

General:
Issue: 08

Liabilities: Trees/Limbs

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Safety

BULLETIN

Liability: Trees/Limbs

Municipalities are facing possible liability claims as a result of trees/limbs from private properties. Home and business owners' trees and/or limbs extending and/or falling onto adjacent municipal property can cause problems for municipalities.

This past year has brought this occurrence to light with municipalities being held responsible for personal or property damage on municipal property from tree/limbs located on private property. To alleviate this type of liability claims, municipalities should take these steps:

1. Municipalities should implement inspection procedures to detect and eliminate such potential hazards that may exist on municipal property.
2. Municipality should inform property owners of the hazards and request tree/limb removal at owner's expense.
3. If owner refuses to remove hazards the municipality should develop condemnation procedures and removal at owners expense.

By implementing the above procedures a municipality will reduce their liability claims caused by non-municipal owned trees.