the annual operating budget.

3) DEFINITION:

For the purpose of this policy “Town Property” is defined as all civic lots, boulevards, and rights-of-way that are owned by the Town of Morden.

4) PROCEDURES:

Planting

1. The width of the existing/planned boulevard, the relation to overhead utilities, and the soil conditions will govern the species of tree that will be selected for planting on all Town property. The list of tree species that are considered appropriate for planting within the Town are attached as Appendix “A”. All planting of trees/shrubs on Town property must be approved by the Town.
2. Boulevard trees on any given block will be planted in a straight line parallel to the street curb.
3. Specifications governing the placement of boulevard trees will follow the provisions of Appendix “B”, which is attached to this policy.
4. In those instances where a developer is doing the tree planting in a new subdivision, the provisions of this policy will apply.
5. If the Town is required to plant under the terms of a specific development agreement, the Town will not plant until the lot is improved, all underground structures and services have been installed, and the boulevard is finish graded. It is also expressly noted that planting will not occur when the ground is in a frozen condition, or during periods of extreme heat or when the ground is overly saturated with moisture. In these instances, planting will occur as soon as possible after these conditions have been rectified.

Maintenance

1. The Town is responsible for the ongoing maintenance of all trees/shrubs that are located on Town property. In order to avoid contact with vehicular/pedestrian traffic and municipal equipment uses, all branches on boulevard trees below the height of 2.3 meters will be removed. The only exception to this will be on designated truck routes, where the boulevard tree branches will be removed below the height of 4.2 meters.

2. Maintenance of private trees/shrubs causing obstructions on Town property:
 - The owner or occupant of a property with private trees or shrubs abutting on the right-of-way of any street, alley, sidewalk or other public place is responsible for for trimming, removing or pruning back branches or other growth which may project or exist beyond the property line.
 - The Town will have the authority to trim and/or remove obstructions caused by the growth of trees/shrubs that are located on private property which abuts Town property. These obstructions shall include any impediment to street lighting, vehicular/pedestrian traffic, signage, and intersection sight lines. This authority will also apply to those private trees/shrubs whose roots may damage sidewalks, public streets, and any infrastructure related to the provision of public utilities. In those instances where the Town has undertaken to complete this work, the costs for this work will be the responsibility of the property owner.

Protection

1. Tree safety can become an issue because of physical damages, rot, and disease. The Town is responsible for ensuring, inasmuch as is reasonably practical, the safety of all trees/and shrubs located on Town property.
2. The Town reserves the right to enter private property and inspect the condition of trees which may present a safety concern for the general public or public property. If the Town determines that corrective action is required, the Town may issue a Municipal Order under Town of Morden By-law # 1-01 – Nuisances and Derelict, Abandoned and Unsightly Property.

Removal

1. The Town reserves the right to remove any tree/shrub that is located on Town property.
2. Trees/shrubs will only be removed due to one of the following:
 - The tree is deemed to be dangerous to public safety or property due to its:
 - i. Location
 - ii. Physical condition – e.g. broken limbs
 - iii. Health – e.g. severe rot or pest infestations
 - The planting of the tree/shrub has been carried out without the approval of the Town. **If the identity of the person who planted this tree/shrub can be established, the Town reserves the right to undertake the recovery of tree/shrub removal costs through whatever means are available.**
 - Other circumstances will be evaluated on their own merits.

APPENDIX “A”

Large size trees

Species

Acer Saccharinum
Fraxinus Pennsylvanica
Fraxinus Nigra
Fraxinus Mandshurica
Tilia Americana
Acer Negundo

Common Name

Silver Maple
Green Ash (Patmore)
Black Ash (Fall Gold)
Mancana Ash
Basswood
Manitoba Maple (Box Elder)

Medium size trees

Species

Celtis Occidentalis
Ulmus Davidiana
Tilia flavescens

Common Name

Delta Hackeberry
Discovery Elm
Dropmore Linden

Small size trees

Species

Syringa Reticulata

Common Name

Japanese Lilac

*** (other species and cultivars may be acceptable – dependent on availability and cost)

APPENDIX “B”

Minimum linear distances between plantings of boulevard trees/shrubs:

- Large size trees: 13 - 16 m apart
- Medium size trees: 10 - 13 m apart
- Small size trees: 7 - 10 m apart

Minimum linear distances from planting of trees/shrubs to selected above ground structures:

- Frontage Curb: 4.5 meters
- Fire hydrants: 3 meters
- Hydro poles: 3 meters
- Manholes: 3 meters
- Street intersections: 10 meters from edge of intersecting curb
- Alley/driveways/walkways: 4.5 meters from edge of curb and access point

