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EMMET COUNTY ROAD COMMISSION

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POLICY
NO. 2001-018
SUBJECT: TREE REMOVAL POLICY - ROAD MAINTENANCE

WHEREAS, the Board of County Road Commissioners for the County of Emmet (the "Road Commission") has a legal duty, under Michigan General Highway Law and County Road Law, to keep in reasonable repair, so that they are reasonably safe and convenient for public travel, all county roads, bridges, and culverts that are within the County's jurisdiction, under its care and control, and open to public travel;

WHEREAS, the Road Commission recognizes that under certain circumstances, trees located in road rights-of-way may constitute a danger or hazard to the motoring public;

NOW THEREFORE, the Road Commission hereby adopts the following tree removal policy:

In any case where the Road Commission determines that a tree located within the rights-of-way of a road under its jurisdiction may constitute a danger or hazard to the motoring public, the Road Commission shall order any such tree(s) removed, and provide the affected landowner with a "Tree Removal Notification Form."

The Road Commission shall attempt to provide affected landowners with a "Tree Removal Notification Form" for signature prior to tree removal. The "Tree Removal Notification Form" shall include the name, address, and telephone number of the landowner, along with the property location and a general description of tree(s) to be removed. The form shall allow the landowner to exercise the following options: (1) to remove the living tree(s) with approved Road Commission permit and appropriate insurance, and transplant them elsewhere outside the road rights-of-way, at landowner expense, within five (5) days from the date which appears on the "Tree Removal Notification Form" or the date of a Road Commission Order for tree removal, whichever is earlier: (2) to have the Road Commission cut the tree(s) in question and accept the wood resulting from the cutting down of any such tree(s), or: (3) to have the Road Commission cut and dispose of any such tree(s) as it deems appropriate.

In the event a tree poses an immediate road hazard (such as a dead tree or hanging tree), a supervisor shall document the hazard by taking pictures and writing the location down. The tree may then be cut down immediately.

Dated: MAY 11, 2001

Frank Zuluski, Jr.
Commissioner Frank Zuluski, Jr.

William R. Poquette
Commissioner William R. Poquette

William C. Teachout
Commissioner William C. Teachout