

City of Manitowoc - Forestry Division

TREE MAINTENANCE & REMOVAL POLICY

Purpose:

To provide the citizens of Manitowoc with a realistic and reliable explanation about the status of their tree concern. This may include but is not limited to:

- Health of the tree
- Recommended course of action from the City Forester
- Timeframe of action to be taken
- Possible options for the citizen



Priority Tiers for Forestry Division:

All citizen concerns regarding trees will be inspected by our City Forester or an appointed DPI staff member with knowledge of trees. ***(Watch for a door hanger!)*** Each tree will be placed in the appropriate tier by the City Forester. Tiered categories are in order of importance, and are as follows:

- 1) Height Clearance Ordinance Violations Street Trees – street trees that have been struck by traffic or maintenance vehicles or by pedestrians on the sidewalk because they are not complying with the city’s height clearance ordinance.
- 2) 4-D Trees – trees that are dead, dying, diseased or dangerous. Trees affecting the sidewalk or sanitary sewer laterals do not fall into this category.
- 3) Public Nuisance or Private Hazard Trees – trees that have been in violation of a city tree ordinance and are on private property but affecting the public right of way or hazardous private property trees. Letters will be sent to these homeowners to correct the violations.
- 4) All Other Trees – Trees that have been requested to be removed or trimmed and do not fall into the other categories.

Tier #1 trees will be addressed immediately by city staff.

Tier #2 trees will be placed on a list by city staff for removal or pruning by city staff or the City’s contractor based on severity and safety. *(To receive quarterly e-mail confirmations that your tree is on a list for removal, send an e-mail to forestry@manitowoc.org along with your property address or parcel number.)*

Tier #3 trees will be dealt with individually depending on severity and safety, but will normally be addressed by the home owners

Tier #4 trees will be noted by the City Forester, but will not be scheduled for any type of maintenance performed by the city.

Property owners with street trees that fall into tier 2 or 4 and would like to remove the street tree themselves or by using a contractor may apply for a Street Tree Removal Permit.

Street Tree Removal Permit Guidelines

1. Permission: Removal of a City street tree will be subject to City Forester inspection. The City Forester or his/her designee will evaluate each tree to determine whether the removal request is warranted.
2. Criteria: Removal permits are required if the tree will be removed by a private contractor, the property owner, or other individuals not affiliated with the City of Manitowoc forestry staff. One (1) of the following conditions must be present in order for a removal permit to be granted:
 - a. Tree is dead, dying, diseased, or dangerous (a.k.a. a 4-D tree)
 - b. Tree is an undesirable species according to the Street Tree Planting Policy, or

- c. Tree is located in conflict with existing or proposed driveway, sidewalk, street, or utility construction or is otherwise inappropriate for this location as determined by the Forester.

In the case of roots in the sewer, removing the tree does not solve the problem, since the problem is a faulty pipe. If the pipe is to be replaced and the tree location presents a problem, the tree may be removed at the Forester's discretion.

If you believe a street tree is a 4-D tree and would like the city's forestry staff to remove the tree as time permits, please contact the Parks & Forestry Office.

3. Permit Fee / Replacement Trees: The permit fee for removing a street tree is \$75 per tree and will be invoiced to the property owner on the seventh month after the permit is approved if the tree is not replaced with a tree on the Forestry Division's approved list of suggested street trees. This fee will be waived if the property owner can provide proof (by photo, video, etc.) within 180 days of the Street Tree Removal Permit approval that a new street tree from the approved list of suggested street trees has been planted. Property owners who wish to plant a tree in the terrace area, must complete a Street Tree Planting Permit. New trees must be a minimum of 2" in diameter and be on the approved list of suggested street trees in order to have the Street Tree Removal Permit fee waived. Permit applications and the Street Tree Planting Policy (with the approved list of suggested street trees) can be found online at www.manitowoc.org.
4. Cost of Removal: The cost of removing a street tree shall be borne by the City if the tree falls into Tier 1 or 2 under the City's Tree Maintenance & Removal Priority Policy. Whereas the cost of stump removal shall be borne by the abutting property owner. The cost for replacement trees is also borne by the abutting property owner. Property owners must apply for a Street Tree Planting Permit prior to placing new street trees.
5. Notice of Removal: Property owners must notify the City of Manitowoc Forestry Division of a permitted removal a minimum of three (3) business days in advance. Permits expire 90 days after date issued.
6. Documentation: If you are requesting a removal of the tree because of a sidewalk problem or other circumstance, please have proper documentation to support the request. Photos are helpful.
7. Appeal from the Determinations or Orders: Any person who receives a determination or order from the City Forester and objects to all or any part thereof may appeal to the Municipal Tree Commission within seven (7) days as per ordinance 8.19(16).
8. Liability Release: Any person who is granted a Street Tree Removal/Trimming Permit and all their heirs, executors, administrators, assigns and agents agree to hold the City of Manitowoc, its employees, and agents harmless for any and all damages or personal injury claims occurring in connection with the above grant of permit. Further, any rights to any claims, demands, rights of causes of action, present or future, whether known, anticipated or unanticipated, resulting from or arising out of the removal of the tree(s) by the person granted the permit, their assigns or agents is hereby waived. The permittee assumes any and all risks, which may arise out of or related to his/her actions.

Trimming of Street Trees by Others

Minor trimming/pruning of street trees by property owners or their contractor is allowed. Property owners should submit a tree removal permit to remove the tree if more than 25% of the tree needs to be trimmed, as it may cause premature death of the tree.