

CITY OF GREEN ISLE

TREE POLICY FOR RIGHTS-OF-WAY AND EASEMENTS

Policy Number: 2025-01

Effective Date: 10.28.25

Review Date: 11.1.26

1. PURPOSE

This policy provides guidance to property owners regarding tree planting within city rights-of-way and easements, clarifies responsibilities, and establishes the city's authority to remove trees when necessary for municipal operations.

2. DEFINITIONS

Easement: A legal right granted to use another person's land for a specific purpose. In the context of this policy, easements include utility easements that allow the city, utility companies, or other entities access to property for installation, maintenance, or repair of infrastructure including but not limited to water lines, sewer lines, electrical lines, gas lines, telecommunications equipment, and stormwater management systems.

Right-of-Way: Public land or property acquired or dedicated for public use, including streets, roads, alleys, sidewalks, and associated areas. The city right-of-way in Green Isle shall be defined as fourteen (14) feet from the edge of any city roadway or alley.

Tree: Any woody perennial plant that is at least one (1) inch in diameter as measured at a point two (2) feet from the ground, including all trees, shrubs, and woody landscaping materials.

3. CITY RECOMMENDATION

The City of Green Isle **strongly recommends that property owners do not plant trees within city rights-of-way or utility easements** for the following reasons:

- Trees may interfere with utility maintenance and repair work
- Trees may need to be removed for city infrastructure projects
- Tree roots can damage underground utilities
- Trees may obstruct traffic visibility or pedestrian access
- Removal costs and liability remain with the property owner
- Violations of this policy may result in required removal at property owner expense

4. PERMIT REQUIREMENT

The City strongly discourages planting any tree within the city right-of-way or easement without first obtaining written permission from the City. If property owners choose to plant

despite this recommendation, applications for tree planting permits should be submitted to the City Clerk and should include:

- A site plan showing the location of proposed planting
- Species and size of trees to be planted
- Verification that Gopher State One Call has been contacted
- Signed acknowledgment of the ordinance and acceptance of all responsibilities
- Such other information as the City may require

5. PROPERTY OWNER RESPONSIBILITIES

PROPERTY OWNERS WHO PLANT TREES WITHIN THE CITY RIGHT-OF-WAY OR EASEMENTS DO SO ENTIRELY AT THEIR OWN RISK AND EXPENSE. The City assumes no responsibility for the health, maintenance, survival, or replacement of privately-planted trees within public rights-of-way or easements.

5.1 Complete Financial Responsibility

Property owners with trees in rights-of-way or easements are responsible for and shall pay all costs associated with:

Tree Removal:

- Professional tree removal and disposal
- Stump grinding and removal
- Site restoration and cleanup
- Equipment rental and labor
- Any collateral damage caused during removal

Maintenance:

- Ongoing care including watering, fertilizing, pruning, pest control, and disease treatment

Damage and Liability:

- Sidewalk, street, or curb damage from root systems
- Utility line damage or interference
- Property damage from falling branches or trees
- Personal injury claims
- Traffic obstruction or sight line interference

Emergency Removal:

- Immediate removal when the City determines a tree poses imminent danger

5.2 Species and Location Restrictions

Trees shall not be planted:

- Within ten (10) feet of fire hydrants, utility poles, or traffic control devices
- Within five (5) feet of driveways or sidewalks
- Under overhead utility lines
- In locations that would obstruct traffic sight triangles
- In conflict with established utility easements

6. CITY AUTHORITY

6.1 Absolute Right to Remove Trees

The City reserves the absolute right to remove, trim, or relocate any tree planted in the right-of-way or easement, with or without notice to the property owner, when the City determines in its sole discretion that:

- The tree interferes with or threatens public safety
- The tree obstructs vehicular or pedestrian traffic or visibility
- The tree interferes with utility operations, maintenance, or installation
- The tree is diseased, damaged, or poses a present or future hazard
- The tree conflicts with public works projects or city operations
- The tree was planted without required authorization

All costs for such removal shall be charged to and paid by the adjacent property owner.

6.2 Emergency Authority

In emergency situations involving immediate threats to public safety, the City may take immediate action without prior notice and assess all costs to the responsible property owner.

7. UTILITY COMPANY RIGHTS

Public and private utility companies retain all rights granted by law or easement to:

- Trim or remove trees interfering with utility operations
- Access easements for construction, maintenance, and repairs
- Require tree removal for utility installations or upgrades
- Recover costs for tree-related utility damage from responsible parties

8. CITY'S POSITION ON VIOLATIONS

The City reserves the right to require removal of any trees planted in rights-of-way or easements that:

- Were planted without city permission

- Interfere with city operations or public safety
- Cause damage to city infrastructure
- Violate the restrictions outlined in this policy

All removal costs will be assessed to the adjacent property owner.

9. GOPHER STATE ONE CALL REQUIREMENT

Before any excavation or tree planting in rights-of-way, property owners and contractors **must** contact Gopher State One Call at 811 or 1-800-252-1166 for utility location marking.

10. RECOMMENDATIONS FOR PROPERTY OWNERS

If you wish to plant trees on your property, the city recommends:

- Planting trees well within your private property boundaries
- Choosing appropriate tree species that won't interfere with overhead power lines
- Checking your property survey to identify easement locations
- Reviewing the city's approved species list (when available)

11. QUESTIONS AND CONTACT INFORMATION

For questions about this policy, permit applications, or to verify the location of rights-of-way and easements on your property, contact:

City of Green Isle
 320 McGrann Street
 507-326-3901
Greenislecityhall@greenislemn.gov

Adopted by the Green Isle City Council on: October 28, 2025

Mayor: _____ **Date:** _____

City Clerk: _____ **Date:** _____