



# Trees in Oakwood

# *Overview*

- City responsibilities
- Homeowner responsibilities
- Common tree situations
- Bushes, shrubs, etc.
- Further information

*Key concept:*

Public trees

vs.

privately-owned trees

# *Public Trees*

- On city property/grounds
- City parks
- Boulevards

\*Does not include right-of-way area adjacent to private property

# *Privately-owned Trees*

- Everything else!
- On private property
- Tree lawns/right-of-way

# *City responsibilities*

- Maintenance of public trees
- Code enforcement
  - Property Maintenance Code
  - General Offenses Code
  - State laws
- Street maintenance

# *Homeowner responsibilities*

- Maintenance of privately-owned trees
- Special situation: right-of-way trees
  - 8'/14' clearance requirements
  - Signage

# *Common tree situations*

- Utility line clearance
- Determining ownership
- Property line issues
- Falling tree/limbs/branches



# *Utility Line Clearance*

- Lines located in easements
- Standards: PUCO/OSHA
- City does not control trimming on private property

# *Determining ownership*

- Trunk location generally determines ownership
- Can be varied by agreement/past practice
- When in doubt: Survey, agreement

# *Tree overhangs property line*

- Common-law right to trim
- “Reckless injury” limitation

# *Tree straddles property line*

- Co-ownership (unless varied by agreement/past practice)
- “Reckless injury” limitation still applies
- Halved vs. shared maintenance

# *Falling tree material*

- General rule: “Act of God” and traditional legal negligence principles
- Responsibility for clearing debris/repairing property
- Putting a neighbor “on notice”
- City immunity

# *Bushes, shrubs, and other vegetation*

- Ownership determined in same manner as for trees
- Must be trimmed and clear of all rights-of-way
- Must maintain tree lawn
- Max 8" grass/weed height

# *Disputes and Concerns*

- Best advice:  
    Talk to your neighbors!
- Private civil issue: consider mediation, small claims court, or consult private attorney

# *Additional information*

- City website:
  - “Trees in Oakwood” fact sheet
  - Utility line clearance fact sheet
- City Horticulturist
- Code Enforcement Officer
- Your own arborist, surveyor, and/or attorney





**Questions?**