



**MUNICIPAL OFFICERS' POLICY
ON FINANCIAL RESPONSIBILITY FOR
TREES IN BLUE HILL**

RECITALS

WHEREAS, there are a variety of trees in the Town of Blue Hill, including some that are endangered by pests (such as the “emerald ash borer”) and disease (such as “Dutch elm disease”); and

WHEREAS, certain of the pests and diseases of concern can be transmitted from tree to tree; and

WHEREAS, many of these trees are visible to the public and support Blue Hill’s unique character and aesthetic and

WHEREAS, the Select Board believes there is a public interest to supporting the management of damage and disease, particularly where the cause of the damage and disease can spread from tree to tree; and

WHEREAS, the trees currently of most concern, elm trees in the Blue Hill village area (which are the most visible to residents and visitors to Blue Hill) are approaching their ultimate life expectancy of approximately 200 years, such that they may die from other causes within the next decade or two; and

WHEREAS, the Select Board recognizes that, in addition to the “street trees” in the village area, there are other at-risk trees elsewhere in Blue Hill that are also located in the public right of way; and

WHEREAS, treatment or removal (in part or in whole) of all diseased or “at risk” trees in the Town would be prohibitively costly; and

WHEREAS, certain at-risk trees are located on Town property, others are entirely on private property not subject to a public right-of-way, and others are located in the right-of-way area for public ways (Town roads, state roads, or state-aid roads); and

WHEREAS, the Select Board has appointed a Tree Warden to provide expertise to the Select Board and Blue Hill property owners, when requested, in the management of all trees located in Blue Hill; and

WHEREAS, the Select Board seeks to define an equitable balance between protecting trees that are at risk while managing the cost of such protection.

POLICY

NOW, THEREFORE, the Blue Hill Select Board hereby establishes a policy under which:

- 1) The Town shall take financial responsibility for the care, disease prevention, removal, etc. of trees on Town-owned land unless an alternate arrangement has been specified.
- 2) Private property owners shall be financially responsible for the general care, any preventative treatments, and removal of trees located on their property. The Tree Warden may make recommendations to such property owners for treatment, maintenance, or removal of trees on their property, but the decision as to whether to proceed with such treatment or other action shall rest entirely with the private property owner.
- 3) For trees that are in a public right-of-way, the decision as to what actions to take for the care, preventative treatment, or removal of trees shall generally rest with the property owner.
 - a. However, if the Tree Warden determines that a proposed preventative treatment, trimming, or removal of an at-risk tree would materially benefit the interests of the Town by protecting other trees in the vicinity, the Town will share 50% of the cost of such treatment, trimming, or removal.
 - b. Nothing in this policy shall diminish any rights that the Town, the State of Maine, utility companies or other beneficiaries of the public right of way to treat, trim, or remove trees in that right of way.

The Town Administrator shall file a copy of this policy with the Town Clerk and provide a copy to the Tax Collector.

Adopted: _____, 2024.

Benjamin Adams

Ellen S. Best

James W. Dow

D. Scott Miller

James Wootten