RISK CONTROL BEST PRACTICES:
Trees and Roadside Vegetation

This guide presents best practices for managing exposures stemming from trees and roadside vegetation.

Establish a Tree Risk Assessment Program

Trees present a number of problems for public works departments, including expensive and hazardous pruning and removal, insect damage, and root-caused damage to sidewalks and utility infrastructure.

• The best way to limit exposure to tree-related liability is to create a program to assess the risk.

• Be aware of state laws and statutory protections regarding ownership of trees and responsibility for damages.

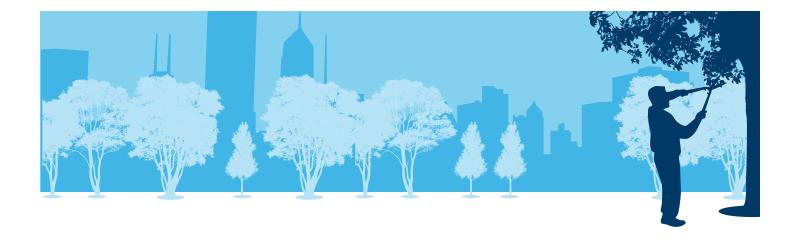## Track Preventive Maintenance and Customer Concerns

Ensure that tree evaluations and actions taken to remedy issues are documented in a timely fashion.

• Although your response to complaints may be affected by the risk to public safety, ongoing weather or other emergencies, keeping consistent records of your efforts is critical.

• Implement a procedure and work order system for tracking tree-related complaints.

• The system should include the date/time/name of person reporting, address of tree or vegetation, and the date/time/type of action taken.

• Track all notifications, consistently using the tracking tool at the end of this document or a similar one.

Implement a Formal Tree Maintenance Plan

Be proactive. Merely responding to complaints will not reduce risk exposure sufficiently.

• Conduct a tree risk assessment for all trees in the jurisdiction.

• First, assess trees on high-traffic roads and near public buildings or parks. Grade each tree and create a priority list based on tree conditions.

• Prioritize work on trees that need to be pruned or removed.

• Create a watch list for trees and set an inspection schedule to monitor trees on the list.

Confirm Tree Ownership to Keep Maintenance on Track

When the ownership of a tree is ambiguous, the risk of costly claims increases because maintenance is ignored.
• Create a list of trees whose ownership is unclear.
• Work with owners of adjacent land to come up with a plan for each tree.
• Consult attorneys, if needed, and document the process.
• Depending on the condition of the tree(s) and the risk of damage, consider working with the adjacent landowner(s) to prune the tree(s). Be sure to obtain a signed waiver that limits your liability in the event of future damage.

Inspect Roads for Overgrown Vegetation and Hanging Tree Limbs

Look for obscured traffic signs or obstructed views at intersections.
• Conduct visual road inspections throughout the year – particularly in the summer months – to ensure that roadside vegetation and hanging tree limbs are trimmed.
• Pay attention to trees that may not be on your watch list but could present an exposure worth monitoring.
• Monitor roadside vegetation closely: The rate of growth can change from year to year, so an area may require more (or less) frequent mowing and trimming.

Seek to Transfer Risk Properly

When possible, hire contractors and transfer the risk.
• Choose contractors who are certified and insured to do the work.
• Ensure that contractors have the proper equipment and trained, certified staff.

Resource Links

• The International Society of Arboriculture (ISA) Basic Tree Risk Assessment Form (fillable):
  www.isa-arbor.com/Portals/0/Assets/PDF/Certification-Applications/ISA-Basic-Tree-Risk-Form-fillable.pdf

• ISA Basic Tree Risk Assessment Form Instructions:
  www.isa-arbor.com/Portals/0/Assets/PDF/Certification-Applications/ISA-Basic-Tree-Risk-Assessment-Form-Instructions.pdf

Tree Maintenance Tracking Tool

Date of Notice			Entity Name			Last Updated		
Date of Notice	**Time of Notice**	**Reported By**	**Address of Reported Tree of Concern**	**Nearby Landmarks**	**Tree Species/Size**	**Describe Concern Reported**	**Action Taken**	**Date of Survey**