

# Responsibility of Fallen Tree Policy



## Guidelines Regarding Responsibility for Fallen Trees on Adjoining Landowners' Property

The purpose of the policy establishing guidelines for the allocation of responsibility and cost regarding clean-up and removal of trees that have fallen onto City owned property or from City owned property onto adjacent landowner's property in the City of Eden Prairie is to provide for the health, safety and welfare of the public.

Pursuant to this policy responsibility for the cost of clean-up, removal and damage caused by a fallen tree is the obligation of the owner of the property from which the tree fell (referred to as the "owner of the tree") if the tree was diseased or damaged in any way that was a contributing factor in the falling of the tree **and** if owner of the tree knew or should have known of the diseased or damaged condition. In all other situations the owner of the property on which the tree fell is responsible for cleanup, removal and other damage caused by the fallen tree.

Approved by the City Council on September 6, 2005.