



**CITY of
NORTH
OLMSTED**

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Trees in North Olmsted FAQs

The Arbor Day Foundation has awarded North Olmsted the Tree City USA designation for the last 28 years. We have mature trees in abundance on tree lawns and on private property across the city. Trees are beautiful, provide needed shade and help reduce impact of climate change and questions arise as to what is expected of residents and the city with regard to their care and proper maintenance. Below is a collection of the most frequently asked questions that we receive on this important topic.

WHO IS RESPONSIBLE - CITY OR RESIDENT?

The city of North Olmsted is only responsible for public, municipally-owned or maintained trees.

Private property owners are required to maintain their trees under our city code – Section 1363.301. All issues involving trees on private property should be resolved by the affected owners. The city has no obligation to remedy private tree-related nuisances. The city may, at its discretion, provide a landowner with an assessment if the tree in question directly abuts a public right-of-way – such as a sidewalk or street. Although the city is permitted and at times exercises its authority to do so, especially if it presents a danger to public property, it will not ordinarily examine, cite, maintain or remove trees that are not on city property.

WHO IS RESPONSIBLE WHEN A PRIVATELY-OWNED TREE OR PART OF IT DAMAGES OTHER PRIVATE PROPERTY?

The liability for damage caused by a fallen tree or limbs is normally determined by traditional legal principles of negligence. Ordinarily, when a tree or limb falls, the responsibility for clearing the debris and fixing the property rests with the owner of the property on which the debris landed.

If you believe that a neighbor's tree is putting your property or your persons at risk, you may wish to give your neighbors notice of the situation. This can usually be done with a polite letter or other means of notification. It may be helpful to rely on the advice of a trained tree professional, to view the tree in order to substantiate your concerns.

WHAT IF THE TREE OR PART OF THE TREE IS ON THE BOUNDARY BETWEEN TWO SEPARATELY-OWNED PROPERTIES?

In Ohio, a landowner is generally allowed to trim any limb, branch or root back to the property line, provided that the overall health of the tree will not be affected. Keep in mind that the best outcome with a situation like this is usually obtained by open and civil communication between the property owners before any other action takes place.

A tree whose trunk rests across a property line is, in Ohio, commonly owned by all adjoining landowners. When this situation occurs, one landowner cannot remove or trim it in such a

way that would result in harm to the tree. Also, even if a tree rests solely on one neighbor's property, if you and your neighbor have formally agreed, or treated the tree in such a way as to suggest, that the tree is commonly owned, then the tree may be considered legally owned by all involved parties.

Tree ownership must be determined privately by a qualified surveyor or by agreement of the affected property owners. The city will not participate in determining the ownership of a tree unless it appears to be on city property.

HOW DO I RESOLVE DISPUTES AND CONCERNS OVER TREES WITH MY NEIGHBORS?

Residents are encouraged to resolve tree related questions or disputes without involving the city. This resolution usually can be accomplished, or at least initiated by making a polite inquiry or request of the other party. If the parties are unable to agree on tree ownership or maintenance, the conflict remains a private civil issue and either party may want to consider consulting an attorney.

WHAT IF THE TREE I'M CONCERNED ABOUT IS CITY-OWNED?

If you have concerns about the health of a tree on city property or on a tree lawn, please contact the Service Department at 440-716-4151 or servicedept@north-olmsted.com

WHO MAY PERFORM TREE MAINTENANCE OR REMOVAL?

If you need to do maintenance or removal that goes beyond the scope of ordinary yard work, we strongly suggest and encourage you to contact a qualified tree service contractor.

HELPFUL LINKS:

FIND AN ARBORIST

Trees are Good: <https://www.treesaregood.org/>

Please note when using the ISA Arborist finder that Michael Bosau will show at the top of the list when using the North Olmsted zip code. He is an employee of the City of North Olmsted and is not for hire to address private property concerns.

TRIMMING AROUND POWER LINES

First Energy: <https://firstenergycorp.com/help/safety/trees.html>

CALL BEFORE YOU DIG

Ohio811: <http://www.oups.org/edig>

Any private property owner concerned about trees on their property or on an adjacent property are encouraged to contact private legal counsel for an explanation of their rights and responsibilities.