



ELBERT COUNTY
PUBLIC WORKS POLICIES AND PROCEDURES

TITLE Tree Removal	Approval Date 12/15/2016
POLICY CUSTODIAN Public Works- Road & Bridge Division	Revision Date 12/10/2018

PURPOSE: To help ensure the safety and integrity of County roadways.

DEPARTMENTS
RESPONSIBLE: Public Works – Road & Bridge Division

DEPARTMENT(S)
AFFECTED: Public Works - Road & Bridge Division

POLICY:

No tree located within Elbert County rights-of-way shall be removed without written permission from the County.

Circumstances warranting removal of trees shall include, but shall not be limited to, the following:

- A) Construction of roadway or drainage improvements;
- B) Trees that create a driving hazard or inhibit sight distance;
- C) Dead or dying trees;
- D) Trees or tree roots causing damage to roadways or other infrastructure;
- E) Trees inhibiting drainage or roadside maintenance;
- F) Wildfire mitigation;
- G) Any circumstance that may create health, safety and operational hazards related to a tree location.

PROCEDURES:

The Elbert County Public Works Road & Bridge Division is responsible for the administration of the following procedures:

Trees located on private property or areas maintained by community associations

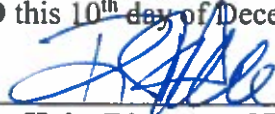
In the event trees, limbs, shrubs, vines, hedges or other plant material located on private property or upon areas maintained by a community association are deemed to constitute a hazard to drivers or pedestrians, the County shall pursue the removal of said obstructions

pursuant to 42-4-114 of the Colorado Revised Statutes. Community associations are defined as organizations that have been given responsibility for the maintenance of plant material on County right-of-way through a license agreement or other means and shall be considered “adjacent property owners” within this policy.

Trees located on County owned right-of-way or County right-of-way easements:

1. In the event trees are to be removed from County owned rights-of-way or County right-of-way easements, the County will mark the trees and notify immediate adjacent property owners by mail at least fourteen (14) days in advance of removal. Other affected Elbert County Departments will also be notified at that time. For the purpose of this policy, “immediate adjacent property” shall be defined as illustrated on Attachment A, and shall hereinafter be referred to as “adjacent property.” If the tree is located upon County right-of-way where a community association such as a metro district or homeowner’s association has responsibility for landscape maintenance, notice shall be given to the community association.
2. Adjacent property owners shall have the right of first refusal concerning transplantable trees to be removed from the right-of-way (note: utility conflicts may render some trees impractical for transplanting). If the adjacent property owner wishes to transplant said tree(s), the adjacent property owner must notify the Elbert County Road & Bridge Administrative office within seven days of receipt of notification, complete a Tree Relocation In County Right-of-Way permit and shall relocate said tree(s) at no cost to Elbert County within (14) days of notification. The adjacent property owner shall locate affected utilities, restore the grade to what existed prior to relocation of the tree(s) and mitigate any damage to utilities. A no-cost permit will be issued for the tree relocation(s), however, a refundable security deposit from the property owner in the amount of \$250.00 per tree up to a maximum of \$1,000.00 shall be retained by the County until final inspection of the permit has been completed. No deposit will be required from community associations for the transplanting of trees within the right-of-way, however, extensions of the timeframe for removal may be granted depending upon the urgency of removal
3. If the adjacent property owner does not respond within seven days of receipt of notification, tree removal will proceed at the discretion of the County after the 14-day notification timeframe has expired.
4. Trees located within County rights-of-way normally will not be removed other than for the reasons listed above. However, if the adjacent property owner wishes to remove a tree(s) located within the public right-of-way (and adjacent to his or her property), said property owner may apply for a Tree Relocation in County Right-of-Way permit through Elbert County Road & Bridge Department. Such request will be considered on a case-by-case basis. The adjacent property owner shall be responsible for obtaining a tree removal permit and shall meet all other requirements found within paragraph 2. (above).
5. If the County determines that an emergency condition exists that requires the removal of a tree(s), any or all provisions of this policy may be waived.

APPROVED AND ADOPTED this 10th day of December 2018.



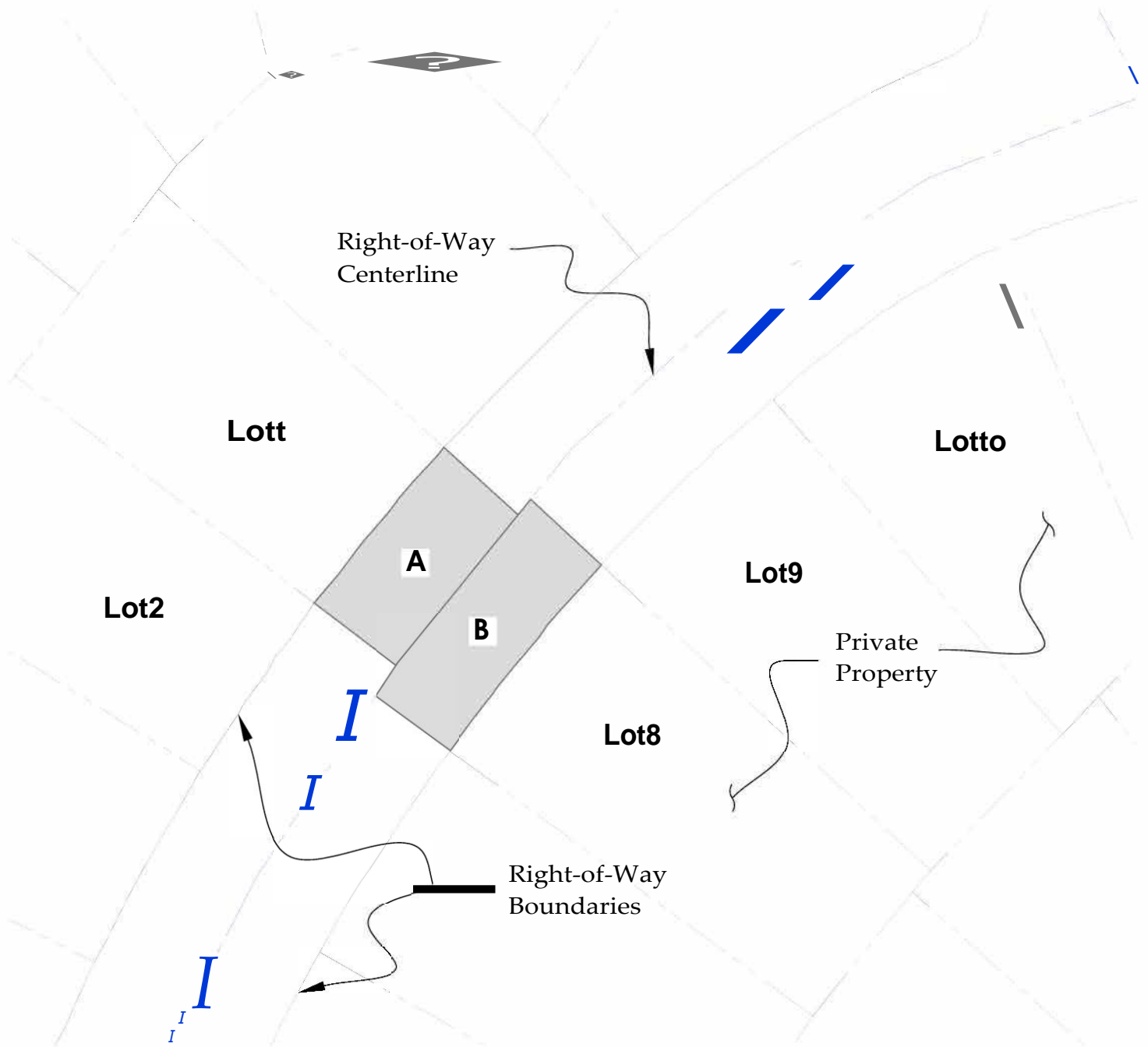
Rory Hale, Director of Public Works



Sam Albrecht, County Manager

Attachment A

Illustration of Immediate Adjacent Property



Examples:

- Lot 1 shall be considered as immediately adjacent to Area A.
- Lot 8 shall be considered as immediately adjacent to Area B.