

CITY OF BRISTOL – PUBLIC WORKS

19.9 MANAGING / PROTECTING CITY TREES

1. Policy Name

19.9 Managing and Protecting City Trees

2. Policy Statement

The City of Bristol Department of Public Works is responsible to maintain trees located within the City's street right of way, City properties maintained by the Department of Public Works, and trees under the authority of the Director of Public Works or Tree Warden in accordance with the City Charter and CT State Statute Sec 23-59.

In accordance with this policy and CT State Statute Sec 23-59, it is the City's objective to maintain and protect healthy trees for the benefit of City residents, and to mitigate the risk trees pose to property and persons.

3. Policy

- a. Maintain and protect healthy trees
- b. Evaluate trees when complaints are received that may pose a risk to property or persons. The City does not have or maintain a survey of City trees indicating location, size, type or condition.
 - i. Upon receipt of a complaint the Tree Warden or his designee shall inspect tree to confirm that it is a City Tree and determine the condition/risk of failure of said tree.
 1. Determination of City-owned tree shall be based on location as determined by available mapping, or a measurement from the pavement centerline to the edge of the right way (typically 50 ft.). The property owner shall reserve the right to obtain the services of a licensed surveyor to determine/confirm ownership of the tree. Tree location is based on the location 3 ft. above average surrounding grade.
 2. Tree evaluation performed by the City shall be based on a visual inspection from the ground to evaluate risk of failure. The property owner shall reserve the right to submit a report from a Licensed Arborist in the State of Connecticut. A report from a tree cutting service is insufficient. In addition, the Department of Public Works may also may procure the services of a Licensed Arborist to perform an additional evaluation.
- c. Trees that pose an immediate hazard shall be removed/cut by the City. All other trees scheduled for removal shall be posted for a period of 10 days in accordance with Ct State Statute 23-59. Once posted, the City shall conduct a hearing in accordance with State Statute if a protection concern is received from the public. In accordance with CT State Statute, decisions of the Tree Warden are final, and appeal is through the CT State Superior Court.
- d. As indicated in Section 3c, trees that are not classified as an immediate hazard shall be posted. The requirement to post trees by the Department of Public Works Tree Warden shall extend to trees removed by the DPW on property under the control of the Parks

Department, Board of Education, or Cemetery property. Said posting shall direct communication to the DPW Tree Warden.

- e. Trees located on private property are the responsibility of the property owner, not the City of Bristol. Private trees that are determined by the Tree Warden to pose an extreme eminent hazard, in conjunction with the City's Building Official and/or Fire Chief, shall be removed at the private property owner's expense. If necessary to eliminate hazard, the City shall remove/cut the tree and lien the private property to recoup cost in accordance with City property maintenance ordinance/regulations.
- f. Trees where a portion of the tree is located on private property and public property (street right of way) are defined as shared ownership. Since the objective of the Department is to limit City risk, trees that are classified as shared ownership that pose a risk to the public are removed/cut or trimmed to remove the hazard at City expense. Care is taken during tree trimming as to not unbalance the tree. Therefore, trimming on the City portion of the tree often results in the removal of the entire tree. For large trees that are primarily located on private property and do not pose a risk to the public, but do pose a risk to private property, the Department shall notify the private property owners that the City is not responsible for removing the hazard (cutting/trimming trees).
- g. As referenced in this policy, trees removed by the City in general, consist of work performed directly by the Department of Public Works Street Division. However, there are times, due to either work load, hazard (electrical), location, or the need of specialized equipment, work is required to be performed by a private vendor (tree company), procured in accordance with City purchasing requirements.
- h. In order to ensure that healthy trees within the City right of way are not removed, property owners are not permitted to remove City trees without obtaining authorization from the Tree Warden. This extends to property owners claiming damage to their sanitary sewer lateral associated with roots from City trees. Under these circumstances, DPW allows the tree to be removed if it is necessary to replace or repair the sanitary sewer lateral. DPW does not allow tree removal if the sanitary sewer lateral is of sufficient distance from the tree, in that replacement of the lateral will not damage the tree. Although the City understands that tree roots from a City tree can, and do, clog sanitary sewer laterals, the primary focus of the City's Water & Sewer Department is to reduce inflow and infiltration. Therefore, property owners are required to repair/replace sanitary laterals to prevent roots from entering the pipe. Removing the tree does not solve the issue of a failed/damaged pipe.
- i. Removal of a City Tree shall include the stump. The Department of Public Works shall grind the stump to approximately 4-inches below the ground surface, unless otherwise directed by the Director of Public Works. The disturbed area shall be loamed and seeded.
- j. Tree removal by the Department of Public Works shall include the removal of all brush and branches. Wood that can be used as firewood may be left on the property in question, and/or along the roadway, for residents to take/use. Said wood shall be removed after a period of two weeks.
- k. Wood debris/wood chips shall be disposed of at the Department of Public Works transfer station for disposal, or the Department may provide wood chips to residents/non-profits if requested. Said wood chips shall consist of full truck loads, and shall be approved by either the Director of Public Works, or Board of Public Works Chair, based on the Department's operational needs.

- l. The Department of Public Works does not perform tree trimming to reshape trees, and does not support trimming of branches that will unbalance a tree canopy. In general, the Department’s tree trimming shall be limited to the removal of dead wood.
- m. The City of Bristol retains the right to trim or cut branches that extend into and are located within the City’s right of way. The City’s right to trim or cut the portion of the tree within the City’s right of way exist even if the tree trunk is located on private property. The DPW trims branches along the roadway to prevent tree or bush branches from extending into the roadway or sidewalk area. Areas along roadway pavement shall be cut back 3 feet from the edge of pavement to a height of 8 ft. In areas of sidewalks, the branches shall be cut at the back of the walk, along the back face of the sidewalk. Recommended tree trimming/pruning techniques states branches should be cut at the closet intersection branch. Trimming tree branches on deciduous trees does not typically result in deform or result in unsightly trees. Trimming of evergreens and bushes does result in the loss of vegetation and often results in deformed or unsightly trees (green growth of tree removed). In addition, since the trimming occurs at the bottom of the tree, regrowth is limited due to lack of sunlight. It is imperative that tree branches that extend into the roadway or sidewalk area be removed. Therefore, in accordance with State Statute, the area shall be posted (signs on survey stakes) that tree trimming is scheduled to occur. After the required 10-day period, tree limbs shall be cut back. If the trees are small and within the City’s right of way, or permission is granted for private trees, consideration shall be given by the tree warden to remove the trees. If approved for removal, the trees shall be reposted for an additional 10 days.

4. Responsible Division and effective date

Public Works Director of Public Works/ Tree Warden and the Departments Streets Division

5. Approval authority:

Board of Public Works

6. Approval Date:

June 16, 2022 rev **April 10, 2025**

7. Effective Date:

July 1, 2022 rev **April 28, 2025**