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Private Tree Trimming - Best Practice Guideline The Township of Wellington North

The Township of Wellington North does not regulate the trimming of trees on private property. If the tree in question is dead/dying or has dead branches that could be hazardous, a Forestry expert and or Municipal Law Enforcement Officer may investigate and order the tree removed at the owner's expense.

Trimming a neighbour's overhanging branches:

The Township of Wellington North recommends that you discuss this with your neighbour and if an agreement cannot be reached, to consult with a lawyer before undertaking any works.

There are three main points to remember when dealing with trees on adjacent private property:

1. *You enter (trespass) onto your neighbour's property without consent*
2. *You cannot damage your neighbour's property (in this case a tree); and*
3. *You have the right to maintain your property in a safe condition*

It is therefore best for property owners to come to an agreement between themselves with respect to trees overhanging property lines.

If you are unable to reach an agreement with your neighbour and want to determine your legal rights, you should contact a lawyer.

The act of pruning trees on neighbouring private property affects private property rights and is a civil issue between private property owners.

Where a tree on a private property is protected under the provisions of a county by-law or is located within a tree preservation protection area, pruning of the tree is permitted provided the pruning is in accordance with good arboricultural standards and does not damage the health of the tree.

A qualified tree expert should always be retained to carry out tree pruning.