

**THE CITY 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> July 14,2015
<i>Approved</i> June 13, 2005 – Resolution #3 Amended July 16, 2007 – Resolution #8.8 Amended July 13, 2015 – Resolution 8.3	<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 City of Morden.

The objectives of this policy are to:

- a) Establish the responsibility of the City 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 City .

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 City maintains the exclusive right and responsibility for planting, removing, pruning and protecting any and all boulevard trees and/or shrubs situated on City 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 City will endeavor to ensure that at least one boulevard tree is present for each residential frontage.
- c) The provisions of City 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 City 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 “City Property” is defined as all civic lots, boulevards, and rights-of-way that are owned by the City 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 City property. The list of tree species that are considered appropriate for planting within the City are attached as Appendix “A”. All planting of trees/shrubs on City property must be approved by the City .
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 City is required to plant under the terms of a specific development agreement, the City 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 City is responsible for the ongoing maintenance of all trees/shrubs that are located on City 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 City 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 City 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 City 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 City 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 City is responsible for ensuring, inasmuch as is reasonably practical, the safety of all trees/and shrubs located on City property.
2. The City 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 City determines that corrective action is required, the City may issue a Municipal Order under City of Morden By-law #22-2006 Nuisances and Derelict, Abandoned and Unsightly Property.

### Removal

1. The City reserves the right to remove any tree/shrub that is located on City 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 City . **If the identity of the person who planted this tree/shrub can be established, the City 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”**

	<b>Species</b>	<b>Common Name</b>
Large Sized Trees	<i>Acer saccharinum</i>	Silver Maple
	<i>Tilia americana</i>	Basswood
	<i>Acer negundo</i>	Baron Maple
	<i>Quercus macrocarpa</i>	Bur Oak
	<i>Ulmus americana</i>	Brandon Elm
	<i>Populus XACW151</i>	Sundance Poplar

	<b>Species</b>	<b>Common Name</b>
Medium Sized Trees	<i>Aesculus A. glabra</i>	Ohio Buckeye
	<i>Betula platyphylla</i>	Dakota Pinnacle Birch
	<i>Celtis occidentalis</i>	Delta Hackberry
	<i>Juglans cinerea</i>	Butternut
	<i>Juglans nigra</i>	Black Walnut
	<i>Tilia cordata</i>	Little leaf Lindens
	<i>Ulmus davidiana japonica</i>	Discovery Elm
	<i>Salix pentrandra</i>	Laurel Leaf Willow

	<b>Species</b>	<b>Common Name</b>
Small Sized Tree	<i>Cornus alternifolia</i>	Pagoda Dogwood
	<i>Syringa reticulata</i>	Japanese Tree Lilac
	<i>Catalpa</i>	Catalpa
	<i>Acer ginnala</i>	Amur Maple
	<i>Acer tatarica</i>	Hot Wings Tatarian Maple
	<i>Malus adstringens</i>	Gladiator Crab Apple
	<i>Malus spring snow</i>	Spring Snow Crab Apple
	<i>Sorbus aucuparia</i>	Russian Mountain Ash

**\*\*\* (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

**Trees/shrubs that are planted adjacent to street intersections and alley/driveways/walkway access points are prohibited in the sightline triangles noted in "Exhibit 1" below.**

