

NEIGHBORING TREE NEEDS TRIMMING OR REMOVAL!

WHAT DO I DO?

The following information is to help address some frequently asked questions and concerns.

Regarding the state law:

- It does not require a property owner to maintain his/her trees.
- It does allow neighbors to trim to the property line – deemed “air rights”- PROVIDED that the tree is not pruned in such a way to cause harm (health or structure) in this act. “Trespass” can be applied if anyone enters the property without permission to perform the work (even in a matter of inches).

Regarding local law:

- If the private property tree poses a threat to the Right of Way, the Village can require that the property owner take action to mitigate the issue. If the property owner does not take action, the Village can take action through Property Maintenance Department to enforce.

Options that you have:

- Approach the owner of the tree, your neighbor, with your concerns and objectives. It is best to try and do this with a smile and written request (especially if language barrier exists). They may meet your concerns and objectives
 - o At their cost,
 - o At a shared cost with you, or
 - o At no cost to them but allow you trespass rights to accommodate your request.
- They may not cooperate and refuse to offer payment or trespass rights. At which point, to move forward, you would
 - o Trim **ONLY** the branches over your property, WITHOUT harming the tree (health or structure), at your cost.
 - o Document both before and after with photos and/or more.
 - o Utilize a certified arborist to do the trimming to minimize potential harm to the tree.
- To do more, or in addition to the above, you have the option to seek legal assistance by hiring an attorney.

It is very possible to trim or prune trees without causing “unjust or undue harm.” A certified arborist can assess the existing health of the tree, prune accordingly, and address structure. If hiring someone, I recommend you get at least three competitive quotes, from a licensed Village contractor, for comparison. These quotes may also assist you when speaking with your neighbor.